

TOWN OF WAYNETOWN

RESOLUTION 004-2026

A RESOLUTION ADOPTING A TITLE VI OF THE CIVIL RIGHTS
ACT OF 1964, IMPLEMENTATION PLAN FOR THE TOWN OF
WAYNETOWN, INDIANA

WHEREAS, the federal government enacted Title VI of the Civil Rights Act of 1964, as amended, to prevent discrimination on the grounds of race, color, sex, age, disability or national origin and to ensure that individuals are not excluded from participation in, denied benefits of, or otherwise subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, sex, age, disability or national origin;

WHEREAS, throughout the years, additional regulations, statutes, directives, cases and executive orders have been passed which expand the breadth of Title VI;

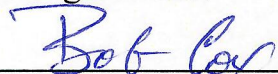
WHEREAS, the Town of Waynetown, IN, in recognition of Presidential Executive Order 13672 (4-8-15) recognizes the term "sex" to include "sexual orientation and gender identity" as well as the biological state of being male or female;

WHEREAS, the Town of Waynetown, IN, by its Town Council wishes to formally adopt and implement the following attached policy and procedure for the benefit of all Waynetown citizens including members of the LGBT population of this Town; and

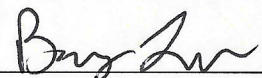
WHEREAS, it is a requirement of the Indiana Department of Transportation and the US Department of Transportation that communities receiving federal financial assistance adopt a Title VI Plan.

NOW THEREFORE be it resolved by the Town Council of the Town of Waynetown that it hereby adopts the attached Title VI Program and Implementation Plan.

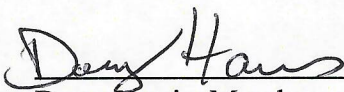
PASSED AND RESOLVED, Town Council of the Town of Waynetown, this 12th day of August 2026.



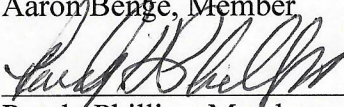
Bob Cox, Town Council President



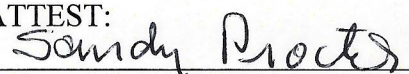
Barry Lewis, Vice President



Doug Harris, Member

Aaron Bengt, Member


Randy Phillips, Member

ATTEST:


Sandy Proctor, Clerk Treasurer

Town of Waynetown, Indiana

2027 Title VI Implementation Plan

Date: 8-12-2026

Town Council of the Town of Waynetown

Town Council President: Bob Cox
106 N. Vine St.
Waynetown, IN 47990
(765) 366-9931

I. Contents

I.	Contents	3
II.	PLAN STATEMENT	5
III.	AUTHORITIES	6
IV.	ORGANIZATION AND STAFFING.....	6
V.	TITLE VI COORDINATOR.....	7
VI.	TITLE VI COORDINATOR RESPONSIBILITIES	8
VII.	DEPARTMENT HEAD RESPONSIBILITIES & DEPARTMENT HEAD REPORTING	9
VIII.	SUB-RECIPIENT REVIEW PROCEDURES	10
IX.	TRAINING	10
X.	LIMITED ENGLISH PROFICIENCY (LEP) PLAN	11
XI.	COMPLAINT PROCEDURES	13
XII.	PUBLIC PARTICIPATION AND OUTREACH	16
XIII.	TITLE VI CIVIL RIGHTS COMPLIANCE REVIEWS.....	16
XIV.	SOCIAL EQUITY AND ENVIRONMENTAL JUSTICE.....	16
	General Assurances	Error! Bookmark not defined.
	Specific Assurances (Appendix A thru E)	Error! Bookmark not defined. to 32
	Attachment A: PROGRAM GOALS	29
	Attachment B: TRAINING LOG.....	29
	Attachment C: FLASH CARDS.....	29
	Attachment D: COMPLAINT AND DISCRIMINATION FORM	31
	Attachment E: COMPLAINTS LOG	34

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II. PLAN STATEMENT

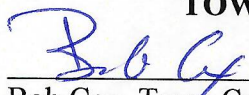
This plan was developed to guide the Town of Waynetown, Indiana, in its administration and management of Title VI-related activities and to establish a policy of non-discrimination in the conduct of its business, including its Title VI responsibilities to the community in which it operates and to the society it serves.

It is the Town of Waynetown's policy to utilize its best efforts to ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under its programs, services, activities and related benefits. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "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 subjected to discrimination under any program or activity receiving Federal financial assistance (42 U.S.C. Section 2000d).

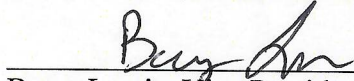
Throughout the years, additional regulations, statutes, directives and executive orders have been passed, which expands the breadth of Title VI. The Town of Waynetown has adopted these tenets and hereby makes the following Plan Statement:

The Town of Waynetown, Indiana is committed to ensuring that no person is excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation on the basis of race, color, national origin, disability, sexual orientation, gender identity, religion, age, low-income status or limited English proficiency. In the event the Town of Waynetown distributes federal-aid funds to a sub-recipient, the Town of Waynetown will include Title VI language in all written agreements and will monitor for compliance. The Town of Waynetown's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 CFR 200.9 Title CFR 21.

TOWN OF WAYNETOWN TOWN COUNCIL (August 12, 2026)



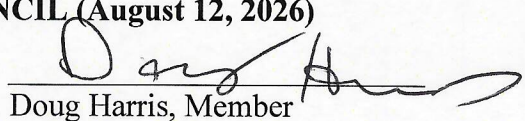
Bob Cox, Town Council President



Barry Lewis, Vice President

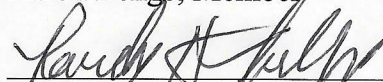


Sandy Proctor, Clerk Treasurer



Doug Harris, Member

Aaron Benge, Member



Randy Phillips, Member

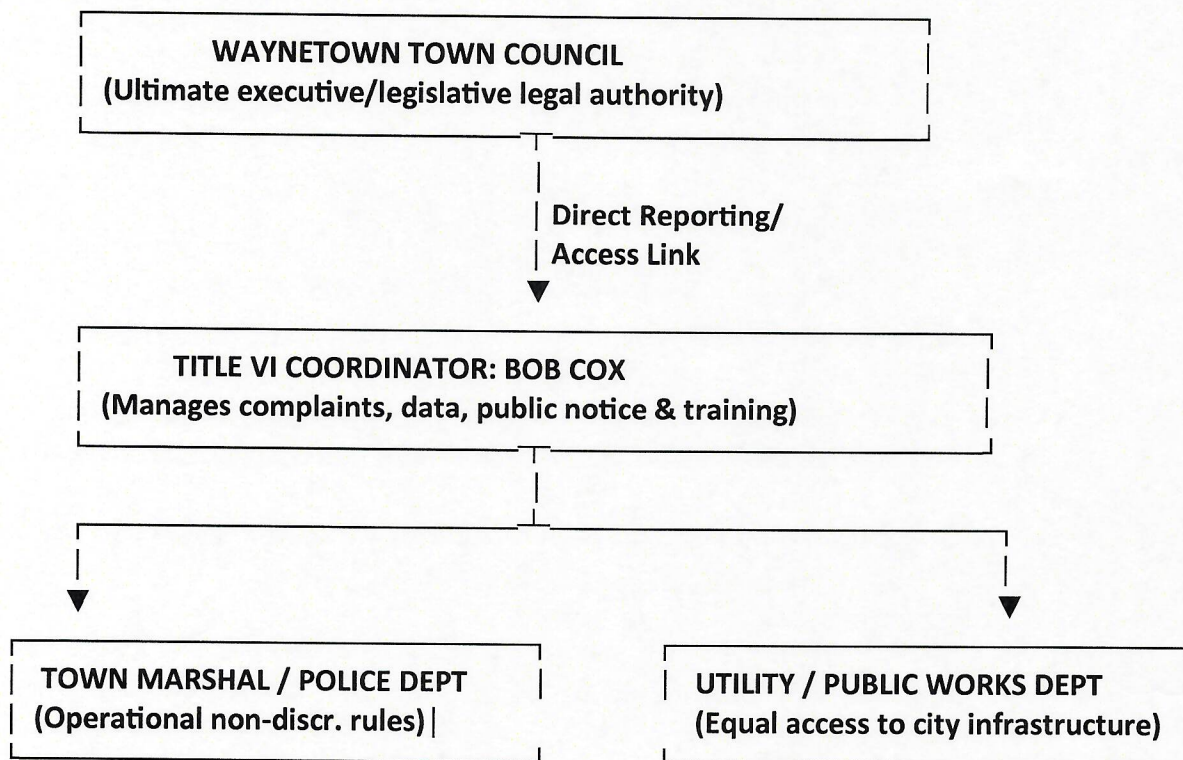
III. AUTHORITIES

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

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs and activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not.

IV. ORGANIZATION AND STAFFING

The Town Council President, Bob Cox shall serve as the Title VI Coordinator, on behalf of the Town Council and the Town, and is responsible for the overall management of the Title VI Program to ensure compliance with provisions of the Town's policy of non-discrimination with the law.



V. TITLE VI COORDINATOR

The Town Council President, Bob Cox shall serve as the Title VI Coordinator, on behalf of the Town Council and the Town, and is responsible for the overall management of the Title VI Program and to ensure compliance with provisions of the Town's policy of non-discrimination.

Title VI Coordinator:

Bob Cox

Address:

106 N. Vine St.

Waynetown, IN 47990

E-Mail:

bcox@waynetown.net

Phone:

(765) 376-9931

TTY: 711

VI. TITLE VI COORDINATOR RESPONSIBILITIES

The Title VI Coordinator is responsible for implementing, monitoring, and ensuring the Town's compliance with Title VI regulations and the overall administration of the Title VI Program and Standard U.S. Title VI Assurances (**Assurances: Appendices A-E**). This includes the completion of the following activities:

- **Program Administration** – Administer the Title VI Program and coordinate implementation of the Town's plan. Ensure compliance with the assurances, policies, and program objectives. Perform Title VI Program reviews to assess and update administrative procedures, staffing, and resources; provide recommendations, as required, to the Town Council.
- **Data Collection** – Review and analyze the statistical data gathering process performed by the Title VI Liaison periodically to ensure sufficiency of data for meeting the requirements of the Title VI Program Administration.
- **Training Programs** – Conduct or facilitate training programs on Title VI current and new regulations for Town employees.
- **Title VI Plan Update** – Review and update the Title VI Plan annually (on or by June 1, of each year). Present updated plan to the Town Council for approval; submit amended Plan to INDOT as required.
- **Reporting** - Conduct reviews of the Town's Title VI Program to assess Title VI compliance to assure effectiveness with Title VI provisions. The Title VI Coordinator and the Town Department Heads will coordinate efforts to ensure the requirements of Title VI are met.
- **Public Dissemination** – Work with the Town Council to develop and disseminate Title VI Program information to the Town employees and sub-recipients, including contractors, subcontractors, consultants, sub-consultants and the general public. Public dissemination may include postings of official statements, inclusions of Title VI language in contracts or other agreements, website postings, and/or publication of the Town's Title VI Policy Statement in the newspaper. The Title VI Coordinator shall ensure adherence to Indiana's Open Door laws, and, where reasonable requests are submitted, provide written or verbal information in languages other than English.
- **Complaints** – Administer the complaint procedure, including the filing process, review and investigation of Title VI complaints that may be received by the Town of Waynetown, and following procedural guidelines. Ensure every effort is made to resolve complaints.
- **Maintenance** - Maintain a log of all complaints and upkeep training log.
- **Elimination of Discrimination** – Work with the Town Council to establish procedures for promptly resolving deficiencies, as needed. Recommend procedures to identify and eliminate discrimination that may be discovered in the Town's processes.
- **LEP Plan** -- Develop and implement the Town of Waynetown's Limited English Proficiency (LEP) Plan. Train Town Employees on the procedure to follow when a person requests an interpreter.
- **Contract Compliance** -- Establish procedures for reviewing contracts with sub-recipients, special interest programs and activities to include the Title VI Assurances;

- **Collection of Data** - Collect statistical data, where available, on the impact of applicable construction projects on the different classes described in the Plan Statement; This will be conducted twice per year. Data will be collected and recorded into this Title VI Implementation Plan.
- **Continuing Education** -- Attend Title VI Training as necessary. Maintain logs of training attendees.

VII. DEPARTMENT HEAD RESPONSIBILITIES & DEPARTMENT HEAD REPORTING

The Town of Waynetown employees will be expected to follow Title VI policy and the guidelines set forth. In addition, Town of Waynetown 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 or department head, in writing, of any questions, complaints or allegations of discrimination. Department heads are responsible for:

- Ensuring applicable Town contract documents contain the appropriate Title VI provisions;
- Consulting with the Title VI Coordinator when Title VI complaints are received or issues arise;
- Comply with the Plan Statement;
- Develop and update internal policies and procedures to ensure Title VI compliance during all phases of projects, activities, etc.;
- Ensure all business pertaining to the selection, negotiation and administration of applicable consultant contracts and agreements is accomplished without discrimination as set out herein;
- Provide information in the appropriate language or interpreters as needed for individuals with disabilities and LEP persons.

Department heads should complete Title VI Review Forms and submit them to the Title VI Coordinator. Review Forms will be used as an assessment tool to determine compliance within the departments with Title VI. The Title VI Coordinator may provide training to help Department Heads achieve their Title VI goals and better assist in alleviating discrimination. The Title VI Coordinator will review the data collection procedures for each department periodically to ensure compliance is met with the Town of Waynetown's Title VI Program requirements. The Department Heads should prepare the report and submit it annually on or around **June 1st of each year**. The following information should be included in each annual report submitted:

- Number of federally funded projects awarded during the past year;
- Number of Title VI complaints received during the past year, Statistical data collected

on ethnicity, race, gender and disability for all right-of-way relocates.

- Affirmation that staff understands the Title VI Policy and procedures set in place for the Town.
- Information related to the public dissemination of the Title VI Policy or Policy Statement.
- Information on number of individuals who received Title VI training in each department including attendees, dates and locations.
- Information on number of LEP persons needing assistance including services used related cost, and a description of the communication needs of LEP persons.

VIII. SUB-RECIPIENT REVIEW PROCEDURES

Review Process Steps

- **Notification:** INDOT notifies the subrecipient via email regarding whether a desk audit or an on-site review is scheduled.
- **Desk Audit:** The town submits requested electronic compliance documents, policies, and public notices for initial evaluation.
- **On-Site Review:** INDOT visits facilities, reviews compliance questionnaires, and interviews the designated Title VI Coordinator and key personnel.
- **Preliminary Report & Remediation:** INDOT issues a written report; if any violations or deficiencies are identified, the subrecipient has 30 to 90 days to correct them or submit a formal remedial action plan.

Key Areas Evaluated

- **Public Notice & Dissemination:** Verification that non-discrimination policies are publicly posted and accessible.
- **Coordinator Designation:** Proof that a Title VI/ADA Coordinator is assigned and trained.
- **Complaint Procedures:** Maintenance of an active complaint process, form, and log.
- **Data Collection & Training:** Review of civil rights training records and demographic data collection.

IX. TRAINING

The Title VI Coordinator will make Title VI Program training available TWICE PER YEAR to employees, contractors, sub-recipients, and Department Heads. The training records will be documented and kept on the Training Log (**See Attachment B**).

The training will provide information on Title VI provisions and operation, and identify Title VI issues and resolution of complaints. A record of the training conducted will be kept by the Title VI Coordinator.

X. LIMITED ENGLISH PROFICIENCY (LEP) PLAN

This Limited English Proficiency Plan has been prepared to address the Town of Waynetown, Indiana's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, U.S.C. 2010. It implements regulations that provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

Presidential Executive Order No. 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all Town of Waynetown's departments and divisions receiving federal grant funds.

Language Assistance

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to the Town of Waynetown's programs and activities. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language. The Town of Waynetown will determine when interpretation and/or translation are needed and are reasonable. The Town of Waynetown staff shall consider the following to identify if an interpreter is needed or if an LEP person needs language assistance:

- Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events.
- Have Language Identification Flashcards (**Attachment C**) available at Town Hall and other Town venues near customer service areas, easily accessible to the staff. Individuals self-identifying as persons not proficient in English may not be able to be accommodated with translation assistance at the time, but it will assist in identifying language assistance needs for future events.

Language Assistance Measures

For personal privacy reasons, the Census Bureau does not report certain data that it deems private for entities with so small a population that the data being reported could be plausibly associated with an individual by a third party. Although there is a low percentage in the Town of Waynetown of LEP individuals, that is, persons who speak English "not well" or "not at all", the Town of Waynetown will strive to offer language assistance using the

following measures:

- If an individual asks for language assistance and the Town of Waynetown determines that the individual is an LEP person and if language assistance is necessary to provide meaningful access. The Town of Waynetown has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access.
- When an interpreter is needed, in person or on the telephone, staff will attempt to determine what language is required and access the language interpreting service to be used.
- The Town of Waynetown will periodically assess the need for language assistance based on requests for interpreters and/or translation.

XI. COMPLAINT PROCEDURES

FHWA Title VI Complaint Procedure for Waynetown Indiana.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and

national origin in programs and activities that receive Federal financial assistance (See 23 CFR

Part 200 and 49 CFR Part 21).

Who is eligible to file an FHWA Title VI complaint?

The Federal Highway Administration (FHWA) requires that Waynetown Indiana report Title VI discrimination complaints. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Waynetown Indiana program or activity related to road and highway transportation programs because of their race, color, or national origin may file an FHWA Title VI complaint. Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated in a discrimination investigation.

How do you file a complaint?

Title VI complaints must be filed within 180 days from the last date of the alleged discrimination unless the time for filing is extended by the processing agency. Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact Bob Cox, Town of Waynetown Title VI Coordinator.

Complaints should be filed in writing and signed, and may be submitted via mail, email, fax or in person to:

Title VI Coordinator:

Bob Cox

Address:

106 N. Vine St.

Waynetown, IN 47990

E-Mail:

bcox@waynetown.net

Phone:

(765) 376-9931

TTY: 711

Complaints may also be filed directly with the following agencies:

**Title VI Coordinator/ Program Manager
Indiana Department of Transportation
100 N. Senate, Room N755
Indianapolis, IN 46204
Email address: AccessForAll@indot.in.gov**

**Indiana Division
Federal Highway Administration (FHWA)
575 N. Pennsylvania Street
Room 254
Indianapolis, IN 46204
Phone: (317) 226-7475**

**Federal Highway Administration Headquarters - Office of Civil Rights
1200 New Jersey Avenue, SE HCR-40, Room E81-101
Washington, DC 20590
202-366-0693 or Fax: 202-366-1599
TTY: 202-366-5751**

What happens after a complaint is filed?

The Town of Waynetown must forward any Title VI complaint related to the Federal-Aid Highway Program and to the Indiana Department of Transportation (INDOT) within three (3) business days. INDOT will then forward the Title VI complaint to the appropriate FHWA Division Office for further processing. Once an FHWA Title VI complaint is received, the Town of Waynetown will log the complaint information in its records.

The Indiana Division will provide the complainant with the name and contact information of the INDOT employee responsible for coordinating the complaint.

FHWA Headquarters Office of Civil Rights (HCR) will determine whether a Title VI complaint is accepted or dismissed, as well as whether FHWA or INDOT will investigate the complaint.

FHWA HCR will notify the complainant, as well as appropriate agencies, of its decision. For more information, please visit the FHWA website at https://www.fhwa.dot.gov/civilrights/programs/title_vi/titleviqa.cfm.

Complainants are encouraged, but not required, to use the following complaint form when filing a complaint with FHWA or INDOT. At a minimum, each complaint should contain a written explanation of the alleged discrimination, complainant's contact information, the basis of the complaint (e.g., race, color, national origin), the names of specific individuals or agencies involved, sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance, and date(s) of the alleged discrimination.

Title VI Complaint Form

See Attachment D.

XII. PUBLIC PARTICIPATION AND OUTREACH

The Town of Waynetown 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. Any meetings that are open to the public are published on the main page of the Town of Waynetown's website and distributed to local media outlets. The Title VI Coordinator will update the Town's webpage, to include pertinent Title VI information as it becomes available.

All Town of Waynetown's public meetings are held in locations accessible to individuals with disabilities. Various meeting agendas, meeting minutes, Town of Waynetown notices, events and news can be found on the Town's website. Waynetown will provide two training sessions for sub-recipients and contractors annually. The dates of these meetings will be posted on the website and at the Town Community Room. A poster of Title VI non-discrimination will be posted within the Community Meeting Room and displayed continuously.

XIII. TITLE VI CIVIL RIGHTS COMPLIANCE REVIEWS

The Town of Waynetown, Indiana shall perform annual reviews to determine overall compliance with its Plan Statement, including performing annual reviews through interviews and document reviews within each department. In addition, the Town has adopted these 2027 goals set out in **Program Goals Attachment 1**.

XIV. SOCIAL EQUITY AND ENVIRONMENTAL JUSTICE

Ensuring the meaningful involvement of low income, minority, disabled, senior, and other traditionally underrepresented communities is a key component of the Town's public participation activities. The Town of Waynetown's policies, procedures, and programs are consistent with federal and state environmental justice laws, regulations and requirements, Title VI, related nondiscrimination requirements and reflect the principles of social equity and environmental justice. Social equity means ensuring that all communities are treated fairly and given equal opportunity to participate in the planning and decision-making process, with an emphasis on ensuring that traditionally disadvantaged groups are not left behind. Environmental justice means ensuring that plans, policies, and action do not disproportionately affect low income and minority communities. The three Fundamental environmental justice (EJ) principles are:

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

The Town of Waynetown is committed to these three environmental justice principles in all work that the Town performs.

Appendix A: The United States Department of transportation (US DOT) Standard Title VI/Nondiscrimination Assurances, DOT Order No.: 1050.2A

The United States Department of Transportation

(USDOT) Standard Title VI/Nondiscrimination

Assurances

DOT Order No. 1050.2A

The **Town of Waynetown**, Indiana (herein referred to as the "Recipient"), hereby agrees that, as a condition to receiving any federal financial assistance from the U.S. Department of Transportation (DOT), through the **Federal Highway Administration (FHWA)**, it is subject to and will comply with the following:

Statutory/Regulatory 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);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

FHWA may include additional Statutory/Regulatory Authorities here.

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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, "for which the Recipient receives Federal financial assistance from DOT, including the **FHWA**.*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

FHWA may include additional Statutory/Regulatory Authorities here.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to **its Federally assisted Federal-Aid Highway Program**:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all **Federal-Aid Highway Program** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The ***Town of Waynetown***, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

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

FHWA may include additional Specific Assurances in this section..

By signing this ASSURANCE, **the Town of Waynetown** also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **INDOT** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **INDOT**. You must keep records, reports, and submit the material for review upon request to **INDOT**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Town of Waynetown gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the **Federal-Aid Highway Program**. This ASSURANCE is binding on **Indiana**, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in **the Federal- Aid highway Program**. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

TOWN OF WAYNETOWN

by Bob Cox
(Bob Cox, Waynetown Title VI Coordinator)

DATED 8-12-26

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, **the 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. canceling, 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 **Town Of Waynetown** will accept title to the lands and maintain the project constructed thereon in accordance with **Title 23, United States Code of Federal Regulations**, the Regulations for the Administration of the **Federal-Aid Highway Program**, and the policies and procedures prescribed by the **Federal Highway Administration (FHWA)** 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 Waynetown** 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 the **Town of Waynetown** 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 Waynetown**, its successors and assigns.

The **Town of Waynetown**, 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 Waynetown** 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, Nondiscrimination 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 Waynetown** 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, the **Town of Waynetown** 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 Waynetown** 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 Waynetown** 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 **the Town of Waynetown** 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, **the Town of Waynetown** 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, **the Town of Waynetown** will there upon revert to and vest in and become the absolute property of **the Town of Waynetown** 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.).

ATTACHMENT A: PROGRAM GOALS

2027 GOALS	GOAL DATE (<i>Estimated</i>)
Annual update of physical Posting of Non-Discrimination Statements in all Town owned Facilities: Both ADA & Title VI Statement	September 2027
Annual update of ADA & Title VI Statement and complaint form on the Town website	September 2027
Review & update ADA & Title VI Implementation Plan	June 2027
Updated employee ADA & Title VI training and/or information to sub- recipients TWICE PER YR	September & June 2027
Collect Data on Meeting attendee demographic	September & June 2027

Attachment B: TRAINING LOG

Training Program: _____ Instructor: _____

[illegible]

Attachment C: FLASH CARDS

(LEP)

Attached are Language Identification Flashcards (US Census Bureau ISpeak Cards), "*If you can read this or speak this mark this box.*" Additional steps will be developed throughout the year to help improve communication and ensure the Town can provide the best language assistance possible to individuals whom may be a Limited English Proficient person.

Attachment D: COMPLAINT POLICY AND DISCRIMINATION FORM

Title VI Coordinator: Bob Cox
Address: 106 N. Vine St.
Waynetown, IN 47990
E-Mail: bcox@waynetown.net
Phone: (765) 376-9931 **TTY:** 711

INSTRUCTIONS:

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

You are not required to use this form. You may write a letter with the same information, sign it and return it to the address printed above or contact the Title VI coordinator and arrangements can be made where the coordinator may write a complainant and accept the complainant's signature on the prepared complaint document.

All items in bold must be completed. Failure to provide complete information may impair the investigation of your complaint.

The Town of Waynetown, Indiana will provide assistance if you are an individual with a disability or have limited English proficiency. Complaints may also be filed using alternative formats, such as computer disk, audiotape or Braille. For TTY customers, dial 711 to reach the Indiana Relay Service.

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

The Town of Waynetown, Indiana and its sub-recipients, consultants, and contractors are prohibited from retaliating against any individual because he or she, in good faith opposed an unlawful policy or practice, filed charges, testified, or participated in any complaint action under Title VI or other nondiscrimination authorities.

Please make a copy of your complaint form for your personal records. Mail the original complaint form along with any copies of documents or records relevant to your complaint to the address above.

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

*****Your complaint cannot be processed without your signature.***

Attachment D: COMPLAINT AND DISCRIMINATION FORM

▪ **Section 1: Personal Information** **Date of Complaint Filed:** _____

Please fill in completely and legibly.

Last Name	Middle Initial	First Name
-----------	----------------	------------

Street Address	City	State	Zip Code
----------------	------	-------	----------

[illegible]

Alternate Telephone Number (including area code)	Best time to call this number

Email Address _____

▪ **Section 2: Information Supporting Discriminatory Act(s)**

Please provide information identifying alleged discrimination and any additional information to support claim (use additional pages as necessary and provide documentation supporting the allegation). Please fill in completely and legibly.

Name of: *Person or Business, Company, Department or other identified party*

Location where Discriminatory Act Occurred: Street Address, City, State, Zip Code

Witness #1 Name: (First, Last) Contact Phone Number Address: Street, City, Town, State, Zip

Witness #2 Name: (First, Last), Contact Phone Number Address: Street, City, Town, State, Zip

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

▪ **Alleged discrimination was based on: (Please Circle Applicable)**

Race ⇔ Color ⇔ National Origin ⇔

▪ **Section 3: Describe the alleged act(s) of discrimination (Use Additional pages if necessary)**

Please provide a specific location(s) of where issues exist prompting this complaint.

▪ **Section 4: Witness #1 Description**

Please provide a brief description of the relevant information that will help support this claim against alleged discriminatory act:

▪ **Date of Witnessed Discriminatory Act:**

▪ **Contact Information:**

Signature:

Phone:

Alt. Phone:

E-mail:

▪ **Section 5: Witness #2 Description**

Please provide a brief description of the relevant information that will help support this claim against alleged discriminatory act:

▪ **Date of You Witnessed Discriminatory Act:**

▪ **Contact Information:**

Signature:

Phone:

Alt. Phone:

E-mail:

▪ **Section 6: Additional Information**

If you have any suggestions or would like to provide any helpful information in ways this can be changed to prevent future discriminatory acts, please provide us with your input.

Please sign and date this form.

Signature

Date

Mail completed complaint form to:

Title VI Coordinator:

Bob Cox

Address:

106 N. Vine St.

Waynetown, IN 47990

E-Mail:

bcox@waynetown.net

Phone:

(765) 376-9931

TTY: 711

[illegible]