

**CITY OF BLUFFTON/BLUFFTON UTILITIES**

**TITLE VI  
IMPLEMENTATION PLAN**

**COMMON COUNCIL  
CITY OF BLUFFTON/BLUFFTON UTILITIES  
Tamara D. Runyon, City Clerk Treasurer,  
Title VI Coordinator  
128 EAST MARKET STREET  
Bluffton IN 46714  
260-824-0612**

**City of Bluffton/Bluffton Utilities**

**Title VI Implementation Plan**

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## TITLE VI POLICY

### I. Policy

The City of Bluffton Indiana/Bluffton Utilities “City” is a local governmental entity organized under the laws of the State of Indiana and was incorporated in 1851. The City is governed by a mayor/council government. The Mayor, Clerk-Treasurer, City Judge and five members of the City Council are elected every four years. The Mayor appoints two (2) members of the Board of Public Works and Safety.

The City does not discriminate on the basis of race, color, age, gender, sexual orientation, veteran status, genetic information or testing, Religion, family and medical leave, disability, gender identity, or expression, or national origin. The purpose of this policy is to formally recognize and implement City’s commitment to applicable state and federal law.

Title VI of the Civil Rights Act of 1964 provides as follows:

*No person in the United States shall, on the ground of race, color, age, gender, sexual orientation, veteran status, genetic information or testing, Religion, family and medical leave, disability, gender identity, or expression, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.*

#### The CITY:

Will not deny any person service, assistance or other benefit for which you are qualified;

Will not provide any person with a service different from that provided to others under the same program;

Will not subject any person to separate treatment in any manner related to services, aid or other benefits, and will provide a plan to assist those with Limited English Proficiency(LEP);

Will not limit any person in any way in the use of services, facilities, or any other advantages, privileges, or benefits provided to others under any program;

Will not treat any person differently from others in deciding whether you meet requirements to receive aid, care, service or other benefit;

Will not deny any person or offer an opportunity different from that offered others in any program or service;

Will ensure compliance with applicable Executive Orders, laws and regulations;

Will not adopt methods that limit participation by any group of recipients or subject them to discrimination; and

Will not refer any person to agencies that do not obey civil rights law;

## II. PROGRAM COVERAGE & SCOPE OPERATIONS

The City is a local government entity established by the Indiana General Assembly and provides services as authorized by statute.

The City of Bluffton received its funding from taxes, fees, grants and donations. All revenues are accounted for in accordance with Indiana law. Federal and state grant funds shall only be used in a manner consistent with the grant purpose. All financial records are audited annually by the Indiana State Board of Accounts.

The City will identify any grants, loans, contracts or property from the federal or state government. The City does not have sub-recipients and does not offer or provide financial assistance to other organizations or entities.

## III. Organization/Civil Rights Coordinator

The City is governed by a Mayor and a Board of Public Works and Safety who shall appoint a Civil Rights Coordinator. The Civil Rights Coordinator is designated to receive complaints of discrimination, will delegate investigatory responsibility to his designee, and will report to the Mayor and Board of Public Safety periodically, and on an as needed basis concerning the status of any complaints of discrimination on the basis of race, color, gender, age, disability or national origin as well as the resolution of problems or complaints. The Coordinator's designee will record and log complaints of discrimination. The Coordinator will report to the Board annually concerning the registry or log of such complaints, and will annually review the Implementation Plan and report on suggested revisions or changes in the plan. The Board of Public Works and Safety will adopt the Implementation Plan and will revise and amend that plan as appropriate.

## IV. Civil Rights Guidelines

The City through its Implementation Plan provides for compliance with Title VI. The City will post its Title VI Implementation Plan on the website, along with the Complaint Form. The City will have copies of the Title VI Implementation Plan available at its office during normal business hours. The City will periodically publish statements concerning Title VI in materials available to the public and to prospective beneficiaries.

The City will follow the following process for receiving complaints of discrimination:

### **How to file a Complaint**

If you apply for, or receive any benefit of service provided by the City or by any agency receiving assistance from the City, you may file a complaint if you believe you have received unfair or different treatment because of your race, color, gender, age, disability or national origin. **Complaints must be in writing.** Complaints may be filed in person, or mailed by certified mail to the address below and must be received by the City within 60 days of unfair treatment. Complaints must be filed with:

City Clerk Treasurer, Title VI Coordinator  
City of Bluffton Indiana/Bluffton Utilities  
City Clerk Treasurer's Office  
128 East Market Street, Suite 101  
Bluffton, Indiana 46714  
260-824-0612

### **Processing Complaints**

#### Step 1:

Upon receiving a Title VI complaint the Coordinator will determine whether the complaint states a claim covered by Title VI. If the complaint states a claim it will be accepted for processing immediately and both the complainant and recipient will be so notified.

#### Step 2:

- A. The coordinator's designee will maintain a log of all complaints. The complaint will be noted in the log by case number based on year, month, and sequence in which the complaint was received.
- B. The Coordinator will appoint an investigator and the investigator will initiate the investigation by first contacting the complainant by telephone within three (3) working days of receiving the assignment.
- C. The complainant will be informed that he/she has a right to have a witness or representative present during the interview and may submit any relevant documentation.
- D. The alleged discriminatory service or program will be given the opportunity to respond to all allegations.
- E. The investigator will determine which witness will be contacted and questioned.
- F. Prior to a final report, the complainant will be given the opportunity to rebut any previously made statements.

- G. The investigation will be completed and a final report sent to the Coordinator as well as the complainant and recipient within 60 days of receipt of complaint. If non-compliance is found, the investigator shall include a plan of voluntary correction for discussion with the complaint. If there is no finding of non-compliance or discrimination, then the investigator shall state that in the final report to the Coordinator.
- H. The Coordinator may adopt, revise, or amend the final report of the investigator.
- I. Upon a finding or conclusion of non-compliance, the Coordinator shall set out a plan of corrective action can be in the form of actions to be taken at a future date after the initial thirty (30) days.
- J. The goal of the implementation plan is voluntary compliance. The recipient will have thirty (30) calendar days from recipient of the formal determination of noncompliance within which to come into voluntary compliance. Should the recipient fail to meet this deadline, the City may start procedures to deny, annul, suspend, or terminate assistance in accordance with Federal regulations. Sanctions under Title VI may be the refusal to grant an application for assistance and the termination of assistance being rendered. Before these sanctions may be invoked, the City requires completion of the report and a failure of voluntary compliance.

#### V. Staff and Budget Resources

The Civil Rights Coordinator will provide introductory orientation, to include, awareness, sensitivity, and objectivity when carrying out services, and will oversee periodic training to staff on the Title VI Implementation Plan and on the City's commitment to diversity and prohibition on discrimination. Staff members directly responsible for implementation of the Title VI Plan will receive additional training. This training will be incorporated with regular staff training professional development.

#### VI. Discriminatory Practices Prohibited

Title VI prohibits discrimination on the basis of race, color, age, gender, sexual orientation, veteran status, genetic information or testing, Religion, family and medical leave, disability, gender identity, or expression, and national origin. The City will not engage in intentional discrimination, and will not permit a pattern or practice of such discrimination. The City will not permit policies or practices that have the effect of discriminating against recipients on the basis of race, color, age, gender, sexual orientation, veteran status, genetic information or testing, Religion, family and medical leave, disability, gender identity, or expression, or national origin. For instance, the City will not adopt a policy, custom, or practice requiring English only for recipients, as that type of policy could have a disproportionate impact on the basis of national origin.

## VII. Public Notification & Engagement

The City will make its Title VI Implementation Plan and complaint form available on its website and will make copies of the plan available at its business office during regular hours. The City will periodically include a summary of the Title VI legal requirements in its publications. The City will provide alternative language copies of marketing publications prepared for the City.

## VIII. Compliance Review & Reporting

The Civil Rights Coordinator's designee will maintain a confidential log and record of any complaints alleging discrimination on the basis of race, color, gender, age, disability or national origin.

In the event the City provides grants, aid or financial assistance, the City will expect and require the recipient to provide written assurance of its compliance with Title VI.

## IX. Minority Representation & Participation

The City will support and encourage minority representation, including minority designation by race, color, age, gender, sexual orientation, veteran status, genetic information or testing, Religion, family and medical leave, disability, gender identity, or expression, or national origin, and participation on behalf of the City.

The City will support and encourage diversity and participation on behalf of racial and ethnic origin minorities and women.

The City will encourage self reporting of minority participation in city activities in order to track progress with regard to increasing minority participation.

## X. Major Goals & Objectives

1. The City will implement this compliance strategy, and will periodically review this plan and revise this plan as may be needed.
2. The City will review minority participation and examine appropriate methods of encouraging minority participation in city activities.
3. The City will plan to provide assistance for those with LEP, and will review demographic information relative to this community and alternative cost-efficient methods of facilitating alternative language formats.

Adopted by the Common Council of the City of Bluffton, Indiana, this 19<sup>th</sup>  
day of August, 2014, by the following vote:

AYES     , to-wit:

NAYS     , to-wit:

ABSENT     , to-wit:

Bette A. Esh \_\_\_\_\_  
James E. Thekbaum \_\_\_\_\_  
Melanie Adam \_\_\_\_\_  
Carl A. Kern \_\_\_\_\_  
Michael Morsiney \_\_\_\_\_

T. Ellis  
Mayor Ted Ellis

ATTEST:

Tamara D. Runyon  
Tamara D. Runyon, IAMC, MMC, CPFA  
City Clerk-Treasurer

Presented by me to the Mayor of the City of Bluffton, Indiana, this 19<sup>th</sup>  
day of August, 2014.

Tamara D. Runyon  
Tamara D. Runyon, IAMC, MMC, CPFA  
City Clerk-Treasurer

Approved by me this 19<sup>th</sup> day of August, 2014.

T. Ellis  
Mayor Ted Ellis