

RESOLUTION NO. 2014-006

**A RESOLUTION ADOPTING A TITLE VI OF THE CIVIL RIGHTS ACT OF
1964
POLICY FOR THE TOWN OF CULVER**

WHEREAS, the federal government enacted the 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, the Town of Culver ("Town") assures that no person shall on the grounds of race, color, sex, age, disability 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 Town receives federal financial assistance;

WHEREAS, the Town will make every effort to ensure nondiscrimination with respect to race, color, religion, national origin, sex, age, disability, religion, or familial status in all of its programs and activities, regardless of funding source.

WHEREAS, the Town currently includes, and will continue to include, non-discrimination language requiring compliance with Title VI in all written agreements and bid notices;

WHEREAS, Town Manager shall be responsible for monitoring and initiating Title VI compliance in the areas of contracting, policies, procedures, services, activities and programming and the Clerk/Treasurer shall be responsible for monitoring and initiating Title VI compliance in the areas of hiring and employee training and benefits;

WHEREAS, the Town of Culver Council ("Council") shall establish a Title VI Complaint procedure in accordance with federal law;

WHEREAS, the Town's Title VI policy, Complaint procedure, and non-discrimination policy shall be publicly disseminated through the Town's website and other appropriate avenues;

WHEREAS, the Council believes it is important that all employees be trained on the Town's Title VI and non-discrimination policies; and

WHEREAS, the Council is committed to eliminating discrimination and encouraging equality in all Town programs and activities.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF CULVER, INDIANA:

Section 1. The Town of Culver adopts the following Title VI and non-discrimination policy: “It is the express policy of the Town of Culver that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program, services or activity receiving federal funds on the grounds of race, color, national origin, sex, age, or disability in accordance with federal law. It is also the policy of the Town of Culver to make every effort to ensure nondiscrimination with respect to race, color, religion, national origin, sex, age, disability, religion, or familial status for all Town programs, services and activities regardless of its funding source.”

Section 2. The above policy shall be disseminated on the Town’s webpage and all other appropriate avenues.

Section 3. Non-discrimination language in compliance with federal law and consistent with the Town’s Title VI and non-discrimination policy articulated in Section 1 shall be included in all written contracts and bid notices.

Section 4. The Town Council hereby appoints Town Manager as the Town's Title VI Coordinator with respect to contracting, policies, procedures, services, and programming and the Clerk/Treasurer as the Town's Title VI Coordinator with respect to hiring, employee training and policies, and employee benefits.

Section 5. The Council hereby adopts the Title VI complaint procedure attached hereto as Exhibit A and directs that it be posted on the Town's website and made available to the public through all other appropriate avenues.

Section 6. The Council directs Town Manager, in coordination with the Clerk/Treasurer, to prepare and present to the Council an annual Title VI and non-discrimination report to the Council no later than March 1 of each year.

Section 7. The Council directs the Clerk/Treasurer, in coordination with the Office of Town Manager, to provide Title VI and non-discrimination training to all employees.

PASSED BY THE TOWN COUNCIL CULVER, INDIANA this 22nd day of July, 2014, by a vote of _____ ayes, _____ nays.

Ginny Munroe, President

Lynn Overmyer, Member

Bill Githens, Vice President

Ed Pinder Sr., Member

Sally Ricciardi, Member

Attest:

Karen Heim, Clerk-Treasurer

TOWN OF CULVER, INDIANA

TITLE VI NONDISCRIMINATION POLICY

Town's Nondiscrimination Policy: It is the express policy of the Town of Culver that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program, services or activity receiving federal funds on the grounds of race, color, national origin, sex, age, or disability in accordance with federal law. It is also the policy of the Town of Culver to make every effort to ensure nondiscrimination with respect to race, color, religion, national origin, sex, age, disability, religion, or familial status for all town programs, services and activities regardless of its funding source.

Complaint Process: Any person who believes that he or she or any other program beneficiaries have been subjected to unequal treatment or discrimination in his or her receipt of benefits and/or services from the town or by a contractor or sub-recipient on the grounds of race, color, religion, national origin, sex, age, disability, religion, or familial status may file a complaint according to the below procedures with the Town Manager and/or Clerk-Treasurer:

- The complaint must be filed in writing with the Town Manager and/or Clerk-Treasurer within 180 days of the date of the alleged discriminatory act or occurrence, the date the person became aware of the alleged discrimination; or where there has been a continuing course of discriminatory conduct, the date on which the conduct was discontinued.
- Complaints must be signed by the individual complainant or his or her representative and include the name, address, telephone number of complainant, the name of the individual who performed the alleged discriminatory act, the basis of the complaint (race, color, religion, national origin, sex, age, disability, religion, or familial status), and the date of the alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must also be included.
- If a complainant is unable or incapable of providing a written account, a verbal account may be made to the Town Manager or a member of the Clerk-Treasurer Department who will convert the verbal allegation into written form.
- When a complaint is received, the Town Manager and/or Clerk Treasurer will provide written acknowledgement to the complainant within 10 business days by registered mail and will request any additional information needed to fully evaluate the complaint. Any additional information requested must be provided to the Town within 60 days from the postmark date on the Town's acknowledgement letter.

- Within 30 days from receipt of a complete complaint, the Town will determine its jurisdiction in the matter, whether a complaint has sufficient merit warranting investigation, and will send written notice of this determination to the complainant by registered mail.
- If the decision is not to investigate the complaint, the notification shall specify the reason for the decision.
- If the decision is to investigate, the notification shall state the grounds of the Town's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator and will provide notice to all relevant state/federal agencies of the investigation. At this time, the party alleged to have acted in a discriminatory manner will also be notified by registered mail as to the complaint.
- If the complaint involves hiring, employee benefits, or a personnel matter, the complaint will be forwarded to the Clerk-Treasurer for investigation. All other complaints will be investigated by the Town Manager.
- The Clerk-Treasurer or Town Manager shall complete the investigation within 60 days of the receipt of the completed complaint and forward a report to the Town Council and to the appropriate state/federal agencies for comment.
- The report shall include a narrative description of the incident, a summary of all persons interviewed and all investigatory steps taken, findings with recommendations and remedial measures where/if appropriate.
- If for some reason the investigation cannot be completed within the 60 day period, written notice shall be provided to the Town Council and the complainant explaining the reason and timeline for the extension.
- Following the receipt of any comments from any relevant state/federal agencies and a final decision on the matter by the Town Council, Town Manager will issue a letter of findings and corrective action that will be taken, if appropriate, to the complainant.
- If a party is not satisfied with the results of the investigation or the complaint, the party may appeal the decision to the appropriate federal or state agency or judicial body. The final notice provided to the complainant shall contain a statement regarding rights of appeal.