

GREAT PARKS OF HAMILTON COUNTY
TITLE VI NONDISCRIMINATION PLAN AND POLICY

"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."

-Title VI of the Civil Rights Act of 1964

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**GREAT PARKS OF HAMILTON COUNTY
TITLE VI NONDISCRIMINATION PLAN AND POLICY**

I. POLICY STATEMENT

This plan is part of Great Parks of Hamilton County's ("Great Parks") continual and ongoing efforts to comply with civil rights regulations. This plan and policy details Great Parks' intent to proactively meet its compliance requirements under Title VI of the Civil Rights Act, as amended ("Title VI"), and the related anti-discrimination statutes and regulations.

Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Pursuant to Title VI, Section 162(a) of the Federal-Aid Highway Act of 1973 (23 U.S.C. 324), the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act of 1990, Executive Order 12898, Executive Order 13166, and the Civil Rights Restoration Act of 1987, Great Parks will not exclude from participation in, deny the benefits of, or subject to discrimination any individual on the ground of race, color, or national origin, sex, age, disability, limited English proficiency, or income status

Objectives of this policy are to:

- A. Ensure that the level and quality of Great Parks services are provided without regard to race, color, national origin, sex, age, disability, limited English proficiency, or income status;
- B. Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- C. Promote the fair and full participation of all affected populations and activities that benefit minority populations or low-income populations;
- D. Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- E. Ensure meaningful access to programs and activities by persons with limited English proficiency.

Great Parks is an equal employment opportunity employer. Great Parks provides equal opportunity in employment to all employees and applicants for employment and prohibits discrimination in employment because of race, religion, color, sex, age, national origin, disability, military status, or any other classification protected under applicable law. This protection applies to all terms, conditions, and privileges of employment. This plan details Great Parks' compliance with Title VI and the related anti-discrimination laws that apply to entities receiving Federal financial assistance.

II. TITLE VI COORDINATORS & LIAISONS

Molly deJesus
Chief of Human Resources
mdejesus@greatparks.org
10245 Winton Rd.
Cincinnati, Ohio 45231
(513) 521-7275

Bret Henninger
Chief Operating Officer
bhenninger@greatparks.org
10245 Winton Rd.
Cincinnati, Ohio 45231
(513) 521-7275

The Great Parks Title VI Coordinators will:

- Administer and implement Great Parks' Title VI plan and policy.
- Develop and maintain a Title VI liaison team to ensure departments are implementing, monitoring, and complying with Great Parks' Title VI plan and policy.
- Conduct Title VI reviews with liaisons in an effort to assist with identifying, addressing and eliminating discrimination concerns in every department.
- Conduct or facilitate Title VI training programs with department liaisons for dissemination to employees.
- Work with liaisons to develop and disseminate Title VI information to contractors, subcontractors, vendors and consultants.
- Work with liaisons to ensure community involvement and outreach is in compliance with Title VI and provides equitable opportunities for participation.
- Ensure Title VI language is included in Great Parks' contracts.

- Collect, review and preserve statistical data (e.g. race, color, national origin, language, gender) of participants in activities and programs to ensure Great Parks' continued compliance with Title VI.
- Collect, review and preserve data regarding the number of federally funded projects awarded or ongoing for the past three (3) years.
- Maintain all Title VI records and correspondence, including but not limited to, signed employee acknowledgements, Title VI complaints and all correspondence regarding such complaints, requests for language services, demographic statistics, department compliance reviews and all Title VI Federal agency correspondence and records.
- Address all Title VI discrimination complaints.
- Review and update the Title VI plan and policy as needed or required.
- Prepare and submit the annual Title VI update report.
- Maintain a log of all Title VI complaints.

All concerns should be directed to the Title VI or ADA Coordinator; however, additional contacts for each department are listed below.

Contact	Department	Phone	Email
Tim Zelek	ADA Coordinator Planning	(513) 521-7275	tzelek@greatparks.org
Andrew Collins	Finance	(513) 521-7275	acollins@greatparks.org
Scott Snow	Rangers	(513) 521-7275	ssnow@greatparks.org
Jason Rahe	Conservation & Parks	(513) 521-7275	jrahe@greatparks.org
Rachel Messerschmitt	Guest Experiences	(513) 521-7275	rmesserschmitt@greatparks.org
Alicia Culman	Philanthropy	(513) 521-7275	aculman@greatparks.org

III. EMPLOYER/EMPLOYEE DISSEMINATION AND TRAINING

Title VI plan and policy education and literature will be provided to all Great Parks employees. Great Parks' employees will be required to sign an acknowledgement (Appendix I) of receipt indicating they have received and reviewed Title VI policy guidelines. New employees will be provided with education and literature at new employee orientation. Employees will be provided with updated education and literature as Great Parks deems necessary.

Employees are expected to follow the Title VI policy and the guidelines set forth in the policy. In addition, employees should make every effort to alleviate any barriers to service or public use that would restrict public access or usage, take prompt and reasonable action to avoid or minimize discrimination incidences, and immediately notify a Title VI Coordinator, in writing, of any questions, complaints, or allegations of discrimination.

IV. CONTRACTORS, SUBCONTRACTORS, VENDORS AND CONSULTANTS

All contractors, subcontractors and vendors who receive payments from Great Parks where funding originates from any Federal assistance programs are subject to the provisions of Title VI. Great Parks will include Title VI language, as per the Standard U.S. DOT Title VI Assurances (Appendices A, B, and C), as relevant and appropriate, in written agreements and bid notices. Written agreements relevant to Title VI shall not contain any form of discrimination, either written or implied.

V. COMPLAINT PROCESS

Great Parks will promptly and thoroughly investigate all properly submitted complaints of alleged discrimination. Great Parks will also attempt to resolve such complaints and take corrective action upon a finding of a substantiated complaint. Great Parks will make reasonable efforts to facilitate a voluntary, early resolution of complaints at the lowest level possible. The complaint investigation procedure is part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Any individual who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Great Parks service, program, or activity (whether Federally funded or not), based on their race, color, national origin, gender, age, disability, ancestry, income status, or limited English proficiency may file a complaint with a Great Parks Title VI Coordinator. Complaint forms can be found in Appendix F, on Great Parks' website at: <http://www.greatparks.org/administration/documents>, or by contacting a Title VI

Coordinator. In order for a complaint to be considered, the complainant must file the appropriate documentation within 180 calendar days after the alleged act of discrimination occurred.

Complaint Requirements

Complaints must be made in writing and shall be signed by the complainant and/or the complainant's representative. Great Parks does not accept anonymous complaints. Complaints must contain the following information, and describe as completely as possible the facts and circumstances surrounding the alleged discrimination:

- Name of the complainant;
- Contact information of the complainant (telephone number, address, email address)
- The full name and address of the respondent, individual, agency, department, or program that allegedly discriminated against the complainant;
- A description of the alleged discriminatory act(s) that violated Title VI (i.e., an act of intentional discrimination or one that has the effect of discriminating on the basis of race, color, national origin, sex, age, or disability. The description must include the date of the incident, and how, where and why the complainant believes they were discriminated against;
- Names and contact information of all witnesses; and
- Any other information that is deemed significant.

If a complainant is unable or incapable of providing a written statement, a verbal complaint may be made to a Title VI Coordinator. Under these circumstances, the complainant will be interviewed and a Title VI Coordinator will assist the complainant in completing a written complaint. A Title VI Coordinator will provide the written complaint to the complainant for confirmation, review and signature before processing.

Conference With Title VI Coordinator

Within fifteen (15) calendar days after receipt of the complaint, a Title VI Coordinator will arrange to speak or meet with the complainant to discuss the complaint and possible resolutions, if applicable. If a complaint is deemed incomplete, additional information will be requested. The complainant has thirty (30) calendar days to respond to the request for additional information. A complainant's failure to respond to the request within thirty (30) calendar days may result in the administrative closure of the complaint.

Jurisdiction

If Great Parks does not have sufficient jurisdiction to investigate the complaint, a Title VI Coordinator will refer the complaint to the appropriate local, state or federal agency holding such jurisdiction. A Title VI Coordinator will notify the complainant or their representative in writing that the complaint is outside of Great Parks' jurisdiction and where the complaint has been referred for further handling.

Title VI Coordinator Investigation

A Title VI Coordinator will conduct a complete and thorough investigation of complaints inside Great Parks' jurisdiction and based upon the information obtained will strive to render a final written response letter to the complainant or their representative by registered mail or hand delivery within sixty (60) calendar days. A Title VI Coordinator will inform the respondent of the complainant's allegations and request a position statement and response to all aspects of the complainant's allegations. A Title VI Coordinator may assign a staff member to handle the investigation.

A Title VI Coordinator's final written response to the complainant will include a description of the complaint, a summary of the investigation and the findings of such, summaries of all individuals interviewed, and if appropriate, recommendations and resolutions. All written complaints, investigations, and responses will be retained by Great Parks for at least three (3) years.

Confidentiality

A complainant's identity shall be kept confidential except to the extent necessary to complete the investigation. If it is necessary to disclose the complainant's identity to the alleged person who may have discriminated against the complainant or a third-party, Great Parks must first obtain the complainant's written consent. Great Parks must also obtain the complainant's written consent before providing a copy of the complaint to any other individual(s) involved with the investigation.

Corrective Action

If Great Parks recommends corrective action, it will give the respondent thirty (30) calendar days to inform Great Parks of the actions taken for compliance. A Title VI Coordinator shall monitor the respondent's corrective action compliance. Such corrective action may include actions the respondent will complete at a future date of the initial thirty days, and must include the projected time in which the respondent will complete the action.

If the respondent has not taken the recommended correction action within the thirty day period allowed, Great Parks will take corrective action to be in compliance with Title VI. Noncompliance not corrected may be subject to sanctions as provided in 49 C.F.R. § 21.13.

DOJ Complaint

If a complainant is dissatisfied with the final resolution of the complaint, the complainant has the right to file a complaint with:

Department of Justice
Federal Coordination and Compliance Section – NWB
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Records Retention

Great Parks will maintain all records of an investigation in a confidential area for three (3) years after the completion of the investigation.

Complaint Closure

It is the general practice of Great Parks to investigate all complete complaints. However, Great Parks may administratively close a complaint at its discretion. The types of complaints that may be administratively closed and not investigated include, but are not limited to:

- Complaints that fail to state a claim or provide any substantial or coherent claim;
- Complaints that are outside the scope of Great Parks' Title VI jurisdiction;
- Untimely complaints filed more than 180 days after the alleged discriminatory acts;
- Complaints voluntarily withdrawn by the complainant;
- Complaints in which the investigation has been impaired by Great Parks' inability to locate the complainant;
- Complaints that are a continuation of a pattern of previously filed complaints involving the same or similar allegations against the same respondent or other respondents that repeatedly have found factually or legally unsubstantiated by Great Parks;
- Complaints containing the same or similar allegations and issues that have been addressed in a recently closed complaint or compliance review conducted by Great Parks;
- Complaints containing allegations that are foreclosed by previous decisions by state and Federal courts, the Department of Justice, or Great Parks policy determinations;
- Complaints filed for complainants or parties who refuse to cooperate with the investigation and whose lack of cooperation substantially impairs the completion of the investigation;
- Complaints transferred to another agency for investigation; and
- Complaints where the death of a complainant makes it impossible to investigate the allegations fully.

Great Parks will notify the complainant in writing when a determination is made to administratively close a case without further investigation. The notification shall include a basis for the administrative closure.

Summary of Complaints Received

No complaints have been filed within the reporting period.

VI. PUBLIC DISSEMINATION

Title VI information shall be displayed in Great Parks buildings and all places in which public meetings are held. The names and contact information of the Great Parks Title VI Coordinators will be displayed on the Title VI information.

The Great Parks Title VI plan and policy, which includes the ADA/Section 504 plan, Limited English Proficiency (LEP) plan and complaint procedures, is available on the Great Parks website at www.greatparks.org. Copies of any of

these plans will be provided upon request. LEP individuals may obtain translated copies of these plans upon request. Any questions or comments regarding this plan should be directed to a Title VI Coordinator.

VII. COMMUNITY INVOLVEMENT AND OUTREACH

Great Parks is committed to ensuring that community involvement and outreach is done in a respectful and appropriate manner that will allow for diverse involvement. Public meetings, programs and activities will provide equitable opportunities for participation.

The Great Parks Board of Park Commissioners meet monthly and those meetings are open to the public, as well as other various Great Parks meetings. In addition, Great Parks periodically holds public listening sessions, which are informal open-house style meetings, at facilities located throughout Hamilton County. Any meetings that are open to the public are published on Great Parks' website. All Great Parks public meetings are held in locations accessible to individuals with disabilities. Upon request, translators can be provided free of charge to those individuals with limited English proficiency. Auxiliary aids are also available upon request. All such requests must be made at least forty-eight (48) hours in advance of the public meeting.

Also published on the Great Parks website are Board of Park Commissioners meeting minutes, and Great Parks' notices, events and news. Great Parks utilizes signage, media and social media as another avenue to communicate with the community.

VIII. DATA COLLECTION

Great Parks will collect and analyze statistical information regarding demographics to assist in monitoring and ensuring nondiscrimination in all of its programs and activities. Great Parks will utilize a voluntary public involvement survey (Appendix H) to collect information regarding persons affected by proposed projects. The survey permits respondents to remain anonymous, while voluntarily answering questions regarding their gender, ethnicity, race, age, disability status, and household income.

Great Parks plans to make this survey available at all public hearings and meetings and in appropriate Great Parks' buildings. Completed surveys shall be retained for a period of three years from the date of the meeting.

IX. SECTION 504/AMERICANS WITH DISABILITIES ACT (ADA)

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), as amended, and the Americans with Disabilities Act of 1990, as well as any other local, federal and state laws and regulations, Great Parks will make every reasonable effort to ensure that no individual with a disability will be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any of Great Parks programs or activities.

For more information regarding Great Parks' ADA policy, please visit Great Parks' website at <http://www.greatparks.org/administration/documents> to view Great Parks' ADA Transition Plan. ADA complaint forms can also be obtained on Great Parks' website or by contacting the ADA Coordinator or a Title VI Coordinator.

Questions, concerns, comments or requests regarding the ADA should be made to the Great Parks ADA Coordinator:

Tim Zelek
Chief of Planning
10245 Winton Rd.
Cincinnati, Ohio 45231

(513) 521-7275 (phone)
tzelek@greatparks.org

X. LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Great Parks has prepared this plan in accordance with Title VI, which states that no person shall be subjected to discrimination on the basis of race, color or national origin. The purpose of this plan is to help identify reasonable steps for providing language assistance to individuals with limited English proficiency who wish to access services provided by Great Parks.

Presidential Executive Order No. 13166, titled "Improving Access to Services for Persons with Limited English Proficiency," indicates that individuals treated differently based upon their inability to speak, read, write or understand English is a type of national origin discrimination. Presidential Executive Order No. 13166 defines limited English proficiency persons as those individuals who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

In order to prepare this plan, Great Parks utilized the U.S. Department of Transportation four-factor LEP analysis, which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a Great Parks program, activity or service;
2. The frequency with which LEP persons come in contact with Great Parks programs, activities and services;
3. The nature and importance of programs, activities or services provided by Great Parks available to Hamilton County and the overall costs to provide LEP assistance.

Using the U.S. Census Bureau's American Community Survey 2010-2014 5-Year Estimates, approximately 2.6% of people in Hamilton County, age 5 years and older, speak English "less than very well." Source: <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF>. Great parks of Hamilton County also surveyed its staff regarding the frequency of problems encountered with persons that are LEP. These surveys affirmed that Great Parks of Hamilton County staff rarely, if ever, have had issues communicating with and providing services for LEP individuals. When there has been contact with an LEP individual, the staff has been able to accommodate the language barrier.

Great Parks also utilizes a Voluntary Title VI Public Involvement Survey (Appendix H) to assess the frequency with which LEP individuals come into contact with County programs, activities, and services. The Voluntary Title VI Public Involvement Survey is made available at public meetings and in appropriate public buildings.

In compliance with the U.S. Department of Transportation's LEP analysis, Great Parks has considered and implemented the following:

- The number or proportion of LEP persons who may be served or likely to encounter a Great Parks of Hamilton County program, activity or service is relatively small (approximately 2.6%).
- The frequency with which LEP persons come into contact with Great Parks of Hamilton County programs, activities, or services is relatively low, based on our staff survey. Great Parks staff has been able to provide reasonable LEP accommodations when necessary.
- To ensure meaningful access to LEP persons to Great parks of Hamilton County programs, activities, and services, Great parks offers Spanish interpretation services on an as needed basis if requested forty-eight (48) hours in advance. This service is provided free of charge.
- (Insert any additional LEP service offered)

Great Parks is aware that its community profile is ever-changing. As a result, this LEP plan will be re-evaluated annually to ensure the plan remains reflective of community needs. Anyone requiring special language services or accommodations must contact a Title VI Coordinator.

XI. POLICY AND MISSION STATEMENT

Great Parks plans to incorporate Title VI policy and mission statements into its employee handbook for the next revision.

Great Parks Title VI Policy Statement

Great Parks values each individual's civil rights and wishes to provide equal opportunity and equitable service for the citizens of this county. As a recipient of federal funds, Great Parks is required to conform to Title VI and all related statutes, regulations, and directives, which provide that no person shall be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving covered federal financial assistance on the grounds of race, color, age, sex, disability, national origin, or income status.

Great Parks Title VI Mission Statement

Great Parks will implement compliance with Title VI and its related statutes and regulations to ensure that no person is excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving covered federal financial assistance on the grounds of race, color, national origin, age, sex, disability, or income status.

XII. SOCIAL EQUITY AND ENVIRONMENTAL JUSTICE

Ensuring the meaningful involvement of low income, minority, disabled, senior, and other traditionally underrepresented communities is a key component of Great Parks' public participation activities. Great Parks' policies, procedures, and programs are consistent with federal and state environmental justice laws, regulations and requirements, Title VI, related nondiscrimination requirements and reflect the principles of social equity and environmental justice. Social equity means ensuring that all communities are treated fairly and are given equal opportunity to participate in the planning and decision-making process, with an emphasis on ensuring that traditionally disadvantaged groups are not left behind. Environmental justice means ensuring that plans, policies, and actions do not disproportionately affect low income and minority communities.

XIII. TITLE VI ASSURANCES

Great Parks (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 59, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that is in accordance with the Act, Regulations, and other pertinent directives, 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 the Department of Transportation, including the Federal Surface Transportation Program and, HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to the Federal Surface Transportation Program:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. The Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with the Federal Surface Transportation Program and, in adapted form, in all proposals for negotiated agreements:
Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full 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. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance shall 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 acquisitions of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this Assurance as a covenant running with the land, in any future deeds, leases, permits, licenses and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Surface Transportation Program; and (b) for the construction or use of or

access to space on, over, or under real property acquired or improved under the Federal Surface Transportation 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 period: (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 shall 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, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, 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 Act, the Regulations, and this Assurance.

This Assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the U.S. Department of Transportation under the Federal Surface Transportation Program and is binding on it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Surface Transportation Program. The person or persons whose signature(s) appear below are authorized to sign this Assurance on behalf of the Recipient.

Todd Palmeter, Chief Executive Officer
(Name of Recipient)


(Signature of Authorized Official)

Date: June 4, 2021

XIV. ACCOMPLISHMENTS

Great Parks is proud of its Title VI accomplishments in 2021, including:

- Providing Title VI training to X employees.
- Completing a comprehensive review of its Title VI and ADA policies and practices.
- Surveying staff members on experiences with LEP individuals.

This section will be updated annually to provide an update on the status of the previous year's work plan.

XV. ANNUAL WORK PLAN

This section outlines annual goals set forth by Great Parks to comply with Title VI and ADA requirements and statutes. This list is not exhaustive and will be continually monitored for updates and additions.

Goal	Target Completion Date
Develop Title VI implementation plan and distribute internally and externally via website and Great Parks offices.	Calendar year prior to receipt of federal funds.
Ensure that assurances are being used in contracts for federal projects.	Upon approval of federal funding.
Attend Title VI training for all relevant staff.	Year prior to receipt of federal funds.
Collect public involvement data.	Ongoing.

XVI. APPENDICES

- A. Title VI Assurance – General
- B. Title VI Assurance – Clauses for Deeds Transferring United States Property
- C. Title VI Assurance – Clauses for Transfer of, or Construction/Use/Access to Real Property Acquired or Improved Under the Activity, Facility, or Program
- D. Title VI Complaint Log
- E. Title VI Complaint Procedure
- F. External Complaint of Discrimination Form
- G. Complainant Consent / Release Form
- H. Voluntary Title VI Public Involvement Survey
- I. Acknowledgement of Receipt of Title VI Policy Guidelines

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 shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, age, disability, and low income in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for Subcontractors, 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 shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, disability, and low income.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, and directives issues pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by Great Parks of Hamilton County or the Ohio Department of Transportation ("ODOT") or to the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to Great Parks of Hamilton County or ODOT or the FHWA, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, Great Parks of Hamilton County shall impose such contract sanctions as it or ODOT or the FHWA may determine to be appropriate, including but not limited to:
 - a. Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - b. Cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by Regulations, or directives issued pursuant thereto.

The contractor shall take such actions with respect to any subcontract or procurement as Great Parks of Hamilton County or ODOT or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor or supplier as a result of such direction, the contractor may request Great Parks of Hamilton County to enter into such litigation to proceed the interests of Great Parks of Hamilton County and, 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 shall be included in all 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:

(Granting Clause)

NOW, THEREFORE, the U.S. Department of Transportation, as authorized by law, and upon the condition that Great Parks of Hamilton County will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code of Federal Regulations, the Regulations for the administration of the Federal Surface Highway Programs and the policies and procedures prescribed by the FHWA, also in accordance and 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, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § 200d to 2000d-4), does hereby remise, release, quitclaim and convey unto Great Parks of Hamilton County all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(Habendum Clause)

TO HAVE AND TO HOLD said lands and interests therein unto Great Parks of Hamilton 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 shall be binding on Great Parks of Hamilton County, its successors and assigns.

Great Parks of Hamilton 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 on the grounds of race, color, national origin, sex, age, disability, or low income 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 Great Parks of Hamilton County shall use the lands and interests in lands and interests in the land 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, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations and Acts be amended[, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to enter or re-enter said lands and facilities on said land, and the above described land and facilities will thereon revert to and vest and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only 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 Great Parks of Hamilton County pursuant to the provisions of **Assurance 7(a)**:

- A. The (grantee, lessee, permittee, etc., as appropriate) for himself, his 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. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (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, national origin, sex, age, disability, or low income 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 nondiscrimination covenants, Great Parks of Hamilton County will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said land and the 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 nondiscrimination covenants, Great Parks of Hamilton County shall have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of Great Parks of Hamilton County and its assigns.*

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

- A. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his 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 ground of race, color, national origin, sex, age, disability, or low income shall 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 ground of race, color, national origin, sex, age, disability, or low income will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as may be amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above nondiscrimination covenants, Great Parks of Hamilton County shall have the right to terminate the (license, lease, 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, lease, 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 nondiscrimination covenants, Great Parks of Hamilton County shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of Great Parks of Hamilton County and its assigns.*

(*Reverted 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 D

TITLE VI COMPLAINT LOG

GREAT PARKS OF HAMILTON COUNTY TITLE VI COMPLAINT LOG							
Case No.	Investigator	Complainant	Sub-recipient	Protected Category	Date Filed	Date of Final Report	Disposition

APPENDIX E

TITLE VI COMPLAINT PROCEDURE

Any person who believes that he or she, as a member of a protected class, has been discriminated against based on race, color, national origin, gender, age, disability, or low income status in violation of Title VI of the Civil Rights Act of 1964, as amended, and its related statutes, regulations and directives, Section 504 of the Vocational Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, the Civil Rights Restoration Act of 1987, as amended, and any other Federal nondiscrimination statute may submit a complaint. A complaint may also be submitted by a representative of such a person.

It is the policy of Great Parks of Hamilton County to conduct a prompt and impartial investigation of all allegations of discrimination and to take prompt effective corrective action when a claim of discrimination is substantiated.

No one may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because they have taken action or participated in an action to secure rights protected by the civil rights laws. Any individual alleging such harassment or intimidation may submit a complaint by following the procedure provided below.

Any individual who feels that he or she has been discriminated against may submit a written or verbal complaint. The complaint may be communicated to any department head or to a Great Parks Title VI Coordinator. The complaint must be submitted within 180 days of the alleged discrimination. Complaint forms may be found in Appendix F, on Great Parks of Hamilton County's website at: <http://www.greatparks.org/administration/documents>, or by contacting a Title VI Coordinator. Individuals are not required to use Great Parks' complaint form. If necessary, Great Parks will help an individual reduce his or her complaint to writing for his or her signature.

Generally, a complaint must include the name, address, and telephone number of the complainant and a brief description of the alleged discriminatory conduct, including the date of harm. An individual submitting a complaint alleging discrimination may include any relevant evidence, including the names of witnesses and supporting documentation.

Direct Title VI complaints to either:

Molly deJesus
Chief of Human Resources
mdejesus@greatparks.org
10245 Winton Rd.
Cincinnati, Ohio 45231
(513) 521-7275

Bret Henninger
Chief Operating Officer
bhenninger@greatparks.org
10245 Winton Rd.
Cincinnati, Ohio 45231
(513) 521-7275

Direct ADA complaints to Tim Zelek, Chief of Planning

Great Parks of Hamilton County will conduct an investigation of the allegation based on the information provided and will strive to issue a written report of its findings to the complainant within 60 days of receipt of the complaint. Great Parks will try to obtain an informal voluntary resolution to all complaints at the lowest level possible.

A complainant's identity shall be kept confidential except to the extent necessary to conduct an investigation.

These procedures do not deny the right of any individual to file a formal complaint with any government agency or affect an individual's right to seek private counsel for any complaint alleging discrimination. The complaint investigation procedure is part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

APPENDIX F

EXTERNAL COMPLAINT OF DISCRIMINATION FORM

The purpose of this form is to help any person interested in filing a discrimination complaint with Great Parks of Hamilton County. You are not required to use this form. You may write a letter with the same information, sign it, and return it to the address below. All bold items must be completed for your complaint to be investigated. Failure to provide complete information may impair the investigation of your complaint.

Title VI of the Civil Rights Act of 1964, as amended, and its related statutes and regulations ("Title VI") prohibit discrimination on the basis of race, color, national origin, sex, age, disability, or income status in connection with programs or activities receiving Federal financial assistance from the U.S. Department of Transportation, Federal Highway Administration, and/or Federal Transit Administration. These prohibitions extend to Great Parks of Hamilton County as a sub-recipient of Federal financial assistance.

Upon request, assistance will be provided if you are an individual with a disability or have limited English proficiency. Complaints may also be filed using alternative formats such as computer disk, audiotape, or braille. Great Parks of Hamilton County is prohibited from retaliating against any individual because he or she opposed an unlawful policy or practice, filed charges, testified, or participated in any complaint action under Title VI or other nondiscrimination authorities.

You also have the right to file a complaint with other state or Federal agencies that provide Federal financial assistance to Great Parks of Hamilton County. Additionally, you have the right to seek private counsel.

Please make a copy of your complaint form for your personal records. Do not send your original documents as they will not be returned. Mail the original complaint form along with any copies of documents or records relevant to your complaint to the address below.

Complaints of discrimination must be filed within 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.

Complaints should be filed with a Great Parks of Hamilton County Title VI Coordinator:

Molly deJesus
Chief of Human Resources
mdejesus@greatparks.org
10245 Winton Rd.
Cincinnati, Ohio 45231
(513) 521-7275

Bret Henninger
Chief Operating Officer
bhenninger@greatparks.org
10245 Winton Rd.
Cincinnati, Ohio 45231
(513) 521-7275

Your complaint cannot be processed without your signature.

Name of complainant	Date
Signature of complainant	

Complainant Information		
Name (first, middle, last)		
Address (number and street, city, state, ZIP code)		
Home phone number () -	Work phone number () -	Cellular phone number () -

Person / Department You Believe Discriminated Against You		
Name (first, middle, last)		Title
Name of Department		
Address (number and street, city, state, ZIP code)		
Home phone number () -	Work phone number () -	Cellular phone number () -
When was the last alleged discriminatory act? (month, day, year)		
<p>Complaints of discrimination must be filed within 180 days of the alleged discriminatory act. If the alleged acts of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.</p>		
<p>The alleged discrimination was based on:</p> <p> <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> Age <input type="checkbox"/> Gender <input type="checkbox"/> National Origin <input type="checkbox"/> Disability <input type="checkbox"/> Ancestry <input type="checkbox"/> Retaliation </p>		
Name of complainant		Date

Describe the alleged act(s) of discrimination. (Use additional pages, if necessary)

Provide the names of any individuals with additional information regarding your complaint:

Name of witness 1 (first, middle, last)

Title

Name of company

Address (number and street, city, state, ZIP code)

Home phone number
() -

Work phone number
() -

Cellular phone number
() -

Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.

Name of complainant

Date

Name of witness 2 (first, middle, last)

Title

Name of company		
Address (number and street, city, state, ZIP code)		
Home phone number () -	Work phone number () -	Cellular phone number () -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		

Name of witness 3 (first, middle, last)		Title
Name of company		
Address (number and street, city, state, ZIP code)		
Home phone number () -	Work phone number () -	Cellular phone number () -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		

APPENDIX G

COMPLAINANT CONSENT / RELEASE FORM

Name (first, middle, last)	Telephone number () -
Address (number and street, city, state, ZIP code)	
Case number(s) (if known)	
<p>As a complainant, I understand that during an investigation it may become necessary for Great Parks of Hamilton County to reveal my identity to individuals outside of Great Parks of Hamilton County in the course of verifying information or gathering facts and evidence to develop a basis for making a civil rights compliance determination. I understand that it may be necessary for Great Parks of Hamilton County to share information, including personal details collected as part of its complaint investigation. In addition, I understand that as a complainant, I am protected by Title VI of the Civil Rights Act of 1964, as amended, and its related statutes and regulations prohibiting intimidation or retaliation for taking action or participating in an action to secure rights protected by the nondiscrimination statutes enforced by Great Parks of Hamilton County.</p>	
<p>Please read both paragraphs below, check your choice of CONSENT or CONSENT DENIED, and sign below.</p> <p><input type="checkbox"/> CONSENT</p> <p>I have read and understand the above information and authorize Great Parks of Hamilton County to disclose my identity to individuals as needed during the course of the investigation for the purpose of verifying information or gathering facts and evidence relevant to the investigation of my complaint. I authorize Great Parks of Hamilton County to receive, review, and discuss material and information about me relevant to the investigation of my complaint. I understand that the material and information will be used for authorized civil rights compliance and enforcement activities. I further understand that I am not required to authorize this release and volunteer to do so.</p> <p><input type="checkbox"/> CONSENT DENIED</p> <p>I have read and understand the above information and do not want Great Parks of Hamilton County to disclose my identity to any individual during the course of the investigation. I understand this choice could delay the investigation of my complaint and may, in some circumstances, result in an administrative closure of the investigation of my complaint without Great Parks making a determination in my case.</p>	
Signature	Date (month, day, year)

APPENDIX H

VOLUNTARY TITLE VI PUBLIC INVOLVEMENT SURVEY

As a recipient of Federal funds, the Ohio Department of Transportation (ODOT) is requiring local agencies to develop a procedure for gathering statistical data regarding participants and beneficiaries of its Federal-aid highway programs and activities (23 C.F.R. § 200.9(b)(4)). Great Parks of Hamilton County is distributing this voluntary survey to fulfill that requirement to gather information about the populations affected by proposed projects.

You are not required to complete this survey. Submittal of this information is voluntary. This form is a public document that Great Parks will use to monitor its programs and activities for compliance with Title VI and the Civil Rights Act of 1964, as amended, and its related statutes and regulations.

If you have any questions regarding Great Parks of Hamilton County's responsibilities under Title VI of the Civil Rights Act of 1964, as amended, or the Americans with Disabilities Act, please contact Title VI Coordinators Jill Frazer. You may return the survey by folding it and placing it on the designated table or by mailing/emailing it to:

Molly deJesus
Chief of Human Resources
mdejesus@greatparks.org
10245 Winton Rd.
Cincinnati, Ohio 45231
(513) 521-7275

Bret Henninger
Chief Operating Officer
bhenninger@greatparks.org
10245 Winton Rd.
Cincinnati, Ohio 45231
(513) 521-7275

Date (month, day, year):	
Project name:	
Proposed project location:	
Gender: <input type="checkbox"/> Female <input type="checkbox"/> Male	Ethnicity: <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino <input type="checkbox"/> Other
Race: (check one or more) <input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Black or African-American <input type="checkbox"/> Multiracial	
Age: <input type="checkbox"/> 1-21 <input type="checkbox"/> 22-40 <input type="checkbox"/> 41-65 <input type="checkbox"/> 65+	Disability: <input type="checkbox"/> Yes <input type="checkbox"/> No
Household income: <input type="checkbox"/> 0-\$12,000 <input type="checkbox"/> \$12,001-\$24,000 <input type="checkbox"/> \$24,001-\$36,000 <input type="checkbox"/> \$36,001-\$48,000 <input type="checkbox"/> \$48,001-\$60,000 <input type="checkbox"/> \$60,001+	
Is English your preferred language? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, what language is your preferred language?	

APPENDIX I

ACKNOWLEDGEMENT OF RECEIPT OF TITLE VI POLICY GUIDELINES

I, _____, acknowledge that I have received and reviewed Great Parks of Hamilton County's Title VI policy and guidelines. I will follow the requirements and procedures set forth in Great Parks' Title VI policy and guidelines. I will make every effort to alleviate any barriers to service or public use that would restrict public access or usage, and will take prompt and reasonable action to avoid or minimize discrimination incidences. In the event of any questions, complaints, or allegations of discrimination, I will immediately notify a Title VI Coordinator in writing.

Print name

Signature

Date: _____

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