



Town of McCordsville

TITLE VI

Nondiscrimination Implementation

Plan & Policy

Nov. 22, 2021



Table of Contents

1. Policy Statement	Page 2
2. Title VI Coordinator	Page 2
3. Employer/Employee Training & Responsibilities.....	Page 3
4. Contractors, Subcontractors, Consultants & Vendors	Page 3
5. Concerns/Complaint Process	Page 4
6. Public Dissemination	Page 6
7. Community Involvement & Outreach	Page 6
8. Data Collection	Page 7
9. Limited English Proficiency (LEP) Plan	Page 7
10. Assurances	Page 8
11. Environmental Justice.....	Page 11
Appendix A – Contractor Assurances	Page 13
Appendix B – Clauses for deeds Effecting or Recording the Transfer of Real Property, Structures or Improvements	Page 16
Appendix C – Clauses for Deeds, Licenses, Leases, Permits or Similar Instruments Entered Into by McCordsville	Page 19
Appendix D – Employee Acknowledgement	Page 22
Appendix E – Complaint Form and Log	Page 24
Appendix F – Voluntary Public Survey	Page 29
Appendix G – Public Outreach	Page 31
Appendix H – Civil Rights Training	Page 34
Appendix I – McCordsville Town Standards	Page 35
Appendix J – Resolution	Page 36

A copy of the 2021 plan can be found at:

www.mccordsville.org

1. POLICY STATEMENT

Title VI of the Civil Rights Act of 1964, as amended, 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 grounds 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).

Pursuant to Title VI of the Civil Rights Act of 1964, as amended, and the Civil Rights Restoration Act of 1987, The Town of McCordsville, hereinafter referred to as “McCordsville”, will not exclude from participation in, deny the benefits of, or subject to discrimination any individual on the grounds of race, color, or national origin, sex, age, disability, limited English proficiency and income status.

2. TITLE VI COORDINATOR

Tonya Galbraith (Until April 1, 2022)
Title VI Coordinator (McCordsville
Town Manager)
6280 W 800 N
McCordsville, IN 46055
Phone: 317-335-3151
Fax: 317-336-7483
Email: THalbraith@mccordsville.org

The McCordsville Title VI Coordinator will:

- Administer and implement the McCordsville Title VI plan and policy.
- Conduct Title VI yearly reviews with employees in an effort to assist with identifying, addressing and eliminating discrimination concerns in every department.
- Conduct or facilitate Title VI training programs with department heads for dissemination to employees.
- Work with employees to develop and disseminate Title VI information to contractors, subcontractors, vendors, and consultants.
- Work with employees to ensure community involvement and outreach is in compliance with Title VI and provides equitable opportunities for participation.

- Ensure Title VI language is included in McCordsville contracts.
- Collect review and preserve statistical data (race, color, national origin, language, gender, etc.) of participants in activities and programs to ensure McCordsville's continued compliance with Title VI.
- Maintain all Title VI records and correspondence, including but not limited to, signed employee acknowledgements, complaints and all correspondence regarding such, requests for language services, demographic statistics, department compliance reviews and all Title VI federal agency correspondence and records.
- Address all Title VI discrimination complaints.
- Review and update the Title VI plan and policy as needed or required.
- Prepare and submit the annual Title VI update report.
- The Town's Organizational Chart can be found here: [Organization Chart Template \(mccordsville.org\)](https://www.mccordsville.org/organization-chart)

3. EMPLOYER/EMPLOYEE DISSEMINATION & TRAINING

Title VI plan and policy education and literature will be provided to all McCordsville employees. McCordsville employees will be required to sign an acknowledgement (Appendix D) or receipt indicating they have received and reviewed Title VI policy guidelines. New employees will be provided with education and literature within their new employee packet. Employees will be provided with updated education and literature as McCordsville deems necessary.

Employees will be expected to follow the Title VI policy and guidelines set forth. In addition, McCordsville 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.

4. CONTRACTORS, SUBCONTRACTORS, VENDORS & CONSULTANTS

All contractors, subcontractors and vendors who receive payments from McCordsville where funding originates from any Federal assistance programs are subject to the provisions of Title VI of the Civil Rights Act of 1964, as amended. McCordsville will include Title VI language, as per the Standard U.S. DOT Title VI Assurances Appendices A, B & C, as relevant

and appropriate, in written agreements and bid notices. Written agreements relevant to Title VI shall not contain any form of discrimination, either written or implied.

5. CONCERNS/COMPLAINT PROCESS

McCordsville will take prompt and reasonable actions to thoroughly investigate concerns and complaints. Any individual, who believes they have been subjected to discrimination, may file a complaint with the McCordsville Title VI Coordinator. Complaint forms (Appendix E) can be found on the McCordsville website: [1634583862_9046.pdf \(mccordsville.org\)](#) or by contacting the McCordsville Title VI Coordinator. In order for the complaint to be considered, the complainant must file the appropriate documentation:

1. Within 180 days of the alleged act of discrimination; or
2. Where there has been a continuing course of alleged discriminatory conduct, on the date in which the alleged conduct was discontinued.

Complaints shall be made in writing and shall be signed by the complainant and/or the complainant's representative. Complaints must contain the following and describe as completely as possible the facts and circumstances surrounding the alleged discrimination:

- Name of the complainant.
- Contact information (telephone number, address, email address).
- Basis for the allegations(s) (i.e. race, color, national origin, gender, age, etc.).
- A detailed description of the alleged discrimination (how, when, where & why they believe they were discriminated against including the locations(s), names(s) and contact information of all witnesses, if applicable.
- Any other information that is deemed significant.

If the complainant is unable or incapable of providing a written statement, a verbal complaint may be made to the McCordsville Title VI Coordinator. Under these circumstances, the complainant will be interviewed and the McCordsville Title VI Coordinator will assist the complainant in completing a written statement.

Within fifteen (15) calendar days after receipt of the complaint, the Title VI Coordinator will arrange to meet with the complainant to discuss the complaint and the possible resolutions if applicable. If a complaint is deemed incomplete, additional information will be requested. The complainant has sixty (60) business days to respond to the request for the additional information. A complainant's failure to respond to the request within sixty (60) business days may result in the administrative closure of the complaint.

If McCordsville does not have sufficient jurisdiction to investigate the complaint, the Title VI Coordinator will refer the complaint to the appropriate local, state or federal agency holding such jurisdiction. The Title VI Coordinator will notify the complainant or their representative, in writing, that the complaint is outside of the McCordsville jurisdiction and where the complaint has been referred for further handling.

The Title VI Coordinator will conduct a complete and thorough investigation of complaints inside the McCordsville jurisdiction and based upon the information obtained will render a final written response letter to the complainant or their representative by registered mail or hand delivery within sixty (60) business days. The final written response will include a description of the complaint, a summary of the investigation and the findings of such, summaries of all individuals interviewed, and if appropriate, recommendations and resolutions. All written complaints, investigations and responses will be retained by McCordsville for at least three (3) years (Appendix E).

A complainant's identity shall be kept confidential except to the extent necessary to complete the investigation. If it is necessary to disclose the complainant's identity to the alleged person who may have discriminated or a third-party, McCordsville must first obtain the complainant's written consent. McCordsville must also obtain the complainant's written consent before providing a copy of the complaint to any other individual(s) involved with the investigation.

If a complainant is dissatisfied with the final resolution of the complaint, they have the right to file a complaint with:

Department of Justice
Federal Coordination and Compliance Section – NWB
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

6. PUBLIC DISSIMINATION

Title VI information shall be displayed in the McCordsville Town Hall and all places in which public meetings are held. The name and contact information of the McCordsville Title VI Coordinator will be displayed on the Title VI information.

The McCordsville Title VI plan and policy includes the Limited English Proficiency (LEP) plan and complaint procedures. Language Identification Flashcards also be available as a first point of contact with a LEP individual. [GOODPocket Card 4-06.indd \(lep.gov\)](#)

Copies of any of these plans will be provided upon request. LEP individuals may obtain translated copies of these plans upon request. Any questions or comments regarding this plan should be directed to the Title VI Coordinator.

7. COMMUNITY INVOLVEMENT & OUTREACH

McCordsville 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 McCordsville Town Council and various boards and commissions meet monthly and those meetings are open to the public. Any meetings that are open to the public are published on the McCordsville website's main page and distributed to local media outlets. All McCordsville public meetings are held in locations accessible to individuals with disabilities. Upon request, translators can be provided free of charge to those 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 McCordsville website are various meeting agendas, meeting minutes, McCordsville notices, events and news. Some departments within McCordsville utilize signage, media and social media websites as another avenue to communicate with the community.

8. DATA COLLECTION

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

McCordsville shall utilize a voluntary Title VI Public Involvement Survey (Appendix F) 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. 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.

9. LIMITED ENGLISH PROFICIENCY (LEP) PLAN

McCordsville has prepared this plan in accordance with Title VI of the Civil Rights Act of 1964, as amended, which states that no person shall be subjected to discrimination on the basis of race, color or national origin. The purpose of this plan is to help identify reasonable steps for providing language assistance to individuals with limited English proficiency who wish to access services provided by McCordsville.

Presidential Executive Order No. 13166, titled "Improving Access to services for Persons with Limited English Proficiency," indicates that individuals treated differently based upon their inability to speak, read, write or understand English is a type of national origin discrimination. Presidential Executive Order 13166 defines limited English proficiency persons as those individuals who do not speak English as their primary language and have

limited ability to read, speak, write or understand English.

In order to prepare this plan, McCordsville utilized the U.S. Department of Transportation four-factor LEP analysis which considers the following factors:

1. The proportion of LEP persons in the service area who may be served or are likely to encounter a McCordsville program, activity or service.
2. The frequency with which LEP persons come in contact with McCordsville programs, activities or services.
3. The nature and importance of programs, activities or services provided by McCordsville to the LEP population.
4. The resources available to McCordsville and overall cost to provide LEP assistance.

Based upon the 2019 American Community Survey data only 3.5% of all households in the Town speak a language other than English. The analyses of the four factors suggest that LEP services are not substantial at McCordsville at this time. McCordsville however has committed to the following:

- Continue offering, upon request, translators free of charge for McCordsville public meetings, programs and activities if requested within forty-eight (48) hours in advance.
- Provide Language Identification Flashcards at likely first points-of-contact with LEP persons.
- Provide access to information and documents in other languages in those demographic areas identified with limited English proficiencies
- Continually monitor our website and make adjustments as necessary to ensure information is accessible to LEP individuals

McCordsville is aware that the community profile is ever-changing; therefore, this LEP and the four-factor analysis will be re-evaluated on an annual basis or if and when new census data is available to ensure that the plan remains reflective of the community's needs. Individuals requiring special language service or accommodations should contact the McCordsville Title VI Coordinator.

10. McCORDSVILLE, INDIANA TITLE VI ASSURANCES

McCordsville (hereinafter referred to as the "Recipient") HEREBY

AGREES THAT as a condition to receiving Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the “Act”), and all requirements imposed by or pursuant to Title 40, Code of Federal Regulations, Department of Transportation, Sub Title A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”) and other pertinent directives, to the end that is in accordance with the Act, Regulations and other pertinent directives, 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 the “appropriate Grantor(s)” and, HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a)(1) of the Regulations. More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurance with respect to the “appropriate Grantor(s)”

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to the “appropriate Grantor(s):”

1. That the Recipient agrees that each “program” and each “facility” as definite in subsections 21.23€ and 21.23(b) of the regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with the “appropriate Grantor(s)” and, in adapted form in all proposals for negotiated agreements:

Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat, 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations Department of Transportation, Sub Title A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued

pursuant to such Act, hereby notifies all bidden that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurances as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or a part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisitions of real property or an interest in real property, the Assurance shall extend to the rights on space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix B of this Assurance as a covenant running with the land, in any further deeds, leases, permits, licenses and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the “appropriate Grantor(s)” and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the “appropriate Grantor(s)”.
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 improvement 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 service or benefits; or (b) the period during which the Recipient retains ownership or possession of the

property.

9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees contractors, subcontractors, transferees, successors in interest and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this Assurance.

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

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

Dated: 12/14/21

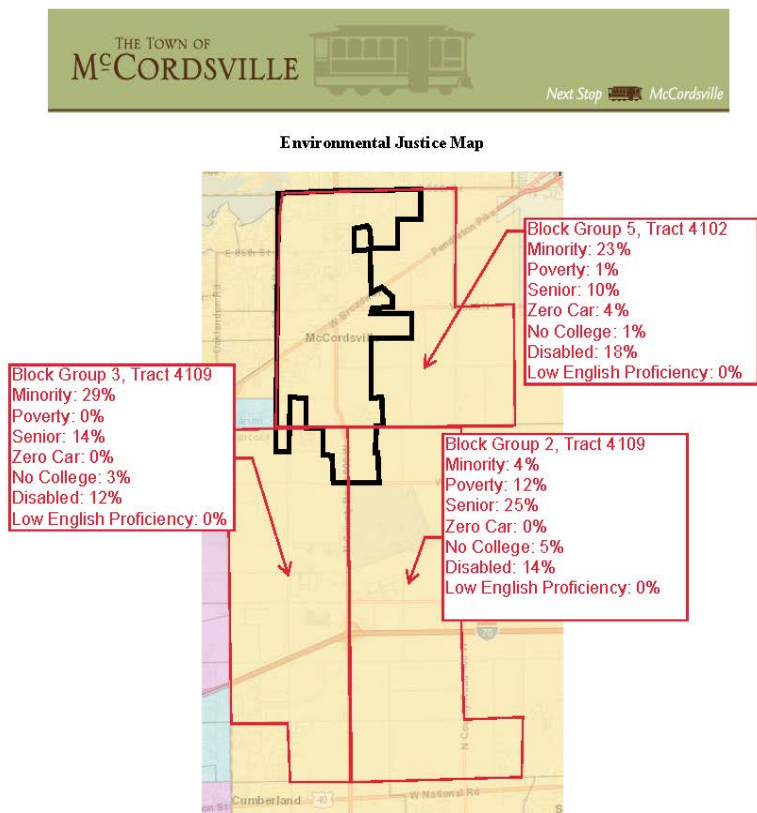
Town of McCordsville, Indiana
(Recipient)

By: [Signature]
President
McCordsville Town Council

11. ENVIRONMENTAL JUSTICE

The 2019 American Community Survey 5-Year Estimates place the Town's population at 8,503. For the Town as a whole, 3.8% of the population is under the poverty line, approximately 22% of the population is minority, and 3.5% of the population speaks a language other than English at home.

The Map below is based upon the Indianapolis MPO’s EJ Study. It compares the Town’s three (3) Census Block Groups to the Regional Rates in 6 categories: Minority, Poverty, Senior, Zero Car, No College, Disabled, and Low English Proficiency. Our policies and procedures as stipulated in this plan will ensure environmental justice for all areas of the community.



Compared to the Regional Rates listed below the Town of McCordsville does not have any Environmental Justice Areas.

Regional Minority: 36%	Regional Poverty: 15%
Regional Senior: 15%	Regional Zero Car: 8%
No College: 8%	Disabled: 25%
Low English Proficiency: 2%	

*Data pulled from the Indianapolis MPO EJ Study. Data based upon 2019 ACS Five-Year Estimates.

Appendix A

Contractor Assurances

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

1. **Compliance with regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the department of Transportation (hereinafter “DOT”) Title 49, code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the “Regulations”) which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the regulations.
3. **Solicitations for Subcontractors, Including Procurements of Material and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor work to be performed under a subcontractor, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor’s obligations under this contract and the regulations relative to nondiscrimination on the grounds of race, color or national origin.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by McCordsville and _____ to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contract shall so certify to McCordsville and

_____ as appropriate, and shall set forth what effort has been made to obtain information.

5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provision of this contract, McCordsville shall impose such sanctions as it and the _____ may determine to be appropriate, including but not limited to:

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

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

The contractor shall take such action with respect to any subcontractor procurement as McCordsville and _____ may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such directions, the contractor may request McCordsville to enter into such litigations to protect the interests of McCordsville and, in addition, the contractor may request the United States to enter into such litigation to protect the interest of the United States.

Appendix B

Clauses for Deeds Effecting or Recording the Transfer of Real Property, Structures or Improvements

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States:

GRANTING CLAUSE

NOW, THEREFORE, the Department of Transportation, as authorized by law and upon the condition that McCordsville 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 _____ and the policies and procedures prescribed by the _____

And, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Sub Title A, Office of the Secretary, Part 21, Nondiscrimination in federally assisted programs to the Department of Transportation (hereinafter referred to as the “Regulations”) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey to McCordsville all the right Title and interest of the Department of Transportation in and said lands described in Exhibit A attached hereto and made a part thereof.

HABENDUM CLAUSE

TO HAVE AND TO HOLD said lands and interest therein unto McCordsville 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 the Federal financial assistance is extended or for another purpose involving the provisions of similar service or benefits and shall be binding on McCordsville, its successors and assigns.

McCordsville, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall be on the grounds of a race, color or national origin be excluded from participation in, be denied the benefits of or be otherwise subject to discrimination with regard to any facility location wholly or in part on, over or under such lands

hereby conveyed [,](and) (2) that McCordsville shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Sub Title A, Office of the secretary, Part 21, Nondiscrimination of federally assisted programs of the Department of transportation-Effectuation of Title VI of the Civil Rights of 1964, and as said Regulations may be amended [,] and (3) that in the event of breach of any of the above mentioned non-discrimination conditions, the department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.¹

¹Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

Appendix C

Clauses for Deeds, Licenses, Leases, Permits or Similar Instruments Entered Into by McCordsville

The following clauses shall be included in all deeds, licenses, leases permits or similar instruments entered into by McCordsville pursuant to the provisions of Title VI Assurances, item 7(a).

The _____ (grantee, licensee, lessee, permittee, etc., as appropriate), for himself, his heirs, personal representatives, successors in interest and assigns, as part of consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that in the event facilities are constructed, maintained or otherwise operated on the said property described in this _____ (deed, licenses, lease, permit, etc.) for a purpose of which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the _____ (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, code of Federal Regulations, Department of Transportation, Sub Title A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1963, and as said Regulations may be amended.

The following shall be included in all licenses, leases permits, etc.:

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

The following shall be included in all deeds:

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

The following shall be included in all deeds, licenses, leases permits, or similar agreements entered into by McCordsville pursuant to the provisions of Title VI Assurance 7(b):

The _____ (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add “as a covenant running with the land”) that (1) no person on the ground of race, color or national origin shall be excluded from participation in, denied the benefits of or be otherwise subject to discrimination in the use of said facilities, (2) that in the construction of any improvement on, over or under such land and the furnishing of service thereon, no person on the ground of race, color or national origin shall be excluded from participation in, denied the benefits of or otherwise be subjected to discrimination, (3) that the _____ (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, code of Federal Regulations, Department of Transportation, Sub Title A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of transportation-Effectuation of Title VI of the civil Rights Act of 1964, and as said regulations may be amended.

The following shall be included in all licenses, leases, permits, etc.:

That in the event of breach of any of the above nondiscrimination covenants, McCordsville shall have the right to terminate the _____ [license, lease, permit, etc.] as if it had never been made or issued.

The following shall be included in all deeds:

That in the event of breach of any of the above nondiscrimination covenants, McCordsville shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of McCordsville and its assigns.²

²Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

Appendix D

Employee Acknowledgement

McCORDSVILLE
TITLE VI EMPLOYEE ACKNOWLEDGEMENT
The Town of McCordsville, Indiana
An Equal Opportunity Employer

Title VI of the Civil Rights Act of 1964 as amended 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) .

Pursuant to Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 McCordsville will not exclude from participation in, deny the benefits of, or subject to discrimination any individual on the grounds of race, color or national origin.

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

Tonya Galbraith
 ADA Coordinator & Title VI Coordinator
 6280 W 800 N
 McCordsville, IN 46055
 Phone: 317-335-3151
 Fax: 317-336-7483
 Email: THGalbraith@mccordsville.org

Employee Name: _____ Date: _____

Employee Signature: _____ Dept.: _____

Employee signature confirms receipt and understanding of Title VI Plan and Policy

Appendix E
Complaint Form
And
Complaint Log

TITLE VI COMPLAINT FORM**The Town of McCordsville, Indiana**
An Equal Opportunity Employer**Section 1:**

Complainant's Name: _____ Date: _____

Address: _____

City, State & Zip Code: _____

Phone Number: _____ Email Address: _____

Accessible format: ☐ Large Print ☐ Audio TapeRequirements: ☐ TDD ☐ Other**Section 2:**Are you filing this complaint on your own behalf? ☐ Yes ☐ No

*If you answered "yes" to this question, go to Section 3. If not, please supply the name and relationship of the person for whom you are complaining:

Name: _____ Relationship: _____

Please explain why you have file for third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. ☐ Yes ☐ No

Person discriminated against: (if someone other than the complainant)

Name: _____ Phone Number: _____

Address: _____

City, State & Zip Code: _____

Section 3:

Please indicate why you believe the discrimination occurred:

☐ Race ☐ Color ☐ National Origin

Date of Alleged Discrimination (Month, Date, Year): _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form:

Section 4:

Have you previously filed a Title VI complaint with McCordsville? ☐ Yes ☐ No

Section 5:

Have you filed this complaint with any other federal, state or local agency; or with any federal or state court? ☐ Yes ☐ No

If yes, check all that apply

☐ Federal Agency: _____ ☐ Federal Court: _____

☐ State Agency: _____ ☐ State Court: _____

☐ Local Agency: _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Title: _____

Agency: _____

Address: _____

Telephone: _____

Section 6:

Name of agency complaint is against: _____

Contact Person: _____

Title: _____

Telephone Number: _____

Please attach any documents or other information that you believe is relevant to your complaint.
Please sign date and send your complaint to:

Tonya Galbraith (until April 1, 2022)

Title VI Coordinator

6280 W 800 N

McCordsville, IN 46055

Phone: 317-335-3151

Fax: 317-336-7483

Email: TGalbraith@mccordsville.org

Printed Name: _____

Signature: _____ Date: _____

Title VI Complaint Log

[illegible]

Appendix F

Voluntary Public Survey

VOLUNTARY TITLE VI PUBLIC INVOLVEMENT SURVEY

As a recipient of federal funds, McCordsville is required to develop a procedure for gathering statistical data regarding participants and beneficiaries of its federal-aid programs and activities (23 CFR 200.0(b)(4)). McCordsville is distributing this voluntary survey to fulfill that requirement to gather information about the populations affected by McCordsville activities.

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

If you have any questions regarding McCordsville's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact Tonya Galbraith, ADA Coordinator & Title VI Coordinator.

You may return the survey by folding it and placing it on the registration table or by regular mail, email or by faxing it to the address below.

Date (month, day, year): _____

☐ **Meeting:**

- | | | |
|---|---------------------------------------|---|
| <input type="checkbox"/> Architectural Review | <input type="checkbox"/> Parks Board | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Board of Zoning Appeals | <input type="checkbox"/> Public Works | <input type="checkbox"/> Public Safety |
| <input type="checkbox"/> Redevelopment Commission | <input type="checkbox"/> Town Council | <input type="checkbox"/> Technical Advisory Committee |

☐ **Community Event** _____

Gender: ☐ Female ☐ Male **Ethnicity:** ☐ Hispanic or Latino ☐ Not Hispanic or Latino

National Origin: ☐ U.S.A. ☐ Other

Race: ☐ American Indian or Alaska Native ☐ Asian ☐ Black or African-American
☐ Native Hawaiian or Other Pacific Islander ☐ White ☐ Multiracial

Disability: ☐ Yes ☐ No

Age: ☐ 1 – 21 ☐ 22 – 40 ☐ 41 – 65 ☐ 65+

Household Income:

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0 - \$12,000 | <input type="checkbox"/> \$12,001 - \$24,000 | <input type="checkbox"/> \$24,001 - \$36,000 |
| <input type="checkbox"/> \$36,001 - \$48,000 | <input type="checkbox"/> \$48,001 - \$60,000 | <input type="checkbox"/> \$60,000 + |

Tonya Galbraith, ADA/Title VI Coordinator
6280 W 800 N
McCordsville, IN 46055

Phone: 317-335-3151
Fax: 317-335-3495
Email: TGalbraith@mccordsville.org

Appendix G

Public Outreach



**NOTICE OF PUBLIC HEARING
McCORDSVILLE ADVISORY PLAN COMMISSION
Docket No. PC-21-011**

Hearing Information: Notice is hereby given that on the 21st day of September 2021 at 6:30pm, a public hearing will be held by the McCordsville Advisory Plan Commission at the McCordsville Municipal Building (6280 W 800N, McCordsville, IN 46055), for the purpose of considering a Primary Plat of +/- 146 acres. The subject site is located at the southeast corner of CR 1000N and CR 500W. The subject site consists of one parcel: 30-02-18-200-001.000-018.

A copy of the petition, submitted by Silverthorne Homes, is on record and can be viewed at the Planning and Building Dept., which is located at the McCordsville Municipal Building, or on the Town's website www.mccordsville.org. Interested persons can also contact the Planning and Building staff at 335-3604 or building@mccordsville.org for more information. A copy of the meeting agenda and other information can be found on the Town's website at www.mccordsville.org. Written comments may be filed with the Planning and Building Dept. at or before the hearing. Oral comments concerning this proposal will be heard at the aforementioned public hearing. Such hearing may be continued from time to time as may be found necessary and without further notice.

All interested persons desiring to present their views upon the Petition will have an opportunity to be heard. Pursuant to the Americans with Disabilities Act, any individual interested in attending the hearing should contact the Planning & Building Dept. and advise what, if any, accommodation is needed to attend the hearing.



Town Council Meeting

6280 W. 800 North
McCordsville, In 46055
www.mccordsville.org

Agenda for Tuesday, September 14, 2021 at 07:00 PM

1. **Roll Call and Pledge of Allegiance**

2. Approval of Minutes -

* Aug. 10, 2021 meeting minutes

* Aug. 17, 2021 Special Meeting Minutes

Documents: [Aug. 10, 2021 meeting minutes](#) | [Aug. 17, 2021 Special Meeting Minutes](#)

3. August Financial Report & Paid Invoice Report

Documents: [August Financial Report](#) | [Paid Invoice Report](#)

4. August Metro Board Report - Chief Casey

Documents: [August Metro Board Report](#)

5. Public Comments for non-agenda items

6. 2nd Reading of Forgivable Loan Ordinance and Addendum #1 for Al. Neyer

Documents: [Forgivable Loan Ordinance](#) | [Addendum #1](#)

7. **Old Business** - McCord Square EDA (Barry authorized to sign)

8. **New Business**- ARPA planning

Documents: [ARPA Planning](#)

10. Salary Ordinance amendments - Staci Starcher

Documents: [Salary Ordinance amendments](#)

11. For accommodation needs for persons with disabilities, please call 317-335-3151

.. 12. Public Comments*

* Public comments are limited to 2 minutes per person unless additional time is authorized by the Chair. (Some agenda items were deleted from this exhibit in order to fit on one page. All agendas and minutes can be found at: [Document Center / Browse Documents / McCordsville, IN](#)

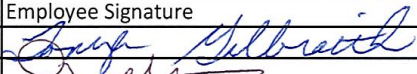

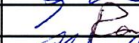
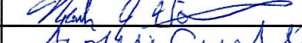
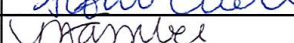
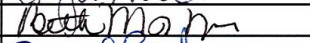

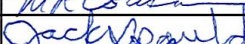
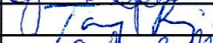


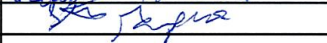

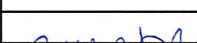



Appendix H

Civil Rights Training

OCT. 4, 2021

Town of McCordsville

Employee Training Log - Title VI

Date	Employee Name	Employee Signature
10/4/21	Tonya Galbraith	
	Staci Starcher	
	Ryan Crum	
	Ron Crider	
	Mark Witsman	
	Stephanie Crider	
	Nicea Yamber	
	Beth Morton	
	Jennifer Pack	
	Mike Cousins	
	Jack Spaulding	
	Tony Riggs	
	Erik Pullum	
	Nick Brown	
	Stephan Hamlin	
	Steve Gipson	
	Gary Garner	
	Dave Miller	
	William Tyndall	
	Janson Robiinson	

Tina Satterfield

Jim BELL

Dan Trejo

Stephen Dowell

Jim Satterfield

JBS





Appendix I

McCordsville

Town Standards

The McCordsville Town Standards

Document may be found at

http://www.mccordsville.org/egov/documents/1468341285_32776.pdf

Appendix J

Resolution

RESOLUTION 11092021**A RESOLUTION ADOPTING TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 FOR THE TOWN OF McCORDSVILLE, INDIANA**

WHEREAS the Federal Government enacted Title VI of the Civil Rights Act in 1964, as amended, to prevent discrimination on the grounds of race, color, sex, gender, 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, gender, 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; and

WHEREAS it is a requirement of the Indiana Department of Transportation and the U.S. 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 McCordsville, Indiana that it hereby adopts the attached TITLE VI Program and Implementation Plan.

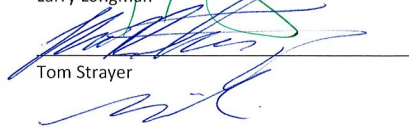
PASSED AND ADOPTED by the Town Council of the Town of McCordsville, Indiana this 9th day of November 2021.

McCordsville Town Council:


Barry Wood, President


Greg Brewer


Larry Longman


Tom Strayer


Branden Williams

ATTEST:


Staci Starcher
Clerk-Treasurer