

Title VI: Nondiscrimination
&
ADA Equal Access for
Disabled Individuals

City of Aurora
Training Program

Title VI of the Civil Rights Act of 1964

“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. 2000d)

Americans with Disabilities Act

- Signed into law on July 26, 1990
- Prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life.
 - This means they must be able to enjoy employment opportunities, to purchase goods and services, and to participate in all State and local government programs and services.
- Modeled after the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 -- the **ADA is an "equal opportunity" law for people with disabilities.**

Civil Rights Restoration Act of 1987

- Clarified and restored the *intent* of Title VI.
- Scope of Title VI includes ALL programs and activities of Federal-aid recipients and contractors regardless if the programs are federally funded or not.

Federal Highway Administration (FHWA)

Title VI Program

- Prohibits discrimination based on race, color, national origin, disability, sex, age, **low income status or limited English proficiency** in programs and activities receiving Federal financial assistance – regardless of whether those programs and activities are FHWA funded or not.
- This includes direct recipients of funds or “subrecipients” such as the contractors we hire.

JUST \$1 of Federal Funds = Recipient

Why is this Training important?

- The city hasn't "suddenly" decided nondiscrimination and equal access for handicapped individuals is important.
- The city has made it a practice to comply with this legislation since enactment.

HOWEVER ...

Because we receive federal funds through grant programs, highway projects, etc., we are REQUIRED to do more to demonstrate our compliance with these regulations

OR risk losing our Federal funding assistance.

What the City of Aurora MUST do to demonstrate compliance with Title VI

- Designate an official Title VI Coordinator
 - Guinevere Emery, City Manager or her designee
- Develop and Post the Title VI policy publicly
- NOT discriminate in our programs, facilities, activities and employment practices.
- Submit assurances (signed by the Mayor) that no such discrimination will occur.
- Communicate and train our employees on Title VI requirements; including what to do if they receive a complaint.

What the City of Aurora MUST do to demonstrate compliance with ADA / Section 504

- Designate an official ADA Coordinator
 - Guinevere Emery, City Manager or her designee
- Develop and Post an ADA Policy
- Complete a self-evaluation of all public facilities & programs to determine their accessibility to disabled individuals. (Have a plan to bring any deficiencies into compliance to provide full access.)
- Develop an ADA Transition Plan
- Have a complaints and public input procedure (train departments on how to handle any requests for accommodation and/or complaints).
- Review and monitor compliance.

Where to find full copies of Title VI & ADA Policies and Plans

The City of Aurora's ADA Transition Plan and Title VI Policy/Plan are available on the city's website:

aurora.in.us

Click City Government, scroll down

then Title VI & ADA Compliance

Important Changes that Impact YOU

PUBLIC MEETINGS

NEW – Voluntary Title VI Public Involvement Survey

The following statement shall be read at every public meeting held on city premises:

“As a recipient of federal funds, and in support of the City of Aurora’s efforts to ensure nondiscrimination and equal access to all citizens, the city gathers statistical data regarding participants in city activities.

Therefore, we have provided a **VOLUNTARY TITLE VI PUBLIC INVOLVEMENT SURVEY** at this meeting. You are not required to complete this survey. However, the form is anonymous and will be used solely for the purpose of monitoring our compliance with Title VI and ADA.”

Important Changes that Impact YOU (continued)

PUBLIC MEETINGS (continued)

- If you schedule or lead any public meetings on behalf of the City of Aurora, be sure you read the statement before the meeting and direct citizens to the form.
- An ENVELOPE will be left in each city meeting room that includes this statement AND a supply of voluntary survey forms.
- After your meeting concludes, please return any completed forms to Guinevere Emery, City Manager or to the Clerk Treasurer Department.
- The City Manager will also distribute these instructions to all city Boards & Commissions.
- If you have questions as to whether or not a meeting falls under this requirement, please contact Guinevere Emery Cell (513) 505-7647 or email: gemery@aurora.in.us

Important Changes that Impact YOU (continued)

PUBLIC MEETINGS (continued)

ADMINISTRATION BUILDING MEETINGS –

After normal business hours

- Because the ADA / handicap entrance to the City Administration Building is in the rear of the building (and that door is automatically locked after 4:30 p.m.), we coordinate with City officials that the door be unlocked prior to advertised meeting schedules.
- Be sure the door is in the UNLOCK position at least 15 minutes before the start of your meeting.
- It is essential that you return the door to the LOCK position once all citizens have exited the building, post-meeting. Failure to do this will result in the building remaining open and fully accessible to non-authorized persons.
- These instructions will be included in the distribution of Title VI Voluntary Surveys to all City Boards & Commissions. Questions or concerns should be directed to:
Guinevere Emery– Cell (513) 505-7647 / email: gemery@aurora.in.us

Important Changes that Impact YOU

PUBLIC COMPLAINTS – Title VI / Discrimination

If you, or anyone in your department, receives a complaint regarding discrimination:

- Handle the situation calmly
- Be professional; empathize without admitting any blame
- Direct the individual to the City Website where they can obtain a formal complaint form AND provide them with the Title VI Coordinator contact information:
 - Guinevere Emery, Title VI Coordinator
 - Cell Phone (513) 505-7647
 - Email: gemery@aurora.in.us
- If the individual is highly upset, or you/your staff feel ill-equipped to handle the situation, feel free to call the Title VI Coordinator via cell phone 24/7 for assistance.
- A courtesy email to Guinevere Emery providing whatever limited information you may have (as a heads up to a possible complaint) is advised and appreciated.

Important Changes that Impact YOU

PUBLIC COMPLAINTS – ADA Access

If you, or anyone in your department, receives a request for ACCOMMODATION from a citizen who states they are disabled OR a complaint about their ability to access city services:

- If a **request for ADA ACCOMMODATION is encountered**:
 - Do NOT make a personal judgment as to whether or not the person really needs/deserves accommodation or ignore their request.
 - Notify your Department Head (if encountered by an employee) AND
 - Department Head should immediately call: Guinevere Emery, ADA Coordinator on cell: (513) 505-7647
 - The two will determine best course of action; involving legal consultation where necessary.
- If a **COMPLAINT with regard to ADA access or ability to utilize county services is encountered**:
 - Direct the individual to the City website where they can obtain a formal complaint form AND provide them with the ADA Coordinator contact information:
 - Guinevere Emery, Title VI Coordinator
 - Cell Phone (513) 505-7647
 - Email: gmerly@aurora.in.us
 - If the individual is highly upset, or you/your staff feel ill-equipped to handle the situation, feel free to call the Title VI Coordinator

Language Barriers

- The Dearborn County has performed a four-factor Limited English Proficiency analysis & continue to monitor non-English-speaking census data for the county.
- Current statistics show that only 2.2% of Dearborn County's citizens speak a language other than English.
- At present, there is a low probability that you will encounter citizens who are not able to access our services due to a language barrier.

Language Barriers (continued)

- The City of Aurora does not print documents nor have interpreters readily available. However, if you have a citizen who is clearly struggling with access to our services due to a language barrier, please call the Title VI Coordinator for assistance.
- The City of Aurora will monitor statistical data gathered and census information ongoing to ensure all citizens have access to city services.

Environmental Justice

- The City of Aurora has a procedure for analyzing the effects of all programs, road projects and activities on minority and low income populations.
- We will continue to make meaningful efforts to involve minorities and low income populations in decision making AND mitigate adverse impacts.

Sexual Orientation / Gender Identity

- The city recognizes that nondiscrimination on the basis of Sexual Orientation and Gender Identity has now been included in the Federal Nondiscrimination language – effective April 8, 2015.
- The city will handle any concerns of discrimination, including those around sexual orientation and gender identity, in a professional manner consistent with our Title VI nondiscrimination policy and plan.

Contractors to the City of Aurora

- Any and all contracts that are funded in any part by Federal dollars will include language that assures the city that such contractor is in compliance with Title VI.
- The City of Aurora, City Attorney and City Manager will ensure such language is included and must review all contracts of this nature for compliance.
- If you contract with any company/individual/organization, and pay for the services using a Grant and/or Federal funds, please be sure you inform the Title VI Coordinator and include appropriate, county-required assurances.

Next Steps in Training

- Department Heads, Elected Officials and other leaders who have received this initial training are required to:
 - Provide this training to all employees under their supervision within 60 days of receiving this training.
 - This can be done in person or via email with verification that your employees have reviewed this PowerPoint presentation. Documentation of training can be in the form of a signed training sheet or copies of email verification from the employee(s) – or combination thereof.
 - Each employee is required to sign the Title VI Nondiscrimination statement and attest to having received training.
 - Please send all signed forms to the Clerk Treasurer's office for tracking and retention in the personnel file.
 - Send proof of training to Guinevere Emery - City Manager

Closing

- Thank you for being an advocate for equal access and fair treatment/nondiscrimination of the citizens we serve.

QUESTIONS?

Guinevere Emery, Title VI & ADA Coordinator

Email: gemery@aurora.in.us

Cell: (513) 505-7647