Boone County, Illinois

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).

Boone County (hereafter “The County”) is committed to ensuring that no person is excluded from participation in, or denied the benefits or services delivered by the County on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.A.

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

Title VI Coordinator Contact Information

Kenneth Terrinoni
Boone County Administration
1212 Logan Avenue, Suite 102
Belvidere, Illinois 61008
Attention: Title VI Coordinator

II. Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in County facilities. A copy of the Boone County Title VI Plan and the name of the Title VI coordinator is available on the County’s website, at www.boonecountyll.org. Additional information relating to nondiscrimination obligation can be obtained from the County’s Title VI Coordinator, Kenneth Terrinoni.

II. Subcontracts and Vendors

All subcontractors and vendors who receive payments from the County 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.

**III. 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 County's Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, records of correspondence to and from complainants, and Title VI investigations.

**IV. 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 is deemed significant by the complainant.

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

Kenneth Terrinoni  
Boone County Administration  
1212 Logan Avenue, Suite 102  
Belvidere Illinois 61008  
Attention: Title VI Coordinator

**NOTE:** The County 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 County will be directly addressed by the County. The County 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 County 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 County within seven days (Appendix B). 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 County will send a final written response letter (see Appendix C or D) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix D), 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 County, 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.
Appendix A: TITLE VI COMPLAINT FORM
To submit a Title VI complaint to Boone County, Illinois, please print and complete the following form, sign and return to:

Kenneth Terrinoni  
Boone County Administration  
1212 Logan Avenue, Suite 102  
Belvidere, Illinois 61008  
Attention: Title VI Coordinator

Please print clearly:

<table>
<thead>
<tr>
<th>SECTION I</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td>Email Address:</td>
<td>Phone:</td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td>City:</td>
<td>State:</td>
<td>Zip:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SECTION II</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Are you filing this complaint on your own behalf? □ Yes (go to Section III) □ No (go to #2)</td>
</tr>
</tbody>
</table>

2. If you answered “No” to question 1, please describe your relationship to the person (complainant) for whom you are filing and why you are filing for a third party.

3. Have you obtained permission of the aggrieved party (complainant) to file this complaint on his/her behalf? □ Yes □ No

<table>
<thead>
<tr>
<th>SECTION III</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Date of Incident:</td>
</tr>
</tbody>
</table>

2. If applicable, name of person(s) who allegedly discriminated against you:

<table>
<thead>
<tr>
<th>Discrimination based on:</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Race</td>
<td>□ Sex</td>
<td>□ Disability</td>
<td></td>
</tr>
<tr>
<td>□ Color</td>
<td>□ Age</td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ National Origin/LEP</td>
<td>□ Religion</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. Please provide a brief explanation of the incident and how you feel you were discriminated against, including how you feel others may have been treated differently than you. If you require additional space or have additional written material pertaining to your complaint, please attach it to this form.
4. Why do you believe discrimination occurred?

5. What remedy are you requesting? Be specific.

6. Please list any person(s) we may contact for additional information to support or clarify your complaint.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>City:</td>
</tr>
</tbody>
</table>

**SECTION IV**

1. Have you previously filed a Title VI Complaint with Boone County?  
   - Yes  
   - No

2. Have you filed this complaint with any other federal, state or local agencies or with any state or federal court?  
   - Yes  
   - No

   If yes, please check all that apply:

   - [ ] Federal Agency
   - [ ] Federal Court
   - [ ] State Agency
   - [ ] State Court
   - [ ] Local Agency

3. If filed at an agency and/or court, please provide information for your point of contact where the complaint was filed:
   - Agency/Court:

   | Contact Name: | Address: | Phone Number: |

**SECTION V**

*Please Note: Boone County cannot accept your complaint without a signature.*

I affirm that I have read the above charge and it is true to the best of my knowledge.

Complainant's Signature: __________________________ Date: __________

Printed or Typed Name of Complainant: __________________________
APPENDIX B: Letter Acknowledging Receipt of Complaint
Today's Date

Ms. Jo Doe
1234 Main St.
Belvidere, IL 61008

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against Boone County alleging ____ (Insert text here)______.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact me by telephone at (815)-547-4770, or you may write to me at this address.

Sincerely,

Kenneth Terrinoni
Boone County Administrator
APPENDIX C: Letter Notifying Complainant that the Complaint Is Substantiated
Today’s Date

Ms. Jo Doe
1234 Main St.
Belvidere, IL 61008

Dear Ms. Doe:

The matter referenced in your letter of (Insert date) against Boone County alleging 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. The following efforts are underway to correct these deficiencies: (include list of corrective actions).

Thank you for calling this important matter to our attention. (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 are needed during the administrative hearing process.

Sincerely,

Kenneth Terrinoni
Boone County Administrator
APPENDIX D: Letter Notifying Complainant that the Complaint Is Not Substantiated
Today's Date

Ms. Jo Doe
1234 Main St.
Belvidere, IL 61008

Dear Ms. Doe:

The matter referenced in your complaint of (Insert date) against Boone County alleging (Insert text) 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 been violated. Title VI prohibits discrimination based on race, color, or national origin in any program receiving Federal financial assistance.

The County has analyzed the materials and facts pertaining to your case for evidence of the County'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 am therefore advising 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 from the County within seven calendar days of receipt of this letter. Appeals must be submitted to the appropriate Federal agency with jurisdiction over the program related to the complaint.

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,

Kenneth Terrinoni
Boone County Administrator
APPENDIX E: Sample Resolution to Adopt Title VI Notice
Boone County Government  
1212 LOGAN AVENUE, SUITE 102  
BELVIDERE, ILLINOIS 61008  
PHONE: (815)-547-4770 FAX: (815)-547-3579  

Resolution 18-XX  
RESOLUTION ADOPTING A TITLE VI PLAN FOR BOONE COUNTY, ILLINOIS  

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).

Boone County is committed to ensuring that no person is excluded from participation in, or denied the benefits or services it provides on the basis of race, color, or national origin. **Persons who feel they are being denied participation in or being denied services provided by Boone County, or otherwise being discriminated against because of race, color, national origin, gender, age, or disability should contact:**

Kenneth Terrinoni  
Boone County Administration  
1212 Logan Avenue, Suite 102  
Belvidere IL, 61008  
Attention: Title VI Coordinator

Additional information and a copy of the County's Title VI Policy are available on the Boone County website at [www.boonecountyil.org](http://www.boonecountyil.org)

PASSED BY THE BOONE COUNTY BOARD

This______ Day of______________, 2017

By: __________________________
    County Board Chair

Attest:

______________________________
County Clerk

Ayes: _____  Nays: _____  Absent: _____  Abstain: _____  Voice Vote: _____
APPENDIX F: Complaint Tracking Form
APPENDIX G: Employee Annual Education Form (to be included with payroll one time per year)
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 County are expected to consider, respect, and observe this policy. Citizen questions or complaints shall be directed to the Boone County Title VI Coordinator.

Please Contact:

Kenneth Terrinoni
Boone County Administration
1212 Logan Avenue, Suite 102
Belvidere Illinois 61008

Attention: Title VI Coordinator
APPENDIX H: Acknowledgment of Receipt of Title VI Plan
I hereby acknowledge receipt of the County'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 County on the basis of race, color, or national origin, as protected by Title VI.

__________________________
Signature

__________________________
Printed Name

__________________________
Department

__________________________
Date
APPENDIX I: Title VI Civil Rights Notice
Title VI Civil Rights

Information about Title VI Civil Rights
Boone County

General Information

Boone County operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he had been subject to unlawful discrimination under Title VI may file a complaint with Boone County.

For information on Boone County’s Title VI program and the procedures to file a complaint, please contact us at:

Boone County
ATTN: Title VI Coordinator
1212 Logan Avenue, Suite 102
Belvidere, IL 61008
815-547-4770

A copy of the Boone County Title VI Policy can be viewed online at www.boonecountyil.org.

Información General

El Condado de Boone opera sus programas y servicios sin distinción de raza, color y origen nacional con arreglo al Título VI del Acto de Derechos Civiles. Cualquier persona que cree que él o ella ha sido objeto de discriminación ilegal bajo Título VI puede presentar una queja con el Condado de Boone.

Para obtener más información sobre el programa Título VI del Condado de Boone y los procedimientos para presentar una queja, por favor contáctenos en:

Boone County
ATTN: Title VI Coordinator
1212 Logan Avenue, Suite 102
Belvidere, IL 61008
815-547-4770

Una copia de la política del Título VI del Condado de Boone se puede ver en línea en www.boonecountyil.org.

Standard Title VI/Non-Discrimination Assurances

Boone County (herein described at the “Recipient”), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT) through the Illinois Department of Transportation, is subject to and will comply with the following:

Statutory /Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat.252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation – Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter referred to as the “Acts” and “Regulations,” respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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 otherwise subjected to discrimination under any program or activity,” for which the Recipient receives Federal financial assistance from DOT, including the Illinois Department of Transportation.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination statutes and requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and give the following Assurances with respect to its Federally assisted Section 5311 Program:

1. The Recipient agrees that each “activity”, “facility”, or “program”, as defined in §§ 21.23 (b) and 21.23 (c) of 49 C.F.R. § 21 will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following modification in all solicitations for bids, Requests For Proposals for work, or materials subject to the Acts and the Regulations made in connection
with the Section 5311 Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"Boone County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair 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. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will 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 acquisition of real property or an interest in real property, the Assurance will extend to spaces on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance as a covenant running with the land, in any future deeds, leases, permits, or similar instruments entered into by the Recipient with other parties:

   a. For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
   b. For the construction of use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

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 improvements 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 services or benefits; or
   b. The period during which the Recipient retains ownership or possession of the property.
9. The Recipient will 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-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, 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 Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, Boone County also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Illinois Department of Transportation access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Illinois Department of Transportation. You must keep record, reports, and submit the materials for review upon request to the Illinois Department of Transportation, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Boone County gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Section 5311 Program. This ASSURANCE is binding on Illinois, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors’, transferees, successors in interest, and any other participants in the Section 5311 Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

____________________________________
Boone County

by ___________________________________

Karl Johnson – County Board Chairman

DATED _______________________________
APPENDIX A

During the performance of this 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 (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Illinois Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. **Non-discrimination:** The contractor, with regard to work performed by it during the contract, will not discriminate on the ground of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds or race, color, or national origin.

4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Illinois Department of Transportation to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient of the Illinois Department of Transportation, as appropriate, and will set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of a contractor’s noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Illinois Department of Transportation may determine to be appropriate, including, but not limited to:
   a. Withholding payments to the contractor under the contract until the contractor complies; and/or
   b. Cancelling, terminating, or suspending a contract, in whole or in part.

6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The
contractor will take action with respect to any subcontract or procurement as the Recipient or the Illinois Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.
APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U. S. Department of Transportation, as authorized by law and upon the condition that Boone County will accept title to the lands and maintain the project constructed thereon in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of the (Name of Appropriate Program), and the policies and procedures prescribed by the (Title of Modal Operating Administration) of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U. S. Department of Transportation 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 unto Boone County all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached and hereto made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein until Boone County 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 Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on Boone County, its successors and assigns.

Boone County, 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 will 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 with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that Boone County will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instructions].*

(*Reverter clause and related language to be used when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)
APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER
THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by Boone County pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representative, 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. In the event facilities are constructed, maintained, or otherwise operated on the property described in the (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Boone County will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, Boone County will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of Boone County and its assigns.*

(*Reverter clause and related language to be sued only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)
APPENDIX D

CLAUDES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED
UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments entered into by Boone County pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, 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 grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subject to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Boone County will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Boone County will there upon revert to and vest in and become the absolute property of Boone County and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)
APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (Pl. 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractor, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensure non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English Proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).