

City of O'Fallon Title VI Plan

I. Plan Statement

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 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).

The City is committed to ensuring that no person is excluded from participation in, or denied the benefits or services delivered by the City on the basis of race, color, or national origin, as protected by Title VI.

This plan was developed to guide the City in its administration and management of Title VI-related activities.

Title VI Coordinator Contact Information

Pamala L. Funk, Assistant City Administrator
255 S. Lincoln Avenue
O'Fallon, Illinois 62269
Phone: (618) 624-4500 ext. 9-1112
E-Mail: pfunk@ofallon.org

II. Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in City facilities. The name of the Title VI coordinator is available on the City's website, at www.ofallon.org. Additional information relating to our nondiscrimination obligation can be obtained from the City's Title VI Coordinator.

Title VI information shall be disseminated to the City's employees annually via the Employee Education form (see Appendix A) in payroll envelopes. This form reminds employees of the City's policy statement, and of their Title VI responsibilities in their daily work and duties.

During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and the City's expectations for them to perform their duties accordingly.

All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (see Appendix B).

III.Subcontracts and Vendors

All subcontractors and vendors who receive payments from the City where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV.Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the of the City's Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

V.Title VI Complaint Procedures

How to file a Title VI Complaint?

The complainant may file a signed, written complaint up to thirty (30) days from the date of the alleged discrimination. The complaint should include the following information:

- Name of complainant, mailing address, and how to contact the complainant (i.e., telephone number, email address, etc.)
- How, when, where and why the complainant believes he or she was discriminated against. The complainant shall include the location, names and contact information of any witnesses.
- Other information that deemed significant by the complainant.

The Title VI Complaint Form (see Appendix C) may be used to submit the complaint information. The complaint may be filed in writing with the City at the following address:

City of O'Fallon
Attn: Title VI Coordinator
Pamala L. Funk, Assistant City Administrator
255 S. Lincoln Avenue
O'Fallon, Illinois 62269
Phone: (618) 624-4500 ext. 9-1112
E-Mail: pfunk@ofallon.org

NOTE: The City encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than thirty (30) days from the alleged date of discrimination.

What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by the City will be directly addressed by the City. The City shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, the City shall make every effort to address all complaints in an expeditious and thorough manner.

A letter acknowledging receipt of a complaint will be mailed by the City within seven days (Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

How will the complainant be notified of the outcome of the complaint?

The City will send a final written response letter (see Appendix E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from the City, and/or 2) file a complaint externally with the appropriate Federal Agency. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

VI.Limited English Proficiency (LEP) Plan

Each agency and each recipient of federal financial assistance must take reasonable steps to provide meaningful access to LEP individuals. Among the factors to be considered in determining what constitutes reasonable steps to ensure meaningful access are: (1) the number or proportion of LEP persons in the eligible service population; (2) the frequency with which LEP individuals come into contact with the City or its programs; (3) the importance of the service provided by the program; and (4) the resources available to the City. It is expected that the City will provide for meaningful access consistent with, and without unduly burdening, the fundamental mission of the City in providing benefits and services to all who interact with it. These four factors are further explained in the DOJ LEP Guidance found on the FCS website and published in the Federal Register on August 16, 2000.

VII.Community Outreach

Community Outreach is a requirement of Title VI. As an agency receiving federal financial assistance, the City has made the following community outreach efforts:

1. Conducts twice monthly City Council meetings with the public invited to attend and participate in the legislative process.
2. Title VI statements are posted in all City facilities for public viewing.
(Appendix G)
3. The City has a user friendly website to enhance community relations efforts. The City's Title VI plan is available to the community on the website.
4. The City conducts public input meetings for large road and infrastructure construction projects before work begins on the project, allowing the public to make suggestions and share concerns.

Appendix A

Employee Annual Education Form

Title VI Policy

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 any program or activity receiving federal financial assistance.

All employees of the City are expected to consider, respect, and observe this policy. Citizen questions or complaints shall be directed to Title VI Coordinator, Pamala L. Funk.

Appendix B

Acknowledgment of Receipt of Title VI Plan

I hereby acknowledge receipt of the City of O'Fallon's Title VI Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits or services delivered by the City on the basis of race, color, or national origin, as protected by Title VI.

Your signature

Print your name

Date

Appendix C
Title VI Non-Discrimination Complaint Form

This form may be used to file a complaint with the City of O'Fallon pursuant to discrimination laws, rules and regulations, including, but not limited to, Title VI of the Civil Rights Act of 1964, Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency and the Americans with Disabilities Act of 1990.

If you need assistance completing this form, please contact us by phone at (618) 624-4500 ext. 1107, or fax (618) 624-4508 and ask for Pamala L. Funk (Title VI Coordinator).

Feel free to add additional pages if necessary. You are not required to use this form; a signed letter that provides the same information is sufficient to file your complaint.

Complaints of discrimination must be filed within 180 days of the alleged discrimination.

This form **MUST** be completed by the complainant or the complainant's designated representative.

Complainant's Personal Information:

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: (home/work) _____ (cell) _____

Name of person completing this form, if different from above:

Your relationship to the complainant indicated above:

Alleged Discrimination - Details of Complaint:

I. Identify the agency, department or program that discriminated

Agency and/or department name:

Name of any individual, if known:

City: _____ State: _____ Zip: _____

Phone: (Work) _____ (Fax) _____

Date(s) of alleged act:

Date alleged discrimination began:

Last or most recent date of alleged discrimination:

II. What is the basis for this complaint?

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you or others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

Example: If you believe that you were discriminated against because you are African American, you would mark the box labeled "Race/Color" and write "African American" in the space provided.

Example: If you believe the discrimination occurred because you are female, you would mark the box labeled "Gender" and write "female" in the space provided.

Check all that apply:

- Race/Color _____ Religion _____
- National Origin _____ Age _____
- Gender _____ Disability _____

III. Explain what happened

Please explain as clearly as possible what happened. Provide the name(s) of witnesses, fellow employees, supervisors and others involved in the alleged discrimination. Please include all information that you feel is relevant to the investigation. (Attach additional sheets if necessary and provide a copy of any written materials pertaining to your complaint.)

IV. How can this/these issue(s) be resolved to your satisfaction?

V. What are the most convenient time and place for us to contact you about this complaint?

V.If we will not be able to reach you directly, please give us the name and phone number of a person who can reach you and/or provide information about your complaint

Name:

Telephone Number:

VI.If you have an attorney representing you concerning the matter raised in this complaint, please provide the following:

Name of Attorney: _____

Address: _____

Telephone number: () _____

Signature

Date

Note: The laws enforced by the City of O'Fallon prohibit retaliation or intimidation against anyone because the individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint or if you have questions regarding the completion of this form, please contact:

Pamala L. Funk, Assistant City Administrator
255 S. Lincoln Avenue
O'Fallon, Illinois 62269
Phone: (618) 624-4500 ext. 9-1112
E-Mail: pfunk@ofallon.org

Appendix D

Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Illinois 67040

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against the City of O'Fallon alleging _____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning (618) 624-4500 ext. 1107, or write to me at this address.

Sincerely,

Pamala L. Funk
Assistant City Administrator
Title VI Coordinator

Appendix E

Letter Notifying Complainant that the Complaint Is Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Illinois 67040

Dear Ms. Doe:

The matter referenced in your letter of _____(date) against the City of O'Fallon alleging a Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of this matter. *(If a hearing is requested, the following sentence may be appropriate.)* You may be hearing from this office, or from Federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Pamala L. Funk
Assistant City Administrator
Title VI Coordinator

Appendix F

Letter Notifying Complainant that the Complaint Is Not Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Illinois 67040

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the City of O'Fallon alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, have in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving Federal financial assistance.

The City has analyzed the materials and facts pertaining to your case for evidence of the City's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to appeal this decision within seven calendar days of receipt of this final written decision from the City to the appropriate Federal agency.

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to contact me.

Sincerely,

Pamala L. Funk
Assistant City Administrator
Title VI Coordinator

Appendix G

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).

The City of O'Fallon is committed to ensuring that no person is excluded from participation in, or denied the benefits of, services it provides on the basis of race, color, or national origin. **If you feel you are being denied participation in or being denied services provided by the City of O'Fallon, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact:**

City of O'Fallon
Title VI Coordinator
Pamala L. Funk, Assistant City Administrator
255 S. Lincoln Avenue
O'Fallon, Illinois 62269
Phone: (618) 624-4500 ext. 9-1112

For more information, visit our website at www.ofallon.org.