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# Indiana Department of Transportation

## 2011 Title VI Plan Update and Accomplishments and Goals Report



# INDIANA DEPARTMENT OF TRANSPORTATION

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## 2011 TITLE VI PLAN UPDATE

Reporting period:

September 1, 2010-September 30, 2011<sup>1</sup>

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<sup>1</sup> The reporting period for this report differs from the 2010 report. INDOT is transitioning to reporting data consistent with the federal fiscal year that begins October 1 and ends September 30. For 2012, the reporting period for INDOT's Title VI Implementation Plan will be October 1 through September 30.

**TABLE OF CONTENTS**

**I. INTRODUCTION..... 5**

**II. INDOT’S MISSION STATEMENT ..... 6**

**III. INDOT’S RESPONSIBILITIES..... 6**

**IV. INDOT’S TITLE VI MISSION STATEMENT..... 6**

**V. INDOT’S TITLE VI POLICY STATEMENT ..... 7**

**VI. TITLE VI ASSURANCES..... 8**

**VII. TITLE VI COMPLIANCE RESPONSIBILITIES .....16**

A. COMMISSIONER.....16

B. INDOT DEPUTY COMMISSIONER AND CHIEF LEGAL COUNSEL .....16

C. ECONOMIC OPPORTUNITY AND PREQUALIFICATIONS DIVISION DIRECTOR.....16

D. TITLE VI/ADA PROGRAM MANAGER .....16

E. TITLE VI/ADA LIAISONS & INTERDISCIPLINARY TEAM .....17

    1. *History*.....17

    2. *Mission*.....17

    3. *Methodology and Implementation*.....18

    4. *Title VI Liaison Responsibilities*.....18

    5. *Interdisciplinary Team Members* .....19

    6. *Title VI/ADA Liaison Working Groups* .....20

    7. *Title VI/ADA Interdisciplinary Team Implementation Timeline* .....20

F. INDOT DIVISIONS, PROGRAM AREAS AND DISTRICTS .....20

    1. *INDOT Division and Core Program Area Reporting* .....21

    2. *Summary of 2011 Baseline Assessments* .....22

G. SUBRECIPIENTS .....32

**VIII. TITLE VI COMPLIANCE REVIEW PROCESS.....33**

A. INTERNAL TITLE VI COMPLIANCE REVIEWS .....33

B. EXTERNAL TITLE VI COMPLIANCE REVIEW PROCESS.....33

    1. *Purpose* .....33

    2. *Compliance Review Process* .....34

    3. *Policies and Procedures for Uniform Evaluations of Compliance Reviews* .....34

**IX. COMPLAINT PROCESS.....37**

A. COMPLAINT INVESTIGATION PROCEDURES .....37

B. WHO MAY FILE A COMPLAINT .....37

C. TIMELINESS OF COMPLAINTS .....38

D. LOCATION/AVAILABILITY OF COMPLAINT FORMS .....38

E. HOW TO FILE A COMPLAINT?.....38

F. ELEMENTS OF A COMPLETE COMPLAINT .....39

G. PROCESSING COMPLAINTS .....40

H. CORRECTIVE ACTION .....41

I. PRE-INVESTIGATIVE/ADMINISTRATIVE CLOSURES .....42

J. APPEALS PROCEDURES .....43

K. CONFIDENTIALITY.....43

L. RECORDS .....43

M. SUMMARY OF COMPLAINTS RECEIVED .....43

**X. PUBLIC INVOLVEMENT AND OUTREACH.....44**

A. WEBSITE .....44

B. TRAINING.....44

<b>XI.</b>	<b>DATA COLLECTION.....</b>	<b>45</b>
	A. VOLUNTARY PUBLIC INVOLVEMENT SURVEY.....	45
	B. TITLE VI LIAISONS.....	45
<b>XII.</b>	<b>MANUALS, DIRECTIVES AND GUIDANCE.....</b>	<b>46</b>
<b>XIII.</b>	<b>LIMITED ENGLISH PROFICIENCY .....</b>	<b>48</b>
	A. OVERVIEW .....	48
	B. INDOT SIX-POINT LEP PLAN .....	48
	C. LEP VOLUNTEERS .....	51
<b>XIV.</b>	<b>ACCOMPLISHMENTS .....</b>	<b>52</b>
	A. SUMMARY OF STATUS OF 2010 GOALS AND WORK PLAN .....	52
	B. COMMUNITY OUTREACH AND PUBLIC EDUCATION.....	56
	1. <i>INDOT Website</i> .....	56
	2. <i>Title VI Training Program</i> .....	56
	C. COMPLAINTS.....	61
	D. DATA COLLECTION .....	61
	1. <i>Public Involvement Survey</i> .....	61
	E. EXTERNAL COMPLIANCE REVIEWS.....	62
	1. <i>Methodology</i> .....	62
	2. <i>Summary of Title VI Onsite Compliance Review Results</i> .....	62
	3. <i>Recommendations for Improving Onsite Compliance Reviews</i> .....	63
	F. PUBLIC MEETINGS/HEARINGS.....	63
	G. MPO COUNCIL MEETINGS .....	63
	H. MISCELLANEOUS MEETINGS & PRESENTATIONS .....	63
	1. <i>Indiana Construction Association (ICA)</i> .....	63
	I. TITLE VI COORDINATOR TRAINING .....	64
<b>XV.</b>	<b>2012 GOALS (ANNUAL WORK PLAN).....</b>	<b>65</b>
<b>XVI.</b>	<b>DEFINITIONS.....</b>	<b>66</b>
<b>XVII.</b>	<b>APPENDIX .....</b>	<b>70</b>

## I. Introduction

This Title VI Plan Update and Accomplishments and Goals Report (Update) contains substantial additions and revisions to several portions of the last Update submitted to the Federal Highway Administration (FHWA). The revisions reflect the Indiana Department of Transportation's (INDOT's) intent to meet and exceed the minimum compliance requirements established under Title VI of the Civil Rights Act of 1964 (Title VI), 49 CFR § 26, and the related anti-discrimination statutes and regulations. With this Update, INDOT seeks to provide increased transparency, clarity and technical guidance for internal and external constituents regarding its Title VI program.<sup>2</sup>

Additionally, INDOT enhanced its compliance review process based on the results of the 2010 Title VI onsite compliance reviews. Furthermore, this transition plan includes examples of the new and/or revised forms and checklists used by INDOT to monitor its Title VI compliance. Also included in the report are summaries of INDOT's baseline assessments of its internal programs, outreach efforts and onsite compliance reviews of its subrecipients.

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<sup>2</sup> INDOT's Title VI Program is the system of requirements INDOT developed to implement Title VI of the Civil Rights Act of 1964. References to Title VI requirements and regulations shall not be limited to Title VI of the Civil Rights Act of 1964. Where appropriate, this term also refers to the civil rights provisions of other Federal statutes, regulations and directives and Indiana state law to the extent that they prohibit discrimination on the grounds of race, color, sex, age, disability, national origin or income status in programs receiving Federal financial assistance of the type subject to Title VI itself. These Federal statutes are: (1) Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d-d4 (49 CFR 21; the standard DOT Title VI assurances pursuant to DOT Order 1050.2; Executive Order 11764; 28 CFR 50.3); (2) Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601-4655) (49 CFR 25; Pub. L. 91-646); (3) Title VIII of the Civil Rights Act of 1968, amended 1974 (42 U.S.C. 3601-3619); (4) 23 U.S.C. 109(h); (5) 23 U.S.C. 324; and (6) Subsequent Federal-Aid Highway Acts and related statutes. See 23 CFR 200.

**INDOT'S MISSION  
STATEMENTS  
AND RESPONSIBILITIES**

## **II. INDOT's Mission Statement**

INDOT will plan, build, maintain and operate a superior transportation system enhancing safety, mobility and economic growth.

## **III. INDOT's Responsibilities**

INDOT has many responsibilities. Chief among these is the maintenance of all interstates, U.S. routes and state roads that are in or cross through the state. INDOT is not responsible for the maintenance of county, city or town roads except in special circumstances.<sup>3</sup> INDOT maintains 11,300 centerline and 28,500 total lane miles. INDOT's responsibilities also include the implementation of construction projects that include the overseeing of the building of new roadways, resurfacing of others and the preservation of existing highways.

## **IV. INDOT's Title VI Mission Statement**

INDOT will implement compliance with Title VI of the Civil Rights Act of 1964 (Title VI); 49 CFR § 26; 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 federal financial assistance from the U.S. Department of Transportation (DOT) on the grounds of race, color, age, sex, disability, national origin or income status.

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<sup>3</sup> See Indiana code 8-23-1-16 and Indiana Code 8-23-1-17.

# **INDOT'S TITLE VI POLICY STATEMENT**

## V. INDOT's Title VI Policy Statement

The Indiana Department of Transportation (INDOT) values each individual's civil rights and wishes to provide equal opportunity and equitable service for the citizens of this state. As a recipient of federal funds, INDOT is required to conform to Title VI of the Civil Rights Act of 1964 (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 federal financial assistance from the U.S. Department of Transportation (DOT) on the grounds of race, color, age, sex, disability, national origin or income status. INDOT has expanded its Title VI Program enforcement to include ancestry and religion.<sup>4</sup>

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<sup>4</sup> Indiana Code §§22-9-1 and 22-9-2.

**TITLE VI**  
**ASSURANCES**

## VI. Title VI Assurances

### Title VI Assurances

The Indiana Department of Transportation (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 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 – 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 in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, 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 Highway Administration, 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, a copy of which is attached.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal-Aid Highway Program:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 1.23(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. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal-Aid Highway Program and in adapted form in all proposals for negotiated agreements:

The (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

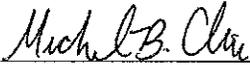
will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, age, national origin, disability/handicap, or income status in consideration for an award.

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 clauses of Appendix B of this assurance shall be included 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 acquisition of real property or an interest in real property, the assurance shall 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-Aid Highway 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-Aid Highway 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 shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance

under such program will comply with all requirements imposed by, 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 Department of Transportation under the Federal-Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal-Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

  
\_\_\_\_\_  
Michael B. Cline,  
INDOT Commissioner

9-24-10  
\_\_\_\_\_  
Date

Attachments:  
Appendices A, B and C

### *A. Title VI Assurances: 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 title 49, Code of Federal Regulations, Part 21, 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 or race, color, sex, age, national origin, disability/handicap, or income status 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 section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
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 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, sex, age, national origin, disability/handicap, or income status.
4. **Information and Reports:** The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Indiana Department of Transportation or the Federal Highway Administration 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 the Indiana Department of Transportation, or the Federal Highway Administration 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, the Indiana Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration 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 the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Indiana Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Indiana Department of Transportation, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

*B. Title VI Assurances: Appendix B*

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

**(GRANTING CLAUSE)**

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the INDIANA DEPARTMENT OF TRANSPORTATION, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to 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 (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. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the INDIANA DEPARTMENT OF TRANSPORTATION all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

**(ADDENDUM CLAUSE)**

TO HAVE AND TO HOLD said lands and interests therein unto the INDIANA DEPARTMENT OF TRANSPORTATION, 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 the INDIANA DEPARTMENT OF TRANSPORTATION, its successors and assigns.

THE INDIANA DEPARTMENT OF TRANSPORTATION, 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 shall on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, 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 the INDIANA DEPARTMENT OF TRANSPORTATION shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to 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 Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may 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 re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.\*

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\* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

*C. Title VI Assurances: Appendix C*

**The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Indiana Department of Transportation pursuant to the provisions of Assurance.**

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 in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 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 – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended. [Include in licenses, leases, permits, etc.]<sup>\*</sup>

That in the event of breach of any of the above nondiscrimination covenants, Indiana Department of Transportation shall, have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

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<sup>\*</sup> Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

# **TITLE VI COMPLIANCE RESPONSIBILITIES**

## **VII. Title VI Compliance Responsibilities**

### ***A. Commissioner***

The Indiana Governor appoints INDOT's Commissioner. The Commissioner is responsible for organizing and administering INDOT.<sup>5</sup>

### ***B. INDOT Deputy Commissioner and Chief Legal Counsel***

The Deputy Commissioner manages the Economic Opportunity and Prequalifications, Internal Affairs, Contract Administration and Legal Divisions of INDOT. As Chief Legal Counsel for INDOT, the Deputy Commissioner's responsibilities include, but are not limited to: providing legal advice and assistance to the divisions and districts within the agency, investigating the legality of agency actions and validity of public complaints, drafting proposed legislation and administrative rules, researching and interpreting the law, preparing legal opinions, and attending and testifying at legislative committee hearings.

### ***C. Economic Opportunity and Prequalifications Division Director***

The Economic Opportunity and Prequalifications Director (Director) is responsible for overseeing all aspects of INDOT's Disadvantaged Business Enterprise (DBE) certification services, contract compliance efforts and its Title VI program. The Director works toward maximizing contracting opportunities for disadvantaged businesses on INDOT contracts and ensures compliance with the Equal Employment Opportunity (EEO) provisions as required by INDOT contract and federal law. The Director's responsibilities include ensuring INDOT's compliance with Title VI of the Civil Rights Act of 1964, including provisions related to Environmental Justice (EO 12898) and Limited English Proficiency (EO 13166). The Director ensures that appropriate managerial and technical assistance is provided to DBE firms. The Director also oversees the prequalification of contractors and consultants. The Director is also the chair and a non-voting member of the Prequalification Committee.

### ***D. Title VI/ADA Program Manager***

The Title VI/ADA Program Manager is responsible for the oversight and coordination of INDOT's compliance with Title VI of the Civil Rights Act of 1964 and all related statutes, regulations, and directives. The Title VI/ADA Program Manager reports directly to the Economic Opportunity and Prequalifications Division Director and has independent access to INDOT's Chief Legal Counsel and Deputy Commissioner and Commissioner. General responsibilities of the Title VI/ADA Program Manger include, but are not limited to:

1. Implementing INDOT's Title VI and Americans with Disabilities Act of 1990, (ADA) plans;

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<sup>5</sup> Indiana Code 8-23-2-2.

2. Developing processes and procedures for the investigation of complaints filed under Title VI and the ADA;
3. Developing and implementing INDOT's Limited English Proficiency (LEP) Plan;
4. Coordinating Title VI Program development with the special program areas directors and division managers;
5. Providing technical assistance, guidance and advice on the Title VI Program;
6. Establishing procedures for processing Title VI reviews;
7. Conducting Title VI reviews of INDOT's subrecipients, special interest programs and activities;
8. Developing and conducting Title VI training;
9. Preparing required reports;
10. Participating in the design, development and dissemination of Title VI information to the public; and
11. Annually updating INDOT's Title VI Implementation Plan.

## ***E. Title VI/ADA Liaisons & Interdisciplinary Team***

### **1. History**

In March 2011, INDOT formed its Title VI/ADA Interdisciplinary Team. The Title VI ADA Program Manager selected members of the team in coordination with the Economic Opportunity Division (EOD) and Prequalifications Division Director and District Deputy Commissioners. Interdisciplinary team members were selected based on their ability to solicit, collect and report on current activities within their respective divisions, districts and program areas. Additionally, they were selected because they also possessed the authority to implement changes, if needed, to ensure INDOT's compliance with the nondiscrimination laws. The first meeting for the team was held on March 3, 2011.

### **2. Mission**

The interdisciplinary team has a four-part mission that includes the following:

- To use an interdisciplinary team approach to ensure compliance with Title VI and related nondiscrimination laws in the implementation of INDOT's programs and activities;
- To remove programmatic and architectural barriers from INDOT's programs and activities in accordance with the relevant nondiscrimination laws;

- To ensure meaningful access to INDOT's services and programs to minorities, persons with limited English proficiencies and low-income persons; and
- To develop and continually review and update effective Title VI, ADA and LEP implementation plans for INDOT.

### **3. Methodology and Implementation**

The Title VI/ADA Program Manager shall actively solicit input and participation from INDOT division program area contacts who shall serve as Title VI/ADA Liaisons on an interdisciplinary team focused on ensuring nondiscrimination in all of INDOT's programs and activities.

### **4. Title VI Liaison Responsibilities**

The Title VI Liaisons shall:

1. Foster awareness of INDOT's Title VI program and its requirements;
2. Assist with conducting Title VI reviews of division program areas;
3. Develop and maintain division procedures for the collection of statistical data (race, color, national origin, and sex) of participants in, and beneficiaries of INDOT programs, i.e. relocatees, impacted citizens and affected communities;
4. Participate in the development, revision and implementation of the Title VI Plan Annual Update;
5. Complete an annual division risk assessment for their respective division that identifies and prioritizes risk areas and the need to formulate mitigation strategies; and
6. Prepare a yearly report of Title VI accomplishments for the past year and state goals for the next year and submit the report to the Title VI/ADA Program Manager by August 30.

## 5. Interdisciplinary Team Members

Table VII-1: Title VI Interdisciplinary Team

Name	Title	Program Area	Phone	Email
W. Todd Clift	Manager	Real Estate - Relocation	317-232-5060	<a href="mailto:tclift@indot.in.gov">tclift@indot.in.gov</a>
Albers, Mark	Local Programs Manager	Crawfordsville District	765-361-5224	<a href="mailto:malbers@indot.in.gov">malbers@indot.in.gov</a>
Behling, K-Todd	Highway Engineer I	LaPorte District	219-325-7539	<a href="mailto:kbehling@indot.in.gov">kbehling@indot.in.gov</a>
Blasdel, Audra	Director	LPA/MPO & Grant Administration	317-234-5142	<a href="mailto:ablasdel@indot.in.gov">ablasdel@indot.in.gov</a>
Buckel, Larry	Manager	Multi-Modal Planning & Policy/Transit	317-232-5292	<a href="mailto:lbuckel@indot.in.gov">lbuckel@indot.in.gov</a>
Cales, Robert	Director	Legal/Contract Administration	317-233-4794	<a href="mailto:rcales@indot.in.gov">rcales@indot.in.gov</a>
Clark, Jr., Rickie	Manager	Communications - Office of Public Involvement	317-232-6601	<a href="mailto:rclark@indot.in.gov">rclark@indot.in.gov</a>
Stoops, Ernie	Highway Engineer Supervisor	Vincennes District	819-895-7390	<a href="mailto:estopps@indot.in.gov">estopps@indot.in.gov</a>
Giller, Teresa	Attorney	Legal Department	317-232-6734	<a href="mailto:tgiller@indot.in.gov">tgiller@indot.in.gov</a>
Jittjumnongk, Brandi	Recruitment Consultant/HR Generalist I	Human Resources/State Personnel Department	812-895-7305	<a href="mailto:bjittjumnongk@indot.in.gov">bjittjumnongk@indot.in.gov</a>
Lawrence, Ben	Environmental Policy Manager	Environmental Services	317-233-2093	<a href="mailto:blawrence@indot.in.gov">blawrence@indot.in.gov</a>
McGrannahan-Roberson, Linda	Director	Executive Communications	317-234-7175	<a href="mailto:lmcgrannahan@indot.in.gov">lmcgrannahan@indot.in.gov</a>
Miller, Mark	Director	Construction Management & District Support	317-232-5456	<a href="mailto:mmiller@indot.in.gov">mmiller@indot.in.gov</a>
Myers, Dwane	District Public Affairs Director	Greenfield District	317-467-3465	<a href="mailto:dmyers@indot.in.gov">dmyers@indot.in.gov</a>
Orcutt, Wayne	Safety and Health Director	Fort Wayne District	260-969-8204	<a href="mailto:worcutt@indot.in.gov">worcutt@indot.in.gov</a>
Johns, Janice	Accountant	Research & Development	765-463-1521 ext 221	<a href="mailto:jjohns@indot.in.gov">jjohns@indot.in.gov</a>
Ude, Jim	Planning and Program Director	Seymour District	812-524-3729	<a href="mailto:jude@indot.in.gov">jude@indot.in.gov</a>
Wright, John	Director	Highway Design & Technical Support	317-232-5147	<a href="mailto:jwright@indot.in.gov">jwright@indot.in.gov</a>

## 6. Title VI/ADA Liaison Working Groups

The working groups are subcommittees created as needed by the members of the Title VI/ADA interdisciplinary group to assist with the actual implementation of INDOT's Title VI Program goals.

The working group members may also participate in resolving Title VI, ADA and Section 504 issues. Additionally, they may occasionally complete surveys for their respective program areas and projects at the direction of the Title VI/ADA Program Manager.

## 7. Title VI/ADA Interdisciplinary Team Implementation Timeline

March 3, 2011	Kick Off Meeting
May 1, 2011	Baseline assessments due
July 1, 2011	First draft of Annual Title VI Implementation Plan Update and LEP Plan
August 30, 2011	Internal Programs Annual Report Due Date
September 16, 2011	Second draft Annual Title VI Implementation Plan Update
October 1, 2011	Title VI Implementation Plan Update and Goals and Accomplishments Report submitted to the FHWA

## ***F. INDOT Divisions, Program Areas and Districts***

Each division within INDOT and all of its departments and program areas are charged with the following general responsibilities under Title VI:

1. Collecting and analyzing data on minority and low income populations to determine the potential impact of proposed plans, programs and projects;
2. Ensuring all contract documents contain the appropriate Title VI provisions;
3. Consulting with the EOD when Title VI complaints are received or issues arise during a public hearing/meeting;
4. Ensuring that all people are treated equitably regardless of race, color, national origin, sex, age, disability, ancestry, religion or income status;
5. Monitoring Title VI accomplishments, notifying the EOD of problem areas and summarizing activities for inclusion in the Title VI Plan Update;
6. Developing and updating internal policies and procedures to ensure Title VI compliance during all phases of projects, activities, etc.;

7. Ensuring that all business pertaining to the selection, negotiation and administration of consultant contracts and agreements is accomplished without discrimination based on race, color, national origin, sex, age, disability, ancestry, religion or income status;
8. Ensuring that efforts are made to include minority and women owned businesses in consideration for contracts;
9. Ensuring that internal and external publications and all other relevant communications disseminated to the public include the Title VI policy reference; and
10. Providing information in the appropriate language or interpreters as needed for disabled and LEP persons.

### **1. INDOT Division and Core Program Area Reporting**

To assist INDOT in complying with 23 CFR 200.9(b) (10), all core division and program areas must submit an annual report to the Title VI/ADA Program Manager to be used as an assessment tool to determine whether the division/program area is in compliance with Title VI and to ascertain instances where the Title VI/ADA Program Manager may provide training and technical assistance to help the division/program area achieve its Title VI goals and maintain compliance. Furthermore, the Title VI/ADA Program Manager will review the data collection procedures for each division/program area periodically to ensure compliance with INDOT's Title VI Program requirements. Title VI/ADA Liaison should prepare the report and submit it annually on August 30.

The following information should be included in each annual report submitted:

- Demographic information collected during the delivery of services;
- Information concerning the dissemination of copies of The Civil Rights Act of 1964 non - discrimination statement;
- A description of the steps taken to ensure meaningful access to programs, activities and services to LEP persons;
- An explanation of whether staff is knowledgeable of INDOT's LEP policies and procedures;
- A description of any additional costs the division incurred during the year related to providing LEP assistance. The description must include the dollar amount;
- An analysis of whether existing assistance meets the LEP needs of those served by the division/program;
- A description of the current communication needs of LEP persons;

- Information regarding whether the sources of and arrangements for LEP assistance are still current and viable; and
- A description of Title VI training attended by division personnel, including a roster of attendees, dates and locations of the training and information regarding the sponsoring organization.

## 2. Summary of 2011 Baseline Assessments

In 2011, INDOT developed an assessment tool to monitor its core program areas and assist the Title VI/ADA Program Manager and Directors in reporting their respective division compliance efforts.

### a) Office of Public Involvement

#### TITLE VI/ADA LIAISON(S)

Rickie Clark, Jr. – Manager

#### RESPONSIBILITIES

The Office of Public Involvement (OPI) within the Division of Communications promotes proactive public involvement activities for INDOT projects and ensures compliance with National Environmental Policy Act (NEPA) federal regulations pertaining to public involvement in project development.

The role of INDOT's Office of Public Involvement is to ensure compliance with state and federal laws and regulations pertaining to public involvement in transportation decision-making. Compliance with federal laws connected to the NEPA is required to receive federal funds for transportation improvement projects in INDOT's production schedule.

Any project receiving or planning to receive federal funds as part of the funding mechanism is subject to a minimum level of public involvement, which must be documented and certified (receiving signature) by the Office of Public Involvement in order for the project to proceed to the next stage of development. Public involvement activities include public hearings (required per NEPA when applicable), public meetings, project newsletters/correspondence mailed directly to property owners and project stakeholders, internet/electronic notification and paid legal advertising.

INDOT publishes legal notices in newspapers throughout the state to: (1) announce a planned improvement project or a public hearing, and (2) to inform the community where project related documents and preliminary design plans are available for public review, to solicit public comment on the proposed project, and to inform the community that anyone requiring ADA accommodations in order to attend a public hearing may notify our office so that accommodations can be made.

INDOT publishes legal notices in the most widely circulated papers within a project area and in non-traditional and/or minority papers within a project area where applicable. Each year the Office of Public Involvement purchases an Indiana Media Directory to identify, determine and coordinate legal notice publishing in Indiana newspapers and periodicals. INDOT determines when to publish legal notices in non-traditional and/or minority papers on a case-by-case basis depending on the availability of such publications within a project area when applicable.

#### DEFICIENCIES

1. Not currently monitoring and collecting data regarding Title VI compliance efforts during the delivery of services.

#### 2011-2012 GOALS

The Public Hearings Division set the following goals for federal fiscal year 2011-2012:

1. Prepare a written summary of the results of the Voluntary Public Involvement Survey results obtained from all public meetings or hearings held and submit the same to the Title VI/ADA Program Manager.
2. Submit quarterly Public Outreach Matrix reports to the Title VI/ADA Program Manager for all programs and activities that have a significant impact on the public.
3. Create a working list of minority and community media sources used to ensure notification of public meetings or public review of agency documents for residents in minority and low-income communities.
4. Monitor and document the frequency with which INDOT uses minority media and non-traditional newspapers and submit a report of the number of times INDOT used these media outlets in comparison to other media resources.
5. Monitor and document the frequency with which INDOT advertises in newspapers in a language other than English so that it can reach LEP populations in areas with proposed transportation projects.
6. Monitor and document all requests for reasonable accommodations for public hearings and meetings. Documentation should include a copy of the written request for accommodation and a description of the accommodation provided. If the request was denied, the documentation should include a detailed explanation of why the accommodation was denied and list any alternative accommodations provided.
7. Monitor and document all requests for language services at public hearings and meetings.
8. Maintain a list of all resources used to provide language assistance services, including but not limited to the name of the person/organization providing the service, a description of the service provided, amount budgeted for language services and actual amount expended for language services, and a brief description of the language services provided.

## **b) Real Estate**

### TITLE VI/ADA LIAISON(S)

W. Todd Clift – Manager Relocation

### RESPONSIBILITIES

The Real Estate Division is responsible for processing all monetary claim vouchers for land purchases and relocation entitlements. Additionally, the Real Estate Division also provides Property Management Services.

#### ***(1) Acquisition***

During the acquisition process, the Real Estate Division seeks to include women and minority appraisers in the process. As such, INDOT reviews each right of way contract and where subcontracting opportunities exist, INDOT sets a contract goal for minority and DBE right of way agents to be part of the right of way team. The Real Estate Division uses appraisers included on INDOT's pre-qualified Appraiser's List. Furthermore, since right of way service fees are set amounts, there is no discrepancy in fees between the different appraisers no matter their race, gender, income level, etc.

#### ***(2) Relocation***

The Real Estate Division offers each displaced person relocation assistance services to locate a suitable replacement property. Real Estate Division staff and representatives explain relocation services and payments based on each person's eligibility.

#### ***(3) Property Management Services***

During the comparable sales and rental properties process, each agent is required to locate a comparable property based on the Indiana Code (IC), Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), and Code of Federal Regulations (CFR), which meets Functional Equivalent standards. The URA and CFR requires that agents provide minority persons reasonable opportunity to relocate to decent, safe and sanitary (DS&S) housing not located in an area of high minority concentration.

In 2010, the Real Estate Division did not collect Title VI data on persons impacted by its right of way program to ensure non-discrimination; however, in late 2011 the Real Estate Division designed a voluntary public involvement survey and began collecting data. Under the new data collection process, Real Estate representatives collect Title VI data during the initial relocation meeting.

### LIMITED ENGLISH PROFICIENCY

The Real Estate Division provides an interpreter as needed if a person has a limited ability to read, write, speak or understand English. Additionally, the Real Estate Division provides constituents with copies of right of way brochures translated into Spanish. During the reporting

period, the Real Estate Division provided a Spanish interpreter on several occasions during the year. The total cost for language services was \$538.38.

#### DEFICIENCIES

1. Relevant staff not trained on INDOT's Title VI responsibilities.
2. Not currently monitoring and collecting data regarding Title VI compliance efforts during the delivery of services.

#### 2011-2012 GOALS

The Real Estate Division set the following goals for federal fiscal year 2011-2012:

1. Collect Title VI data for all relocations, appraisals and condemnations.
2. Collect Title VI data for all appraisers and professional service consultants assigned to a project.
3. Develop a selection procedure to ensure appraisers are assigned based on objective fixed criteria for all projects.
4. Have relevant staff attend Title VI and ADA training.
5. Monitor and document all requests for language services.
6. Maintain a list of all resources used to provide language assistance services, including but not limited to the name of the person/organization providing the service, a description of the service provided, amount budgeted for language services and the actual amount expended for language services, and a brief description of the language services provided.
7. Submit quarterly Public Outreach Matrix reports to the Title VI/ADA Program Manager for all programs and activities that have a significant impact on the public.

### **c) Communications**

#### TITLE VI/ADA LIAISON(S)

Linda McGrannahan Roberson – Communications Director

#### RESPONSIBILITIES

The Communications Division manages INDOT's internal and external communications. Additionally, the Communications Division is a clearinghouse for all information supplied to the various media outlets, and provides uniformity and control over all content. The Customer Service Center responds to, coordinates and manages all outside customer inquiries relating to Indiana transportation.

For larger sized projects, the Office of Communications uses Metropolitan Planning Organizations (MPOs) and local INDOT district offices to deliver its message to those that may be affected by the planned project. For smaller projects, the division publishes advertisements in minority and non-traditional newspapers when it is appropriate and relevant to the project.

## LIMITED ENGLISH PROFICIENCY

The Office of Communications addresses the needs of LEP persons on a project specific basis. The division addresses LEP issues by coordinating with other agencies to identify people in the community who are able to provide translation and interpretation services.

## DEFICIENCIES

1. Not currently monitoring and collecting data regarding Title VI compliance efforts during the delivery of services.

## 2011-2012 GOALS

The Office of Communications set the following goals for federal fiscal year 2011-2012:

1. Monitor and document all requests for language services.
2. Maintain a list of all resources used to provide language assistance services, including but not limited to the name of the person/organization providing the service, a description of the service provided, amount budgeted for language services and the actual amount expended for language services, and a brief description of the language services provided.
3. Submit quarterly Public Outreach Matrix reports to the Title VI/ADA Program Manager for all programs and activities that have a significant impact on the public.

## **d) Environmental Services**

### TITLE VI/ADA LIAISON(S)

Ben Lawrence – Environmental Services

### RESPONSIBILITIES

The Office of Environmental Services identifies and addresses the environmental needs during the development process of all INDOT projects.

There was one Environmental Impact Statement (EIS) prepared during the reporting period. This EIS was for I-69 Section 4. According to the Draft Environmental Impact Statement (DEIS), the Environmental Protections Agency (EPA) concurred with INDOT's determination that none of the alternatives under consideration would have a disproportionately adverse impact on any EJ communities. INDOT did not propose any mitigation.

### DEFICIENCIES

None identified.

## 2011-2012 GOALS

1. Have relevant staff attend environmental justice training.
2. Submit quarterly Public Outreach Matrix reports to the Title VI/ADA Program Manager for all programs and activities that have a significant impact on the public

### **e) Contract Administration<sup>6</sup>**

#### TITLE VI/ADA LIAISON(S)

Robert Cales - Director Contract Administration (Construction)

Jeff Clanton - Contracts Manager (Professional Services)

#### RESPONSIBILITIES

Contract Administration is responsible for acquiring contractors for both construction (low bid) and professional services (qualification based).

INDOT reviews all federal-aid contracts and where subcontracting opportunities exist, INDOT sets DBE contract goals to increase minority and female participation in obtaining contracts with INDOT. Additionally, INDOT includes contract DBE goals in the advertisement of contracts.

In 2010, the Office of Contract Administration verified that all of the necessary appendices and Title VI assurances are included in all relevant INDOT contracts.

INDOT awarded 119 new professional services contracts during its 2010-2011 fiscal year. Eighty-three percent of the new professional services contracts award during the fiscal year used a DBE. Seventy-one percent of the contracts used DBEs as a subcontractor. INDOT awarded twelve percent of the new professional services contracts for 2010-2011 to DBEs as prime contractors.

#### LIMITED ENGLISH PROFICIENCY

Contract Administration did not have any contact with any persons with limited English proficiency during the reporting period.

#### DEFICIENCIES

None identified.

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<sup>6</sup> Contract Administration reports its activities based on the INDOT fiscal year, which begins July 1 and ends June 30.

## 2011-2012 GOALS

The Office of Contract Administration set the following goals for INDOT fiscal year 2011-2012:

1. Have relevant staff attend Title VI and ADA training.
2. Submit quarterly Public Outreach Matrix reports to the Title VI/ADA Program Manager for all programs and activities that have a significant impact on the public.

### **f) Human Resources/Recruiting**

#### TITLE VI/ADA LIAISON(S)

Brandi Jittjumnongk – Recruitment Consultant

#### RESPONSIBILITIES

The Human Resources Department is responsible for recruiting a diverse pool of qualified candidates to fill INDOT vacancies. INDOT's recruitment efforts include, but are not limited to, attending targeted job fairs such as the Indiana Black Expo.

#### LIMITED ENGLISH PROFICIENCY

The Human Resources Department, which is part of the Indiana State Personnel Department with staff embedded in INDOT, did not have an LEP policy or monitor language services requests during the reporting period.

#### DEFICIENCIES

1. Relevant staff not trained on INDOT's Title VI responsibilities.
2. Unaware of Title VI Complaint Procedures.

## 2011-2012 GOALS

The Human Resources Department set the following goals for federal fiscal year 2011-2012:

1. Have relevant staff attend Title VI and ADA training.
2. Submit quarterly Public Outreach Matrix reports to the Title VI/ADA Program Manager for all programs and activities that have a significant impact on the public.

## **g) Research and Development**

### TITLE VI/ADA LIAISON(S)

Janice Johns – Accountant 4/Administrative Assistant

### RESPONSIBILITIES

The Research and Development Program responsibilities include conducting, overseeing and collaborating in cost-effective transportation research that addresses the needs of INDOT's customers. Additional responsibilities include performing specialized testing; assisting in technology development and identification; and transferring and providing expertise and technical assistance in solving INDOT's transportation problems.

The Research and Development program had 110 research projects underway in federal fiscal year 2011. Purdue University located in West Lafayette, Indiana is responsible for 85% of the research projects.

### DEFICIENCIES

1. Not currently monitoring and collecting data regarding Title VI compliance efforts during the delivery of services.

### 2011-2012 GOALS

The Research and Development Program set the following goals for federal fiscal year 2011-2012:

1. Monitor and collect data on all research projects placed with any university for Title VI compliance.
2. Notify all universities conducting research on behalf of INDOT of their Title VI responsibilities including encouraging colleges and universities to include women, minorities and persons with disabilities in their research.
3. Submit quarterly Public Outreach Matrix reports to the Title VI/ADA Program Manager for all programs and activities that have a significant impact on the public.

## **h) District Assessments**

### RESPONSIBILITIES

While acting in accordance with polices set by central office, the districts operate as stand-alone business units. The Districts make decisions based on how outcomes might affect the overall efficient and effective delivery of services to the district's customers.

INDOT has six districts: Crawfordsville, Greenfield, Fort Wayne, LaPorte, Seymour and Vincennes. Each district is managed by a District Deputy Commissioner who reports to the

Operations Deputy Commissioner. Each district organizes and manages highway construction, maintenance, traffic, development and testing for the unique needs of the communities it serves. Engineers and inspectors work out of these district offices and report daily to construction sites. Within its six districts, INDOT has 31 subdistricts and 120 units to cover the maintenance of all the highways under its authority within the state borders. Operations Managers oversee the subdistricts with Department Managers, Supervisors and employees to carry out the district's mission.

#### LIMITED ENGLISH PROFICIENCY

Each district provides an interpreter as needed if the constituent has a limited ability to read, write, speak or understand English.

#### DEFICIENCIES

1. Relevant staff not trained on INDOT's Title VI responsibilities.
2. Not currently monitoring and collecting data regarding Title VI compliance efforts during the delivery of services.
3. Unaware of and failure to distribute Title VI complaint procedures.

#### 2011-2012 GOALS

The district goals for federal fiscal year 2011-2012:

1. Collect Title VI data for all external constituents to whom the district delivers services.
2. Have relevant staff attend Title VI and ADA training.
3. Monitor and document all requests for language services.
4. Maintain a list of all resources used to provide language assistance services, including but not limited to the name of the person/organization providing the service, a description of the service provided, amount budgeted for language services and the actual amount expended for language services, and a brief description of the language services provided.
5. Submit quarterly Public Outreach Matrix reports to the Title VI/ADA Program Manager for all programs and activities that have a significant impact on the public.

**TITLE VI/ADA LIASIONS**

<b>District</b>	<b>Title VI/ADA Liaison</b>	<b>District Deputy Commissioner</b>	<b>Contact</b>
Crawfordsville	Mark Albers – Local Programs Manager	Alan Plunkett	41 West 300 North Crawfordsville, IN 47933 Phone: (765) 362-9484 Email: westcentralindiana.indot.in.gov www.crawfordsville.indot.in.gov
Fort Wayne	Wayne Orcutt - Safety Director	Robert Alderman	5333 Hatfield Road Fort Wayne, IN 46808 Phone: (260) 484-9541 Email: NEinformation@indot.in.gov www.fortwayne.indot.in.gov
Greenfield	Dwane Myers - Customer Service Director	Brandye Hendrickson	32 South Broadway Greenfield, IN 46140 Phone: (317) 462-7751 Email: eastcentralin@indot.in.gov www.greenfield.indot.in.gov
LaPorte	K-Todd Behling – Highway Engineer I	Mike McPhillips	315 East Boyd Boulevard LaPorte, IN 46350 Phone: (219) 362-6125 Email: LaPorteDistrictCommunications@indot.in.gov www.laporte.indot.in.gov
Seymour	Jim Ude - Planning/Production Director	Kathy Eaton- McKalip	185 Agrico Lane Seymour, IN 47274 Phone: (877) 305-7611 secommunications@indot.in.gov www.seymour.indot.in.gov
Vincennes	Ernie Stoops – Highway Engineer Supervisor	Russell A. Fowler	3650 South U.S. Highway 41 Vincennes, IN 47591 Phone: (812) 882-8330 Email: Swincommunications@indot.in.gov

## **G. Subrecipients**

Subrecipients include Metropolitan Planning Organizations (MPO's), Local Planning Agencies (LPA's), counties, cities, townships, colleges, universities, consultants, subcontractors and contractors. The subrecipient may adopt INDOT's Title VI plan and practices or abide by INDOT's procedures. Key responsibilities of the subrecipient include the following:

1. An obligation not to discriminate in its programs, activities or employment practices;
2. An obligation to submit an assurance that its programs, activities and facilities will be operated in a nondiscriminatory manner;
3. An obligation to cooperate in obtaining voluntary compliance under Title VI;
4. An obligation to provide public access to a defined complaint process and a complaint form, to maintain a complaint log, to refer complainants to INDOT when a complaint is against an INDOT subrecipient and to forward completed complaint investigations lodged against second tier subrecipients to INDOT; and
5. An obligation to keep complete and accurate records that clearly show Title VI compliance. Specifically, the subrecipient is required to collect and make available to INDOT racial and ethnic data clearly showing which members of the minority community are receiving benefits.

Beginning in 2012, INDOT will require each Local Planning Agency to complete an annual pre-award certification and assurance by June 30. INDOT will use the pre-award certification and assurance as an assessment tool to determine whether a LPA is in compliance with Title VI and to ascertain instances where INDOT may be able to provide training and technical assistance to help the MPO/LPA's achieve their Title VI goals and maintain compliance.

The Title VI/ADA Program Manager may select MPOs and/or LPAs who fail to complete the annual pre-award certification or those who are otherwise not in compliance for a Title VI compliance review.

The annual pre-award certification shall collect information regarding Title VI right of way, design, construction, maintenance and environmental activities. Additionally, the assurance will collect information regarding discrimination complaints, Title VI data collection activities and compliance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.

**TITLE VI**  
**REVIEW PROCESS**

## **VIII. Title VI Compliance Review Process**

### ***A. Internal Title VI Compliance Reviews***

The Title VI/ADA Program Manager will conduct division, district and core program area reviews as needed based on the annual report of Title VI activities and accomplishments submitted by the Title VI Liaisons.

The Title VI/ADA Program Manager will use the following questions to assess Title VI compliance:

- Does the program have a Title VI Liaison assigned?
- Has the Title VI Liaison prepared the required INDOT Title VI annual report?
- Is the program collecting statistical data (e.g. race, national origin, language other than English, gender, disability and age) regarding participants in and beneficiaries of all state programs?
- Are Title VI and related requirements included in all Federal contracts and program directives?

In the event that a division or program area is deficient in its Title VI compliance activities, the Title VI/ADA Program Manager will assist the division or program area in developing an action plan with specific activities, responsible individuals, and due dates to facilitate the full implementation of Title VI compliance. Additionally, the Title VI/ADA Program Manager will provide support and training to ensure program success.

### ***B. External Title VI Compliance Review Process***

#### **1. Purpose**

INDOT uses onsite compliance reviews as a tool to monitor Title VI compliance and deter discrimination. INDOT conducts compliance reviews to comply with Title VI, to monitor subrecipient compliance, and to proactively identify and remedy potential and actual violations of the nondiscrimination laws.

## **2. Compliance Review Process**

INDOT conducts its external review process contemporaneously with the Title VI contract compliance reviews. INDOT requests that the subrecipient being reviewed provide documentation before the scheduled onsite. Then, INDOT reviews the subrecipient's responses and during the onsite provides feedback to the subrecipient. By using this method, INDOT is able to provide a same day verbal preliminary determination to the subrecipient.

Each January, the Title VI/ADA Program Manager will identify the entities subject to review for that calendar year. The Title VI/ADA Program Manager will give priority for conducting reviews to Metropolitan Planning Organizations (MPO's) and other subrecipients with the greatest potential impact on those groups covered under Title VI. Additionally, the Title VI/ADA Program Manager will select entities for review based on documented specific evidence of an existing or suspected violation.

## **3. Policies and Procedures for Uniform Evaluations of Compliance Reviews**

### **a) Notifications of Title VI Onsite Compliance Reviews**

The Title VI/ADA Program Manager will provide written notice to the subrecipient of the scheduled onsite compliance review. The notice shall be mailed at least two weeks before the scheduled onsite visit. The notice shall include the date, time and location of the scheduled onsite visit; a copy of a request for information; and notification to the subrecipient of its obligation to cooperate by providing records, allowing access to data and making staff and witnesses available.

Any person who fails to respond to a notice of onsite compliance review, including the request for information, within the prescribed deadline shall receive written notification of his or her deficiency status. The Title VI/ADA Program Manager shall send the Compliance Review Notice of Deficiency - 5 Day Notice via certified mail. The subrecipient shall have five calendar days from the date of receipt to respond in writing.

### **b) Scope of the Compliance Review & Preliminary Preparation**

The Title VI/ADA Program Manager reviews INDOT files to determine the nature of the subrecipient's services, type of federal assistance received, previous compliance reviews, any complaints, lawsuits, self-evaluations, investigations of the subrecipient, and the subrecipient's response to the request for information to establish the scope of the onsite compliance review.

### **c) Onsite Review Procedures**

The onsite review will consist of three phases conducted by the Title VI/ADA Program Manager or other trained EOD staff. The first phase shall consist of a meeting with leadership and pertinent personnel. The reviewer will interview pertinent personnel and gather sufficient information to determine the subrecipient's compliance. The reviewer should use the onsite review form to solicit and record information gathered during the onsite interviews.

During the second phase of the onsite compliance review, the reviewer will tour the facility.

In the third and final phase of the onsite review, the reviewer will conduct an exit interview with the pertinent personnel to report preliminary findings, conclusions and recommendations.

#### **d) Conclusion of Onsite Review**

##### 1) Preliminary Findings

a) The reviewer shall provide the subrecipient with a written report of preliminary findings which shall:

i) Document any deficiencies observed and direct the subrecipient to come into compliance within 30 days or submit a voluntary compliance plan that clearly shows how the subrecipient plans to come into compliance. INDOT will provide any reasonable assistance necessary for the subrecipient to develop a compliance plan.

##### (1) Examples of Deficiencies:

(a) Title VI Coordinator needs to participate in INDOT training;

(b) Contracts do not contain nondiscrimination assurance language;

(c) No public involvement process;

(d) No method to solicit Disadvantaged Business Enterprises and/or businesses with meaningful minority representation;

(e) Lack of diversity on decision making transportation boards/commissions;

(f) No method to provide services to LEP persons;

(g) No Title VI complaint log;

(h) No Title VI complaint and hearing procedure; and

(i) No method to monitor race, ethnicity and gender of contractors.

##### (2) Extension of Time

(a) The entity may request an extension of time to reply. All requests for an extension in time to reply should be submitted in writing to the Title VI/ADA Program Manager at least 48 hours before the prescribed deadline for a response. INDOT may waive the 48-hour deadline for good cause at its discretion.

(b) The Title VI/ADA Program Manager has discretion to grant or deny an extension of time based on the circumstances.

##### (3) Failure to Comply

- (a) If the subrecipient has not voluntarily complied within 30 days of the original notification or by the agreed upon extension of time, INDOT will issue a notice of noncompliance.
- (b) If the entity fails to submit appropriate and complete documentation to support its commitment to comply with Title VI, INDOT will issue a noncompliance letter and forward a copy to FHWA.

-or-

- ii) Certify the subrecipient's compliance.

### **e) Reporting, File Maintenance and Records**

INDOT shall maintain a log of all compliance reviews. The Title VI/ADA Program Manager shall update the log periodically when INDOT schedules reviews, sends notifications to a subrecipient and sends a final report to the FHWA.

Each complete compliance onsite review file should contain the following documentation and evidence before INDOT notifies the subrecipient of Title VI compliance:

- Title VI Compliance Review Checklist
- Reviewer Name/Title
- Proof of Notification of the Onsite Review
- A copy of the completed request for information with supporting documentation
- A copy of the entity's complaint log
- A copy or description of the subrecipient's method used to monitor race and gender of contractors
- A copy of the Title VI contract assurance language used in the subrecipient's contracts
- A copy or description of the method of providing contracting opportunities
- LEP Plan (if applicable)

The Title VI/ADA Program Manager will incorporate data regarding the entities reviewed, total compliance reviews conducted, number of entities in compliance and noncompliance into the INDOT Title VI Plan Update and Accomplishments and Goals Report.

The Economic Opportunity Division shall maintain all records and investigation files in a confidential area and keep records for three years.

# COMPLAINT PROCESS

## **IX. Complaint Process**

INDOT will promptly investigate all properly submitted complaints of alleged discrimination. INDOT will also attempt to resolve such complaints and take corrective action upon a finding of a substantiated complaint. Within 60 days of the date a complaint is received, INDOT will submit its final investigative report to FHWA. INDOT's complaint process provides a procedure for appeal of all unsubstantiated claims of discrimination.

### ***A. Complaint Investigation Procedures***

The Title VI/ADA Program Manager will make a determination to accept, reject or refer to the appropriate federal/state agency a complaint within seven calendar days of its receipt. INDOT will determine whether the person or entity purportedly engaged in the alleged discriminatory act is an INDOT subrecipient (the legal entity to which a sub-award is made and which is accountable to the recipient for the use of the funds provided). If the complaint does not specifically mention that the alleged discriminatory actor is an INDOT subrecipient, INDOT may presume so in deciding whether to accept the complaint for further processing.

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 and its related statutes, regulations and directives; the Americans with Disabilities Act of 1990, as amended; and Section 504 of the Vocational Rehabilitation Act of 1973. These procedures do not affect the right of the Complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant.

INDOT will make every effort to facilitate a voluntary early resolution of complaints at the lowest level possible. The option of informal resolution may be used at any stage of the process. The Title VI/ADA Program Manager will make every effort to pursue a resolution of the complaint.

The Title VI/ADA Program Manager will refer all complaints against INDOT to the FHWA or the appropriate Federal agency.

### ***B. Who May File a Complaint***

Any person who believes that he or she has been excluded from participation in, denied the benefits of or otherwise subjected to discrimination under any INDOT service, program or activity whether federally funded or not, based on their race, color, national origin, gender, age, disability, religion, ancestry, income status or Limited English Proficiency may file a complaint. A complaint may also be filed by a representative on behalf of such a person.

### ***C. Timeliness of Complaints***

For a complaint against INDOT or a subrecipient to be considered timely, it must be filed within 180 calendar days after the alleged incident has occurred. INDOT may waive the 180-day time limit for good cause at its discretion.

The file date of a complaint is the earlier of the postmark or date received by INDOT.

INDOT will determine on a case-by-case basis whether to waive the time limit for good cause. Good cause for a waiver shall include, but is not limited to, the following instances:

- Lack of Knowledge
  - INDOT may waive the time limit in situations where the person on whose behalf the complaint was filed did not know of and could not have reasonably known of the violation during the 180-day time limit. The complaint must be filed within 60 days of complainant becoming knowledgeable of the violation.
  
- Incapacitation
  - INDOT may also waive the time limit in situations where the person on whose behalf the complaint was filed was incapacitated because of illness or other incapacitating circumstances. The Complainant must provide independent documentation of the purported incapacitation. The complaint must be filed within 60 days after the period of incapacity ends.

### ***D. Location/Availability of Complaint Forms***

Complaint forms shall be made available online via the INDOT website, in all district offices and at all rest parks. Additionally, persons may contact the Title VI/ADA Program Manager to request a copy of the complaint form via email, facsimile or United States mail. INDOT's Title VI/ADA Program Manager shall provide copies of its complaint form in alternative formats upon request.

### ***E. How to File a Complaint?***

A complainant may file his or her complaint by mail, facsimile, or email. Any person with a disability may request to file his or her complaint using an alternative format. INDOT will acknowledge complaints received by fax or email and will process them once INDOT establishes the identity of the Complainant. Complainants must mail a signed, original copy of the fax or email transmittal to INDOT to begin the complaint process. INDOT does not require a complainant to use the INDOT complaint form for submitting his or her complaint.

Title VI complaints should be directed to:

Latosha N. Higgins  
Title VI/ADA Program Manager  
Economic Opportunity Division  
Indiana Department of Transportation  
100 N. Senate, Room N750  
Indianapolis, IN 46204  
[Lhiggins@indot.in.gov](mailto:Lhiggins@indot.in.gov)  
(317) 234-6142 (Phone)  
(317) 233-0891 (Facsimile)

### ***F. Elements of a Complete Complaint***

A complete complaint is written and signed. Verbal complaints must be reduced to writing and provided to the Complainant for confirmation, review and signature before processing. The complaint form is available for download from the INDOT website at: <http://www.in.gov/indot/2750.htm>.

Additionally, a complete complaint is filed within 180 calendar days of the alleged discriminatory act(s) and includes at minimum the following information:

- The full name and address of the Complainant;
- The full name and address of the Respondent, the individual, agency, department or program that allegedly discriminated against Complainant; and
- 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) and the date of occurrence.

The following items are not acceptable as a complete complaint unless accompanied by a signed cover letter that specifically requests INDOT take action concerning the allegations:

- Anonymous complaints
- Inquiries seeking advice or information
- Newspaper articles
- Courtesy copies of court pleadings
- Courtesy copies of complaints addressed to other agencies
- Courtesy copies of internal grievances
- Oral complaints

The Title VI/ADA Program Manager shall notify the Complainant in writing if his or her complaint is incomplete and allot 15 calendar days for the Complainant to respond and provide the supplemental information needed to complete the complaint.

## ***G. Processing Complaints***

The Title VI/ADA Program Manager will process all complaints. The Title VI/ADA Program Manager is responsible for:

1. Maintaining a log of all complaints. The Title VI/ADA Program Manager will note the complaint in the log by sequential case number based on the year, month and order in which INDOT received the complaint. For example, if INDOT received its first complaint on March 4, 2011, the case number would be 2011-03-01.
2. Acknowledging receipt of the complaint and informing the Complainant of the action taken or proposed action to be taken to process the complaint in the form of an acknowledgement letter. The acknowledgement letter shall include a restatement of the complaint, brief statement of INDOT's jurisdiction over the subrecipient, and contact information for the investigator assigned to conduct the investigation.
3. Providing written notice of the complaint to the FHWA within 10 working days of receipt of the complaint.
4. Forwarding a notice via certified mail to the Respondent informing them of the allegations, requesting a position statement and providing the name and telephone number of the Title VI Program staff person assigned to investigate the complaint.
5. Informing the Complainant that he or she has a right: (1) to have a witness or representative present during any interviews and (2) to submit any documentation he or she perceives as relevant to proving the allegations contained in the complaint.
6. Providing the Respondent an opportunity to respond to all aspects of the Complainant's allegations.
7. Determining which witnesses will be contacted and interviewed.
8. Contacting the Complainant at the conclusion of the investigation to provide the Complainant an opportunity to provide additional information before INDOT prepares its final report to be forwarded to FHWA.
9. Writing a confidential investigative report (IR) and forwarding a copy of the same to the FHWA. The report shall not be disclosed to the Complainant or Respondent. The report shall include the following:

- A summary of the written complaint;
  - A brief description of the standard of review/methodology used to investigate the complaint;
  - Summarized statements taken from witnesses;
  - Findings of fact and an analysis of the evidence gathered. The analysis should address each allegation in the complaint and Respondent's position;
  - A determination, based on the preponderance of evidence presented, of whether the complaint is substantiated or unsubstantiated; and
  - Proposed corrective action for substantiated cases.
10. Drafting a Letter of Findings (LOF) and mailing the LOF to the FHWA, Respondent and Complainant (by certified mail) within 60 calendar days of the date the complaint was received by INDOT. The LOF will include the following:
- A summary of the written complaint;
  - A brief description of the standard of review/methodology used to investigate the complaint;
  - Findings of fact and an analysis of the evidence gathered. The analysis should address each allegation in the complaint and Respondent's position;
  - A determination, based on the preponderance of evidence presented, of whether the complaint is substantiated or unsubstantiated;
  - Proposed corrective action for substantiated cases; and
  - A notice of the right to appeal to the FHWA with an outline of the procedures for appeal.

## ***H. Corrective Action***

If INDOT recommends corrective action, INDOT will give the Respondent 30 calendar days to inform INDOT of the actions taken for compliance. The Title VI/ADA Program Manager shall monitor Respondent's corrective action compliance.

Corrective action may include actions that the Respondent will complete at a future date after the initial 30 days and must include projected time in which the Respondent will complete the action.

If the Respondent has not taken the recommended corrective action within the 30-day period allowed, INDOT will find the Respondent to be in noncompliance with Title VI and its implementing regulations. Noncompliance not corrected by informal means as described above may be subject to sanctions as per 49 CFR § 21.13.

## ***I. Pre-Investigative/Administrative Closures***

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

- Complaints that fail to state a claim or provide any substantial or coherent claim;
- Complaints that are outside the scope of INDOT's 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 INDOT's 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 recipient or other recipients that repeatedly have been found factually or legally unsubstantiated by INDOT;
- Complaints containing the same allegations and issues that have been addressed in a recently closed complaint or compliance review conducted by INDOT;
- Complaints containing allegations that are foreclosed by previous decisions by the Federal courts, Department of Justice or INDOT 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. In such circumstances, the Complainant should be contacted and advised that their lack of cooperation has hindered the investigation. Furthermore, the Complainant must be advised that continued failure to cooperate may result in an administrative closure of the complaint without further investigation;
- Complaints transferred to another agency for investigation; and
- Complaints where the death of a Complainant makes it impossible to investigate the allegations fully or the death of the Complainant forecloses the possibility of relief because the complaint involved potential relief solely for the Complainant or injured party.

INDOT shall notify Complainants in writing via certified mail when a determination is made to administratively close a case without further investigation. The notification shall include an explanation of the basis for the administrative closure.

## ***J. Appeals Procedures***

The Complainant has the right to appeal to the FHWA any determination that results in an unsubstantiated claim. INDOT will convey to the Complainant the procedures for filing the appeal to the FHWA along with the Letter of Findings. The procedure for filing an appeal with FHWA is:

- a. Complainant must submit the appeal in writing to the Title VI/ADA Program Manager within 14 calendar days of receipt of INDOT's Letter of Findings.
- b. Complainant must cite in the appeal the specific portion(s) of the finding with which the Complainant disagrees and the reason(s) for the disagreement.
- c. INDOT will forward the appeal and the record within seven calendar days to FHWA for review.
- d. FHWA has 30 calendar days after the receipt of the appeal to complete its review.
- e. Written findings of FHWA are then sent to the Complainant and the INDOT Commissioner.

## ***K. Confidentiality***

In accordance with DOT Order 1000.12, Complainant's identity shall be kept confidential except to the extent necessary for carrying out an investigation. If an investigator determines that it is necessary to disclose the Complainant's identity to the Respondent or a third party the investigator must first obtain Complainant's written permission. Furthermore, Complainant's written consent must be obtained before a copy of the complaint may be provided to Respondent or a third party.

## ***L. Records***

INDOT's Economic Opportunity Division shall maintain all records and investigation in a confidential area for three years.

## ***M. Summary of Complaints Received***

INDOT did not receive any Title VI complaints during the reporting period.

# **PUBLIC INVOLVEMENT AND OUTREACH**

## **X. Public Involvement and Outreach**

### ***A. Website***

INDOT's Title VI/ADA Program Manager shall periodically update the Title VI webpage as needed and provide technical assistance via the website as appropriate.

### ***B. Training***

The Title VI/ADA Program Manager shall provide regular and comprehensive Title VI training to all INDOT Civil Rights Staff and other personnel as appropriate in addition to its subrecipients.

# DATA COLLECTION

## **XI. Data Collection**

Pursuant to 23 CRF 200.9(b) (4), INDOT shall collect and analyze statistical information regarding demographics to monitor and ensure nondiscrimination in all of its programs and activities.

### ***A. Voluntary Public Involvement Survey***

INDOT shall use a voluntary public involvement survey to collect information regarding persons affected by proposed transportation projects. The survey shall permit respondents to remain anonymous while voluntarily answering questions regarding their gender, ethnicity, race, age, disability status and household income.

INDOT shall make voluntary public involvement surveys available at all public hearings and meetings. Additionally, the INDOT facilitator of the meeting or hearing shall make an announcement at the beginning and end of the meeting or hearing informing the attendees of the purpose of the survey. The facilitator shall then make a request for the attendees to voluntarily complete the survey.

INDOT shall retain completed surveys for three years.

### ***B. Title VI Liaisons***

The Title VI/ADA Program Manager will require INDOT's program areas to submit an annual Title VI report by August 30 of each year. The Title VI Liaisons will coordinate gathering this information from their respective divisions and compile the information into a report to be submitted to the Title VI/ADA Program Manager. The reports will include statistical data regarding the race, color, religion, sex, national origin, income status and LEP of beneficiaries of INDOT programs. Additionally, each report shall include a detailed summary of the division's accomplishments achieved during the year, training attended and goals for the upcoming year.

# **MANUALS, DIRECTIVES AND GUIDANCE**

## **XII. Manuals, Directives and Guidance**

INDOT also incorporated Title VI policy and mission statements into its various manuals. Below is a list of INDOT manuals and the websites where they can be found: INDOT's Title VI Policy and Mission Statements are available online at [www.in.gov/indot](http://www.in.gov/indot).

Appraisal:

<http://www.in.gov/indot/files/RealEstateAppraisalManual.pdf>

Buying Manual:

<http://www.in.gov/indot/files/RealEstateBuyingManual.pdf>

Categorical Exclusion (CE) Preparation Manual -- Last updated March 2011:

[http://www.in.gov/indot/files/2011\\_CE\\_Manual.pdf](http://www.in.gov/indot/files/2011_CE_Manual.pdf)

Consultant Prequalification Manual:

<http://www.in.gov/dot/div/legal/rfp/consultants/CPQM.pdf>

Environmental Services Procedural Manual:

[http://www.in.gov/indot/files/Procedural\\_Manual\\_for\\_Preparing\\_Environmental\\_Studies\\_2008.pdf](http://www.in.gov/indot/files/Procedural_Manual_for_Preparing_Environmental_Studies_2008.pdf)

FHWA Public Involvement Techniques:

<http://www.fhwa.dot.gov/reports/pittd/cover.htm>

LPA Process Guidance Document:

<http://www.in.gov/indot/div/projects/LPASEction/pubs/LPAProcessGuidance.pdf>

Professional Services Contract Administration Manual:

[http://www.in.gov/indot/files/ProfServContractAdmManualAp7\\_16\\_10.pdf](http://www.in.gov/indot/files/ProfServContractAdmManualAp7_16_10.pdf)

Property Management Manual:

<http://www.in.gov/indot/files/PropertyManagementManual.pdf>

Public Involvement Procedures:

<http://www.in.gov/indot/files/ApprovedINDOTPIManual.pdf>

Relocation Manual:

<http://www.in.gov/indot/files/RealEstateRelocationManual.pdf>

Traffic Noise Analysis Procedure:

[http://in.gov/indot/files/NDOT\\_Noise\\_Policy\\_June\\_2011.pdf](http://in.gov/indot/files/NDOT_Noise_Policy_June_2011.pdf)

INDOT will continue to develop additional manuals and directives as needed to provide guidance regarding the Title VI Program complaint and compliance procedures. INDOT will make the manuals and directives accessible via intranet and internet where appropriate.

**LIMITED ENGLISH  
PROFICIENCY**

## **XIII. Limited English Proficiency**

### **A. Overview**

According to the Census 2006-2008 American Community Survey, 7.4% of Indiana's population age five years and older speak a language other than English at home. Of that figure, 40.5% indicated that they speak English "less than very well." Furthermore, 52.6% of those who speak a language other than English at home speak Spanish or Spanish Creole.

One goal of INDOT's Economic Opportunity Division in implementing and adhering to its Title VI obligations is to improve the accessibility of its programs and activities to eligible Limited English Proficiency (LEP) persons, e.g. those persons who have a limited ability to read, write, speak or understand English.

INDOT will use a Six-Point LEP Plan as guidance for all of its programs, consultants, contractors and any agents representing INDOT to ensure that LEP persons receive meaningful access to INDOT programs and services.

### **B. INDOT Six-Point LEP Plan**

#### **1. Provide Notice to LEP Persons using all means reasonably calculated to provide meaningful access**

Some notification ideas include:

- Posting signs in areas where the public is likely to read them.
- Stating in outreach documents (brochures, booklets, pamphlets, flyers) that language services are available.
- Working with community-based organizations to inform LEP persons of the language assistance available.
- Using a telephone voice mail menu in the most common languages encountered.
- Including notices in local newspapers in languages other than English for important events.
- Providing notices on non-English language radio and television stations about the availability of language assistance services for important events.
- Providing presentations and notices at schools and religious organizations for important events or where community involvement is critical.

## 2. Translate Vital Documents

A document is considered vital if it contains critical information for obtaining services or benefit, or is required by law.

INDOT program areas requiring interaction with the public as a daily part of their delivery of services should assess the LEP population and the frequency and importance of contact with LEP persons to ascertain the necessity for translating vital documents. Examples of vital documents that require consideration for translation into Spanish (Indiana's largest LEP population) include the following:

- Emergency transportation information, such as road closures;
- Notices of proposed public hearings regarding proposed transportation plans, projects or changes;
- Notices of reduction, denial or termination of services or benefits;
- Signs in reception areas and other points of initial entry;
- Notices advising LEP persons of free language assistance;
- Statements about the services available and the right to free language assistance services in brochures, booklets, outreach and recruitment information, and other materials routinely disseminated to the public;
- Applications or instructions regarding participating in a program or activity, or to receive benefits or services; and
- Consent forms.

Whether or not a document (or the information it solicits) is "vital" will depend on the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not accurate or received in a timely manner. Where appropriate, program managers are encouraged to create a plan for consistently determining what documents are "vital" to the meaningful access of the LEP populations they serve.

Where program managers are engaged in community outreach efforts as part of their programs and activities, they should regularly assess the needs of the populations frequently encountered or affected by the program to determine whether certain critical outreach materials should be translated.

### **3. Interpretation Services**

INDOT recognizes the need for greater oral and written communication with limited and non-English speaking persons located within the state. Central Office and each District office should attempt to identify the language needs within its jurisdiction and current bilingual staff resources to meet those needs.

Best practices suggest that:

- INDOT should develop a listing of local Community-Based Organizations (CBO's) and other stakeholders that includes the specific language skills available among each CBO's staff and volunteers.
- When INDOT bilingual staff resources are insufficient to meet language assistance needs, INDOT staff should assist LEP persons in securing volunteer interpretive services from advocacy groups.
- Translations of commonly requested documents, bilingual staff and telephone interpreter services should be made available at locations that are readily accessible to the public, such as information desks, security checkpoints, and on public information telephone lines.
- Programs should not rely on family members or friends to translate or interpret for LEP persons. If the LEP customer insists upon using a friend or family member, it should be allowed only after language services have been offered and refused. Minor children should not be used to interpret, except in emergencies.
- Each INDOT component, program or activity identified as warranting language assistance measures should budget for language services to ensure that adequate resources exist for interpreters, translation and review of documents, and outreach. Notwithstanding any limitations of the current budget, programs should include language assistance resources as items in their future budget requests. Programs should be prepared to justify any failure to request funding for language assistance where the data indicates a need for such assistance.

### **4. Staff Training**

INDOT staff should be properly trained so they know and understand their obligations to provide meaningful access to information and services for LEP persons.

### **5. Multilingual Staffing**

In-house multilingual staffing is a cost-effective way to provide language services to LEP individuals. When needs dictate, bilingual ability should be considered.

Best practices suggest that:

- INDOT create a directory of multilingual staff willing to volunteer their language skills on an as needed basis.
- Bilingual staff should be trained and versed in the standards of the interpreting profession.
- Bilingual staff or contractors should be assessed for bilingual proficiency, interpretation skills and sensitivity to the special confidentiality issues raised by interpreting for others. Individuals providing interpretative services should possess a level of fluency and comprehension appropriate to the specific nature, type and purpose of information at issue. Bilingual staff should be encouraged and enabled to access interpreter and translation training.

### ***C. LEP Volunteers***

In 2011, INDOT distributed a voluntary language survey to all of its current employees. Over 250 employees responded to the survey. INDOT used the survey results to develop a list of LEP volunteers to assist when a person with limited English proficiency requires language assistance. The list of volunteers will be posted to the INDOT intranet and periodically updated.

Additionally, INDOT will ask all new employees (except seasonal) to complete the volunteer language survey upon commencing employment with the agency.

# ACCOMPLISHMENTS

## **XIV. Accomplishments**

### ***A. Summary of status of 2010 Goals and Work Plan***

#### **DESCRIPTION**

**Goal:** Present Title VI training to senior management

**Target:** November 2010 (tentative)

**Status:** Pending

**Goal:** Evaluate efficacy and effectiveness of joint contract and Title VI compliance reviews and recommend a process for future compliance reviews

**Target:** December 2010

**Status:** Completed - INDOT determined it was efficient to continue the practice of combining the contract compliance and Title VI onsite reviews.

**Goal:** Establish Title VI Liaisons

**Target:** January 2011

**Status:** Completed - INDOT formed its interdisciplinary team and established its Title VI Liaisons in March 2011.

**Goal:** Develop an internal compliance review process manual

**Target:** February 2011

**Status:** In process - INDOT is using the DOJ investigative manual as a guide in the interim.

**Goal:** Develop an internal complaint processing manual

**Target:** February 2011

**Status:** In process - INDOT is using the DOJ investigative manual as a guide in the interim.

**Goal:** Participate in the 2011 Road School to offer Title VI and ADA training in March 2011

**Target:** March 2011

**Status:** INDOT participated in the 97<sup>th</sup> Annual Purdue Road School on March 9, 2011 held at Purdue University in West Lafayette, IN. INDOT's Director of Economic Opportunity moderated the session on Title VI in Construction, and the Title VI/ADA Program Manager presented. Twenty people, including INDOT staff, attended the presentation that was held in conjunction with the Indiana Division FHWA Disadvantaged Business Enterprise Commercially Useful Function training presented by the Indiana Division FHWA Realty/Civil Rights Specialist, Kenneth Woodruff. The Title VI session included a review of the law and recommendations regarding best practices pertaining to contract specifications for compliance and nondiscrimination in the administration of construction projects receiving federal financial assistance.

**Goal:** Develop and Implement LEP Plan

**Target:** May 2011

**Status:** In process - INDOT completed an LEP survey of its current workforce and implemented a procedure to survey all new hires. INDOT is evaluating the needs of each of its programs to determine the appropriate language services needed.

**Goal:** Develop a methodology for the systematic compilation and structured storage of all documents, records and information associated with the Title VI/ADA program, which includes electronic and hardcopy storage

**Target:** May 2011

**Status:** Completed – non-confidential electronic files are stored on the EOD shared drive. Additionally, the Title VI/ADA Program Manager scans documents received during compliance reviews and saves them to an electronic file. Furthermore, the Title VI/ADA Program Manager scans training materials (including evaluation forms, sign-in sheets and presentations) and stores them in a designated resource area. The Title VI/ADA Program Manager stores all complaints in a secure area.

**Goal:** Complete INDOT 2011 Title VI Plan Update  
**Target:** October 1, 2011  
**Status:** On schedule for completion on or before October 1, 2011

**Goal:** Make Title VI Plan available to the public via the INDOT website once approved by the FHWA  
**Target:** October 2011  
**Status:** Pending

**Goal:** Offer staff and contractor Title VI training for each district  
**Target:** TBD  
**Status:** INDOT sponsored six Title VI training sessions throughout the year and throughout the state for contractors, consultants, DBEs and staff. The Title VI/ADA Program Manager combined the training sessions with the Contract Compliance DBE Commercially Useful Function training sessions to increase participation.

INDOT's Title VI/ADA Program Manager attended construction conferences in Seymour, Crawfordsville and Greenfield in the winter of 2011 and presented information regarding INDOT's responsibilities as a recipient to INDOT project engineers, supervisors, EEO Officers and consultants.

Additionally, in April 2011, the Title VI/ADA Program Manager distributed FHWA Resource Center Title VI e-Training: Public Funds for Public Benefit compact discs to all district Title VI Liaisons.

In June and July 2011, the Title VI/ADA Program Manager coordinated with INDOT's human resources department to present training to human resources staffers and management regarding their duties under Title VI.

**Goal:** Conduct Title VI reviews of MPOs/LPAs and contractors after offering Title VI training

**Target:** TBD

**Status:** In process - the Title VI/ADA Program Manager will conduct Title VI compliance reviews of MPOs and LPAs after INDOT implements its annual pre-award certification process. The pre-award certification process will become effective in 2012. Currently, the Title VI/ADA Program Manger is performing onsite compliance review of contractors. The Title VI/ADA Program Manager has completed 16 onsite reviews of contractors thus far in 2011.

**Goal:** Distribute Title VI Annual Report Forms to each INDOT Division. Review the results of each report with the division Title VI Liaisons, make recommendations and offer training and technical assistance where needed to ensure each division understands its responsibilities under Title VI.

**Target:** TBD

**Status:** In process - in March 2011, the Title VI/ADA Program Manager distributed baseline assessment forms to INDOT's major program areas and its districts. Effective 2012, each major program area and all six districts must submit an annual assessment by August 30 to the Title VI/ADA Program Manager.

**Goal:** Assist in updating the INDOT website to include the following information:

- Contact information for the Title VI/ADA Program Manager
- INDOT's Title VI Annual Plan Update & Accomplishments/Goals Report
- INDOT's Title VI complaint procedure
- Calendar of upcoming INDOT Title VI training opportunities
- INDOT's Limited English Proficiency Plan
- Links to relevant Title VI legal authorities and guidance materials available on the internet
- INDOT's LEP Plan

**Target:** Substantially Completed

**Status:** INDOT updated its website to include the current Title VI Assurances, Title VI/ADA Program Manager contact information, 2011 training schedule and registration form, and subrecipient toolbox. INDOT will continue to update its website periodically.

Additional accomplishments include attendance by the Title VI/ADA Program Manager at district construction conferences, MPO council meetings and quarterly EOD Compliance and EEO Staff meetings.

## ***B. Community Outreach and Public Education***

### **1. INDOT Website**

INDOT updated its website to include its Title VI Assurances and current contact information for the Title VI program staff. The updated website is a comprehensive resource for the construction community and public.

### **2. Title VI Training Program**

In 2010, INDOT developed a Title VI training program to comply with 23 CFR 200.9(b) (9), which requires INDOT to conduct training programs on Title VI and related statutes for state program and civil rights officials and its subrecipients.

INDOT implemented its Title VI training program in January 2011. INDOT offered three tracts of training. One tract provided a general overview to INDOT personnel and its subrecipients. The second tract of training targeted INDOT human resources personnel, supervisors and managers. The third tract incorporated a concise overview of INDOT's Title VI and ADA/504 responsibilities into the INDOT new employee orientation process.

PURPOSE: INDOT offered the training to comply with 23 CFR 200.9(b) (9), which requires INDOT to conduct training programs on Title VI and related statutes.

#### TRACT 1 – SUBRECIPIENT AND INDOT STAFF TRAINING

INDOT held four Title VI training sessions during this reporting period in conjunction with the Disadvantaged Business Enterprise Commercially Useful Function training required by the federal regulations. All sessions began at 10 AM and ended at Noon.

INDOT posted the tract one training schedule online, distributed it via INDOT's contract administration, consultant and Certified DBE list services and mailed it to contractors previously identified as deficient following INDOT's 2010 Title VI onsite compliance reviews.

#### TRAINING OBJECTIVES:

The Title VI training session had four main objectives:

- ◆ To provide a concise overview of Title VI and its related statutes;
- ◆ To provide technical assistance to subrecipients regarding their responsibilities to ensure effective Title VI implementation and enforcement;
- ◆ To outline INDOT's complaint and compliance process; and
- ◆ To provide required training for Title VI Coordinators

## TRAINING COMPONENTS:

- ◆ TITLE VI
  - Authorities
  - Responsibilities (INDOT & Subrecipients)
  - Compliance Review (What to expect during an INDOT onsite review?)
  - Americans with Disabilities Act & Section 504 of the Rehabilitation Act of 1973
    - Authorities
    - Responsibilities (INDOT and Subrecipients)
  - Limited English Proficiency
    - Authorities
    - Responsibilities (INDOT & Subrecipients)
    - Best Practices
  - Environmental Justice
    - Authorities
    - Responsibilities (INDOT & Subrecipients)
  - Complaint Processing and Procedures
  - Compliance Review Process

TARGET AUDIENCE: The target audience included INDOT personnel, contractors and consultants.

TRAINING MATERIALS: Each participant received a trainee packet containing the following information:

- ◆ Presentations from both presenters
- ◆ Sample Documents
- ◆ An INDOT EOD contact list
- ◆ An appendix of relevant legal authorities
- ◆ Evaluation Form

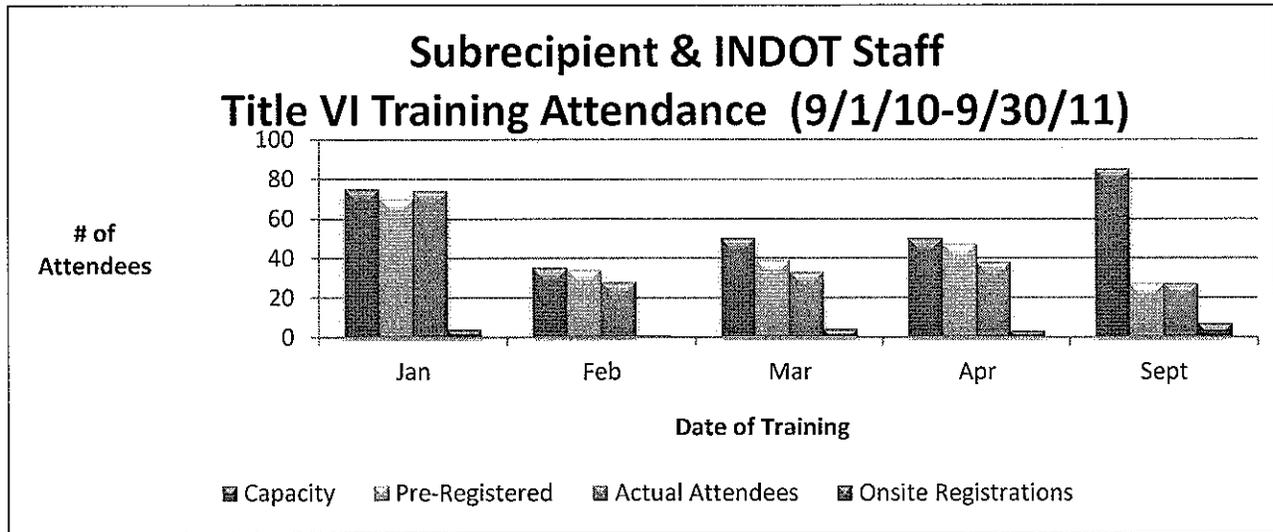
REGISTRATION: Participants registered online and by telephone. INDOT required each participant to verify his or her attendance by signing in on a participant roster on the day of training. Additionally, INDOT required participants to remain for the entire session to receive a letter certifying their attendance at the training. Contractors whom INDOT determined were not in compliance based on Title VI onsite reviews because of a lack of training received a letter of compliance upon completion of the Title VI training. All attendees received a follow up thank you letter acknowledging their attendance and participation.

TRAINING SITES AND ATTENDANCE

Table XIV-1: 2011 Title VI Training Locations

<b>Date</b>	<b>Location</b>	<b>Target District(s)</b>	<b>Total Attendees</b>
January 19	Traffic Management Center 8620 East 21 St. Street, Indianapolis, IN 46219	Greenfield & Crawfordsville	74
February 17	185 Agrico Lane Seymour, IN 47274	Seymour	27
March 16	3650 South US Hwy 41 Vincennes, IN 47591	Vincennes	33
April 13	533 Hatfield Road Fort Wayne, IN 46808	Fort Wayne	38
September 15	315 E Boyd Blvd LaPorte, IN 46352	LaPorte	27
November 3	Traffic Management Center 8620 East 21 St. Street, Indianapolis, IN 46219	Catch All (Open to all unable to attend previous sessions)	62 Registered
<b>TOTAL ATTENDEES</b>			261

Table XIV-2: Subrecipient and INDOT Staff Training Attendance



TRACT 2 - TARGETED HUMAN RESOURCES, SUPERVISOR AND MANAGER TRAINING

For Tract 2, INDOT combined its Title VI, ADA and Affirmative Action training into a two-hour training session. INDOT held the sessions in its Central Office and the Vincennes district office. INDOT was able to broadcast the training to personnel who could not attend in person via a WebEx Conference.

WebEx conferencing allows INDOT to connect with staff in the district field offices to conduct training via the web while sharing files from your desktop through a web browser with phone conferencing. Consequently, everyone is able to see and hear the same information in real time. Attendees are also able to ask questions through the web chat or via the phone. By using WebEx, INDOT was able to train a large number of its staff in few sessions. For example, the Seymour district set up a conference room so that its employees could all attend. The WebEx conferencing also saved INDOT personnel travel time and money in travel.

TRAINING OBJECTIVES:

The Title VI training session had three main objectives:

- ◆ To provide a concise overview of Title VI and its related statutes;
- ◆ To inform human resources personnel, supervisors and managers of their duty to ensure effective Title VI implementation and enforcement; and
- ◆ To outline INDOT’s complaint and compliance process.

## TRAINING COMPONENTS:

- ◆ TITLE VI
  - Authorities
  - Responsibilities
  - Compliance Reviews
  - Americans with Disabilities Act & Section 504 of the Rehabilitation Act of 1973
    - Authorities
    - Responsibilities
  - Limited English Proficiency
    - Authorities
    - Responsibilities
    - Best Practices
  - Environmental Justice
    - Authorities
    - Responsibilities (INDOT)
  - Complaint Processing and Procedures
  - Compliance Review Process

TARGET AUDIENCE: The target audience included INDOT hiring managers, human resource generalists, supervisors and managers.

TRAINING MATERIALS: Each participant received a trainee packet containing the following information:

- ◆ Presentations from both presenters
- ◆ Sample Documents
- ◆ Evaluation Form

REGISTRATION: Participants registered using WebEx. The Title VI/ADA Program Manager and HR Generalist that conducted the training required each participant to verify his or her attendance by signing in on a participant roster on the day of training. Additionally, participants were required to remain for the entire session to receive a letter certifying their attendance at the training. All attendees received a follow up thank you letter acknowledging their attendance and participation

REPORTING: The Title VI/ADA Program Manager maintains a file, which contains the following:

- ◆ The name and contact information for all registered attendees
- ◆ A sign-in sheet (for actual attendees)
- ◆ A copy of training materials used
- ◆ All completed evaluation forms

## ATTENDANCE

One hundred-seventeen employees attended the Title VI and Affirmative Action Trainings.

## TRACT 3 – GENERALIZED TRAINING FOR ALL NEW EMPLOYEES

The EOD, in conjunction with the Human Resources Department, developed a new employee-training module that includes a concise overview of INDOT's responsibilities under Title VI and the ADA and Section 504. New employees receive information regarding the purpose of Title VI, INDOT's complaint policy and the INDOT Notice of Nondiscrimination under the ADA and Section 504 during the new employee orientation onboarding process.

Through the onboarding process, all new employees receive information regarding INDOT's responsibilities under Title VI and its related nondiscrimination laws. Additionally, the employees receive a copy of INDOT's Notice of Nondiscrimination under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

### ***C. Complaints***

In January 2011, INDOT revised its external complaint form after noticing that the EOD frequently received online complaints that were unrelated to Title VI. The EOD revised the form to help beneficiaries better understand the type of complaints that are within INDOT's jurisdiction under Title VI. The newly revised form includes instructions that are more detailed and clearly lists the protected categories under INDOT's Title VI program. Additionally, the revised form gives complainants space to write additional details regarding the allegations, witnesses and any remedy sought. INDOT's complaint form is available online in PDF and Word form. The form is also available in each of the district offices and rest areas.

### ***D. Data Collection***

#### **1. Public Involvement Survey**

INDOT revised its public involvement survey to capture more data regarding the beneficiaries of its programs. The revised survey collects information regarding ethnicity, income and age. Additionally, the Title VI/ADA Program Manager drafted a sample script to be read during meetings to encourage attendees to complete the voluntary survey.

INDOT also revised the data collection procedure for public involvement surveys. Previously, INDOT made the public involvement surveys only during public meetings and hearings. INDOT placed the forms outside the meeting room next to a large poster that described the purpose of the survey and had a box located at the bottom for collection of the survey.

Under the new public involvement survey collection process, a representative of INDOT makes an announcement at the beginning and end of the event informing attendees of the survey and requesting their voluntary participation. INDOT collects the surveys at the end of the event and invites participants to mail, fax or email their completed surveys later. Additionally, in 2012, INDOT plans to begin distributing public involvements surveys during preconstruction meetings.

## **E. External Compliance Reviews**

### **1. Methodology**

In conjunction with the Contract Compliance team of INDOT, the Title VI/ADA Program Manager inventoried current contracts for contractors who had not been subjected to either a contract compliance review or Title VI onsite review within the past three years. INDOT identified 51 contracts that met the above-listed qualifications. INDOT reviewed the list of contractors and contracts and selected 21 contractors for onsite reviews. INDOT selected the contractors with the three largest contracts along with those that, based on the type of contract and project location, appeared to have the greatest impact on groups covered by Title VI.

The district Equal Employment Opportunity Officer for each district where the work was being performed attended the onsite review. Additionally, INDOT provided notice to and invited the Indiana Division Office of FHWA to the schedule onsite reviews.

### **2. Summary of Title VI Onsite Compliance Review Results**

During this reporting period, INDOT conducted 14 Title VI onsite compliance reviews. The onsite reviews are conducted in conjunction with the Economic Opportunity Division contract compliance reviews. The following technical deficiencies were common during each of the reviews.

Common deficiencies included the following:

- Absence of a written complaint policy;
- Failure to include Title VI assurances in subcontractor contracts;
- Failure to disseminate a nondiscrimination policy that include Title VI;
- Failure to include nondiscrimination language in solicitations for bids and quotes;
- Lack of Title VI training for Title VI Coordinators;
- Failure to extend bid solicitations to those companies who may not be DBEs but may have minority and/or female ownership or meaningful representation of females and minorities in its workforce; and
- Failure to document all efforts to solicit bids from minority and female contractors, materials suppliers, etc.

Each contractor reviewed received a preliminary finding of determination with 30 days to develop a voluntary compliance plan or to demonstrate compliance with Title VI.

### **3. Recommendations for Improving Onsite Compliance Reviews**

Based on the results of the onsite compliance reviews, INDOT implemented the following changes:

- INDOT revised the request for information form for clarity.
- INDOT revised the Title VI onsite review interview questionnaire to simplify the questions asked and to ask more directed questions regarding a contractor's complaint policy.
- The Title VI/ADA Program Manager made copies of sample complaint procedures and complaint log available to contractors as a technical assistance tool. INDOT provided the sample documents to those found out of compliance following a Title VI onsite review.
- INDOT added the Title VI training schedule to the EOD website so that contractors could plan to attend Title VI training in advance of their scheduled onsite review.

#### ***F. Public Meetings/Hearings***

On October 18, 2010, the Title VI/ADA Program Manager participated in the Northwestern Indiana Regional Planning Commission (NIRPC) Public Hearing on the Compliance of Public Transit Operators with the Americans with Disabilities Act via internet live stream. The public hearing was part of the resolution of a federal class action lawsuit filed by Everybody Counts against NIRPC.

#### ***G. MPO Council Meetings***

During this reporting period the Title VI/ADA Program Manager attended the March and April 2011 MPO Council Meetings.

#### ***H. Miscellaneous Meetings & Presentations***

##### **1. Indiana Construction Association (ICA)**

The ICA/ INDOT Statewide Joint Cooperative is composed of members of ICA, representatives of INDOT and the FHWA. The cooperative addresses a wide range of industry issues that affect the contractor/INDOT relationship including, but not limited to, field problems, testing/materials, design issues affecting construction, specifications and standards, contract administration, bidding and prequalification.

In addition to the statewide committee, there are subcommittees divided into three regions within the various INDOT Districts. The three regions are Northern (Fort Wayne and LaPorte Districts), Eastern (Greenfield and Seymour District) and Western (Vincennes and Crawfordsville Districts).

On May 20, 2011, the Title VI/ADA Program Manager and Economic Opportunity and Prequalifications Division Director attended the ICA/INDOT Western Region Joint Cooperative

Committee in Terre Haute, Indiana. The topics discussed included INDOT's Title VI and Commercially Useful Function Trainings.

The EOD Director and DBE Certification Manager attended the Statewide ICA/INDOT Joint Cooperative meeting in Indianapolis on June 21, 2011. At the meeting, the DBE Certification Manager provided a power point presentation to contractors on how to use the DBE repository/public search so that they are better able to outreach to certified DBEs when looking for subcontractors. The Director and DBE Certification Manager also answered general questions regarding the DBE program to assist contractors in better understanding their obligation to extend contracting opportunities to DBEs.

In September 2011, EOD representatives attended Joint Cooperative Committee meetings in all three regions to address questions and concerns of contractors regarding the Title VI compliance review process in addition to responding to inquiries regarding INDOT's contract compliance review process.

## ***I. Title VI Coordinator Training***

- Self-Paced Learning
  - The Title VI/ADA Program Manager attended and completed the following training online, via teleconference or self-paced civil rights related seminars:
    - ADA Audio Conference: We're Not Done Yet: DOJ Proposed Rulemaking and Update
      - November 16, 2010
    - The New ADA Design Standards – When, Where and How?
      - November 17, 2010
    - EPA's National Air Toxics Assessment
      - March 11, 2011
    - Title VI/Non-Discrimination: ROW/Civil Rights Webinar
      - April 19, 2011
    - Environmental Justice and Right of Way
      - April 19, 2011
    - Title VI Nondiscrimination: State and Local Public Agencies
      - June 8, 2011
    - Designing Pedestrian Facilities for Access-Train the Trainer
      - June 27 – June 30, 2011
    - Proposed Rights of Way Rule
      - Presented by the Access Board
      - August 9, 2011
    - Section 58, The Basics
- On September 29 and 30, 2010, the Title VI/ADA Program Manager attended the American Contract Compliance Association (ACCA) 2010 National Training Institute and monitored the Title VI and Americans with Disabilities Act Update and Implementation of ADA workshops.

**2012 GOALS  
(ANNUAL WORK PLAN)**

## XV. 2012 Goals (Annual Work Plan)

GOAL	TARGET COMPLETION DATE
♦ Distribute Title VI Implementation Plan Update internally and externally via web and through district offices and the state library	October 2011
♦ Initiate the Pre-Award Certification and Assurance process for reviewing Local Planning Agencies and Metropolitan Planning Organizations	January 2012
♦ Collect public involvement data quarterly from core program areas and districts via the INDOT Public Involvement Matrix	January 20, 2012 April 20, 2012 July 20, 2012 October 20, 2012
♦ Revise forms to include statement that documents are available in alternative format upon request	March 2012
♦ Meet annually with Title VI/ADA Liaisons	March 2012
♦ Provide Title VI and ADA training in 2012 Road School	March 2012
♦ Present Title VI Update to senior management	TBD
♦ Ensure core program areas such as public hearings, environmental services, and the district offices receive targeted Title VI training for all relevant staff	TBD
♦ Attend at least one public hearing and/or meeting regarding a proposed transportation project	TBD
♦ Present Title VI Compliance workshops to subrecipients	TBD
♦ Widely distribute public involvement surveys at all programs and activities that have a significant impact on the public	Ongoing

# DEFINITIONS

## **XVI. Definitions**

American Indian or Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment. 62 FR 58782-01
Asian	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. 62 FR 58782-01
Assurance	A statement of guarantee given in consideration of and for receiving federal-aid.
Black or African American	A person having origins in any of the black racial groups of Africa. 62 FR 58782-01
Beneficiary	Any person or group of persons (other than States) entitled to receive benefits, directly or indirectly, from any federally assisted program, i.e., relocatees, impacted citizens, communities, etc. 23 CFR § 200.5(b)
Complete complaint	A signed written statement that contains the complainant's name and address and describes the alleged discriminatory act in sufficient detail to inform INDOT of the nature and date of the alleged violation of Title VI of the Civil Rights Act of 1964, Section 504 or the ADA. The complaint must be signed by the complainant or an authorized representative of the complainant.
Complainant	The person filing a complaint
Compliance	That satisfactory condition existing when a recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good faith effort toward achieving this end has been made. 23 CFR §200.5(d)
Deficiency status	The interim period during which the recipient State has been notified of deficiencies, has not voluntarily complied with Title VI Program guidelines, but has not been declared in noncompliance by the Secretary of Transportation. 23 CFR §200.5(e)

Discrimination	That act (or action) whether intentional or unintentional, through which a person in the United States, solely because of race, color, religion, sex, or national origin, has been otherwise subjected to unequal treatment under any program or activity receiving financial assistance from the Federal Highway Administration under Title 23 U.S.C. 23 CFR §200.5(f)
Facility	Includes all, or any part of, structures, equipment or other real or personal property, or interests therein, and the provision of facilities includes the construction, expansion, renovation, remodeling, alternation or acquisition of facilities. 23 CFR 2005(g)
Federal assistance	Includes: (1) Grants and loans of Federal funds, (2) The grant or donation of Federal property and interests in property, (3) The detail of Federal personnel, (4) The sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and (5) Any Federal agreement, arrangement or other contract, which has, as one of its purposes, the provision of assistance. 23 CFR 200.5(h)
Hispanic or Latino	A person of Cuban, Mexican, Puerto Rican, Cuban, South or Central American, or other Spanish culture or origin, regardless of race. 62 FR 58782-01
Multiracial	Having a biological parent who is of a different race from the other biological parent. <sup>7</sup> IC 5-15-5.1-6.5
Native Hawaiian or Other Pacific Islander	A person having origins in any of the original peoples of Hawaii, Guam, Samoa or other Pacific Islands. 62 FR 58782-01

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<sup>7</sup> Pursuant to IC 5-15-5.1-6.5, all forms used by a public agency (as defined by IC 5-14-3-2) to request information on the racial or ethnic identification of a respondent; and that contain an enumeration of racial and ethnic classifications from which the respondent must select a classification must include among the choices the classification multiracial.

Noncompliance	A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all of the Title VI requirements. 23 CFR 200.5(i)
Persons	Where designation of persons by race, color or national origin is required, the following designations ordinarily may be used: “White not of Hispanic origin, “Black not of Hispanic origin”, “Hispanic”, “Asian or Pacific Islander”, “American Indian or Alaskan Native.” Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis. 23 CFR §200.5(j)
Program	Includes any highway, project or activity for the provision of services, financial aid or other benefits to individuals. This includes education or training, work opportunities, health, welfare, rehabilitation, housing, or other services, whether provided directly by the recipient of Federal financial assistance or provided by others through contracts or other arrangements with the recipient. 23 CFR §200.5(k)
Recipient:	Any State, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any State, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee or transferee thereof. The term recipient does not include any ultimate beneficiary under any such program. 23 CFR § 200.5(n)
Respondent	A subrecipient alleged to be in noncompliance or probably in noncompliance with INDOT’s Title VI Program
Title VI	Title VI of the Civil Rights Act of 1964, as amended

Title VI Program

The system of requirements developed to implement Title VI of the Civil Rights Act of 1964. References in this Part to Title VI requirements and regulations shall not be limited to only Title VI of the Civil Rights Act of 1964. Where appropriate, this term also refers to the civil rights provisions of other Federal statutes to the extent that they prohibit discrimination on the grounds of race, color, sex or national origin in programs receiving Federal financial assistance of the type subject to Title VI itself. These Federal statutes are:

- (1) Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d-d4 (49 CFR Part 21; the standard DOT Title VI assurances signed by each State pursuant to DOT Order 1050.2; Executive Order 11764; 28 CFR 50.3);
- (2) Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601-4655) (49 CFR Part 25; Pub.L. 91-646);
- (3) Title VIII of the Civil Rights Act of 1968, amended 1974 (42 U.S.C. 3601- 3619);
- (4) 23 U.S.C. 109(h);
- (5) 23 U.S.C. 324;
- (6) Subsequent Federal-Aid Highway Acts and related statutes.  
23 CFR §200.5(p)

White

A person having origins in any of the original peoples of Europe, the Middle East or North Africa. 62 FR 58782-01

# APPENDIX

## **XVII. Appendix**

Some of the language and forms appearing in the appendix were excerpted from the Department of Justice's Investigation Procedures Manual for the Investigation and Resolution of Complaints Alleging Violations of Title VI and Other Nondiscrimination Statutes. (September 1998)

<http://www.justice.gov/crt/cor/Pubs/manuals/complain.php>

Appendix A: INDOT Organizational Charts

Appendix B: INDOT External Complaint Forms and Related Documents

Appendix C: INDOT Data Collection Tools

Appendix D: INDOT LEP Language Questionnaire

Appendix E: INDOT Title VI Compliance Sample Documents

**APPENDIX A:**

**INDOT**

**Organizational Charts**

**Indiana Department of Transportation  
Commissioner  
065001**

Revised 8/18/2011

**Indiana Department of  
Transportation  
Commissioner/EXBB  
10006382  
Michael B. Cline  
065001**

**Executive  
Assistant/EXBB  
10057881  
Mary Ann Jorns**

**Admin. Assist.  
10057931  
Jenny Ziemer**

**Admin. Assist.  
10057699  
VACANT**

**Admin. Assist.  
10057975  
Linda Clarke**

**Chief of Staff  
Bob Zier**

**District Operations  
Deputy Commissioner  
Troy Woodruff**

**Finance  
Deputy Commissioner  
Dan Brassard**

**Engineering Services  
& Design Support  
Deputy Commissioner  
David Holz**

**Human Resources  
Deputy Commissioner  
Kim Pearson**

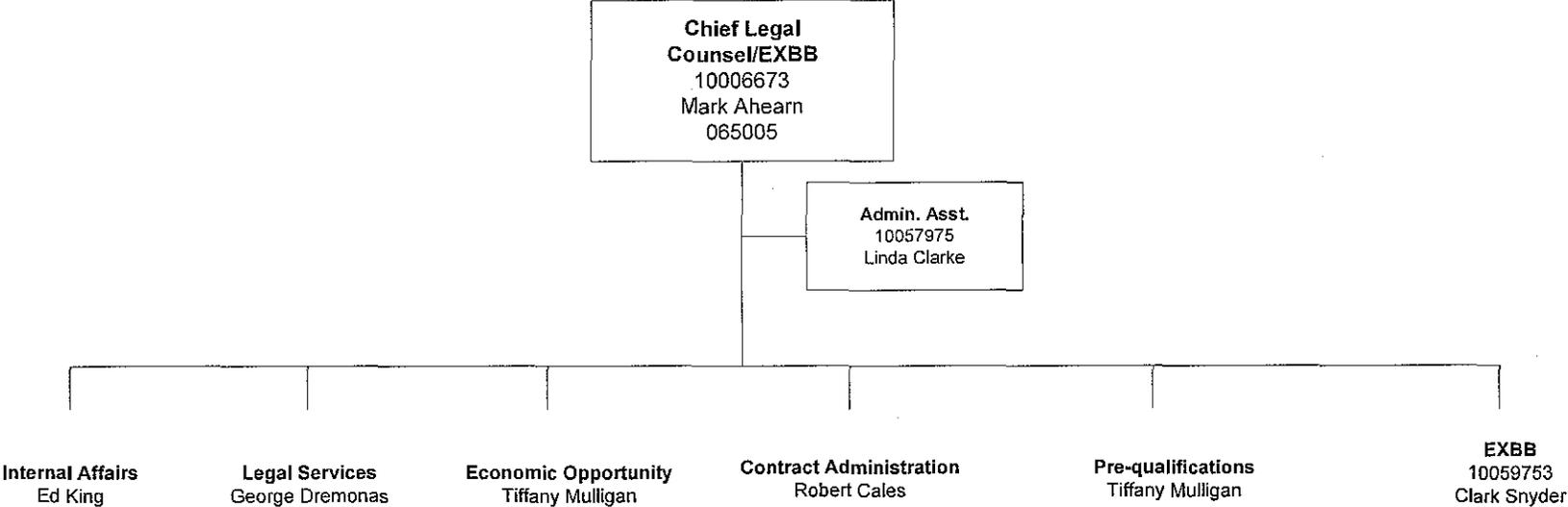
**Legal  
Deputy Commissioner  
& Chief Legal Counsel  
Mark Ahearn**

**Capital Program  
Management  
Deputy Commissioner  
Jim Stark**

**Major Program  
Management I69  
Deputy Commissioner  
Sam Sarvis**

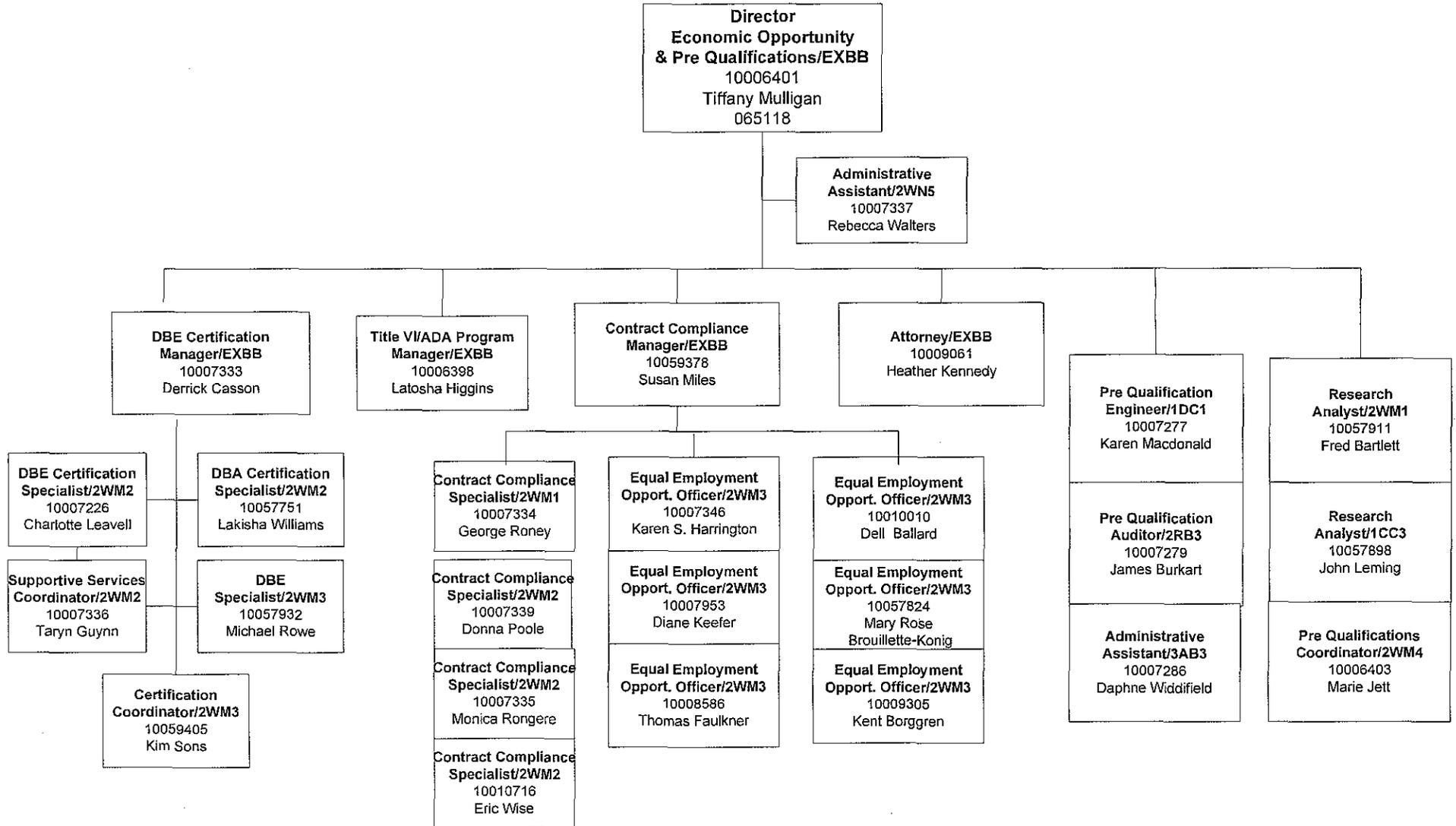
**Indiana Department of Transportation  
Legal  
065005**

Revised 9/22/2011



**Indiana Department of Transportation  
Economic Opportunity & Pre Qualifications  
065118**

Revised 9/22/2011



# **APPENDIX B:**

## **INDOT External Complaint Forms and Related Documents**



## EXTERNAL COMPLAINT OF DISCRIMINATION

State Form 54516 (1-11)  
INDIANA DEPARTMENT OF TRANSPORTATION  
ECONOMIC OPPORTUNITY DIVISION

Latosha N Higgins, Title VI / ADA Program Manager  
INDIANA DEPARTMENT OF TRANSPORTATION  
ECONOMIC OPPORTUNITY DIVISION  
100 N Senate RM N750  
Indianapolis, IN 46204  
Telephone number : (317) 234-6142  
Fax number : (317) 233-0891  
E-mail address: LHiggins@indot.in.gov  
www.in.gov/dot/

### INSTRUCTIONS:

The purpose of this form is to help any person interested in filing a discrimination complaint with the Indiana Department of Transportation (INDOT). If the complaint is against INDOT, INDOT's Title VI/ADA Program Manager will forward it to the appropriate federal agency for investigation.

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 printed above.

All items in bold 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/handicap or income status in connection with programs or activities receiving federal financial assistance from the United States Department of Transportation, Federal Highway Administration and/or Federal Transit Administration. These prohibitions extend to INDOT as a direct recipient of federal financial assistance and to its sub-recipients, consultants, and contractors, whether federally funded or not.

INDOT is also required to implement measures to ensure that persons with limited English proficiency and persons with disabilities have meaningful access to the services, benefits, and information of all its programs and activities under Executive Order 13166 and the Americans with Disabilities Act of 1990, as amended.

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. For TTY customers, dial 711 to reach the Indiana Relay Service.

You also have the right to file a complaint with other state or federal agencies that provide federal financial assistance to INDOT. Additionally, you have a right to seek private counsel.

INDOT and its sub-recipients, consultants, and contractors are 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.

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 above.

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.

**\*\*Your complaint cannot be processed without your signature.**

COMPLAINANT INFORMATION		
Name (first, middle, and last)		
Address (number and street, city, state and ZIP code)		
Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -




Name of complainant	Date (month, day, year)
---------------------	-------------------------

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

Name of witness 1 (first, middle, and last)	Title
---	-------

Name of company
-----------------

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

Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
--------------------------------	--------------------------------	------------------------------------

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

Name of witness 2 (first, middle, and last)	Title
---	-------

Name of company
-----------------

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

Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone 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, and last)	Title
---	-------

Name of company
-----------------

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

Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
--------------------------------	--------------------------------	------------------------------------

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

How would you like your complaint to be resolved?
---


Name of complainant	Date (month, day, year)
---------------------	-------------------------

Have you filed a complaint alleging the same discrimination with another state or federal agency? <input type="checkbox"/> Yes <input type="checkbox"/> No
--

*If yes, please provide the following information for each agency:*

Name of the agency	Date complaint filed (month, day, year)
--------------------	---

Case number assigned to your complaint	Current status of your complaint
--	----------------------------------

How did you learn about your right to file a discrimination complaint with INDOT?


Signature	Date signed (month, day, year)
-----------	--------------------------------

**COMPLAINANT CONSENT / RELEASE**

State Form 54514 (1-11)  
 INDIANA DEPARTMENT OF TRANSPORTATION  
 ECONOMIC OPPORTUNITY DIVISION

Latosha N Higgins, Title VI / ADA Program Manager  
 INDIANA DEPARTMENT OF TRANSPORTATION  
 ECONOMIC OPPORTUNITY DIVISION  
 100 N Senate RM N750  
 Indianapolis, IN 46204  
 Telephone number : (317) 234-6142  
 Fax number : (317) 233-0891  
 E-mail address: LHiggins@indot.in.gov  
 www.in.gov/dot/

Name (first, middle, and last)		Telephone number
		( ) -
Address (number and street, city, state and ZIP code)		
Case number(s) (if known)		
<p>I have read the Title VI Notice of Complainant and Interviewee Rights provided by the Indiana Department of Transportation (INDOT). As a complainant, I understand that during an investigation it may become necessary for INDOT to reveal my identity to individuals outside of INDOT 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 INDOT 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 non-discrimination statutes enforced by INDOT.</p>		
<p>Please read both paragraphs below, check your choice of CONSENT or CONSENT DENIED and sign below. (Please mark one.)</p> <p><input type="checkbox"/> <b>Consent</b></p> <p>I have read and understand the above information and authorize INDOT 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 INDOT 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"/> <b>Consent Denied</b></p> <p>I have read and understand the above information and do not want INDOT 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 INDOT making a determination in my case.</p>		
Signature		Date (month, day, year)

**APPENDIX C:**

**INDOT**

**Data Collection Tools**



**VOLUNTARY TITLE VI PUBLIC INVOLVEMENT SURVEY**

State Form 54515 (1-11)  
 INDIANA DEPARTMENT OF TRANSPORTATION  
 ECONOMIC OPPORTUNITY DIVISION

Latosha N Higgins, Title VI / ADA Program Manager  
 INDIANA DEPARTMENT OF TRANSPORTATION  
 ECONOMIC OPPORTUNITY DIVISION  
 100 N Senate RM N750  
 Indianapolis, IN 46204  
 Telephone number : (317) 234-6142  
 Fax number : (317) 233-0891  
 E-mail address: LHiggins@indot.in.gov  
 www.in.gov/dot/

As a recipient of federal funds, the Indiana Department of Transportation (INDOT) is required to develop a procedure for gathering statistical data regarding participants and beneficiaries of its federal-aid highway programs and activities (23 CFR §200.9(b)(4)). INDOT is distributing this voluntary survey to fulfill that requirement to gather information about the populations affected by a proposed project.

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

If you have any questions regarding INDOT's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact INDOT's Title VI/ADA Program Manager Latosha N. Higgins at 100 N Senate RM N750, Indianapolis, IN 46204, (317) 234-6142, e-mail: [LHiggins@indot.in.gov](mailto:LHiggins@indot.in.gov).

You may return the survey by folding it and placing it on the registration table (if you received it at a public hearing or meeting) or by mailing or faxing it to the address above.

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
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"/> \$36,001-48,000	<input type="checkbox"/> \$48,001-\$60,000
	<input type="checkbox"/> \$24,001-\$36,000
	<input type="checkbox"/> \$60,001 +

**RELOCATION ASSISTANCE VERIFICATION**

Name \_\_\_\_\_

Project \_\_\_\_\_

Address \_\_\_\_\_

Parcel \_\_\_\_\_ Code \_\_\_\_\_

Initiation of Negotiations \_\_\_\_\_  
Date \_\_\_\_\_

Type of Relocation \_\_\_\_\_

<b><u>RESIDENTIAL ENTITLEMENTS</u></b>	<b>Yes OR NA</b>	<b><u>BUSINESS / PERSONAL PROPERTY ENTITLEMENTS</u></b>	<b>Yes OR NA</b>
Relocation Brochure Delivered		Relocation Brochure Delivered	
Residential Questionnaire Completed		Business Questionnaire Completed	
Title VI / ADA Survey		Title VI / ADA Survey	
RAAP #12 and #26 Photo Inv. Completed		RAAP #25 and #26 Photo Inv. Completed	
Tenant List Completed by Landlord #9		Tenant List Completed by Landlord #9	
HUD Utility Chart Completed (tenants only)		Actual Cost Move Explained	
Income Verification Obtained (tenants only)		Self Move Explained (Low bid or Estimate)	
Moving Options Explained (Act / Sch / Comb)		90 Day Notice Explained (30 or 30A)	
Replacement Housing Explained (RHP/RAP/DAP)		Business Reestablishment Cost Explained	
Subject Data Information on RAAP #14		Business Searching Entitlement Explained	
Transportation Offered to View Comps		Business Payment-In-Lieu Explained	
90 Day Notice Explained (16, 17, or 17A )		(2 yr Tax Returns required – occupants only)	
Increased Interest Explained (owners only)		Right to Appeal Explained (within 60 days)	
Eligible Incidental Expenses Explained		Payment Notice Issued	
Decent, Safe, and Sanitary Explained		Tax Law Letter Issued	
Right to Appeal Explained (within 60 days)		Relocation Office & Contact Info Given	
Payment Notice Issued		Legal Residency Certification Completed #38	
Legal Residency Certification Completed #38		W-9 Completed	
W-9 Completed		Advisory Services explained and Offered	
Tax Law Letter Issued		Available Property Listings Provided	
Relocation Office & Contact Info Given		Local Service Contact Info Provided (SBA)	
Advisory Services explained and Offered		Agent's Report #8 (signed by displacee)	
Agent's Report #8 (signed by displacee)			

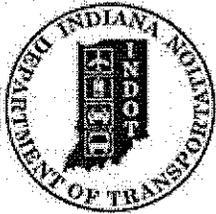
My signature verifies that the items marked "YES" were explained to me in detail.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Displacee

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Relocation Specialist



# INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 North Senate Avenue  
Room N642  
Indianapolis, Indiana 46204

PHONE: (317) 232-5060  
FAX: (317) 233-3055

**Mitchell E. Daniels, Jr., Governor**  
**Michael B. Cline, Commissioner**

Dear Owner or Tenant,

As a recipient of federal funds, the Indiana department of Transportation (INDOT) is required to develop a procedure for gathering statistical data regarding participants and beneficiaries of its federal-aid highway programs and activities (23 CFR 200.9(b)(4)).

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

If you have any questions regarding INDOT's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact INDOT's Title VI / ADA Program Manager Latosha N. Higgins at 100 N Senate Ave RM N750, Indianapolis, Indiana 46204; (317) 234-6142, e-mail: [LHiggins@indot.in.gov](mailto:LHiggins@indot.in.gov) .

You may complete this form with the assistance of your assigned Relocation Agent or you may complete the form and return it in the provided postage paid envelope.

Date: \_\_\_\_\_

Project: \_\_\_\_\_ Road: \_\_\_\_\_

Code: \_\_\_\_\_ Parcel: \_\_\_\_\_

**Gender:**  Male  Female **Ethnicity:**  Hispanic or Latino  Not Hispanic or Latino

- Race:**
- American Indian or Alaska Native
  - Asian
  - Black or African-American
  - Multiracial or other
  - Native Hawaiian or other Pacific Islander
  - White

**Age(s):** \_\_\_\_\_ < 21 \_\_\_\_\_ 22 - 40 \_\_\_\_\_ 41 - 65 \_\_\_\_\_ 65 >

- Household Income:**
- \$0 - \$12,000  \$12,001 - \$24,000
  - \$24,001 - \$36,000  \$36,001 - \$48,000
  - \$48,001 - \$60,000  \$60,001 +

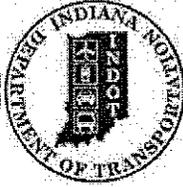
**Disability:**  Yes  No **Limited English Proficiency:**  Yes  No



# **APPENDIX D:**

**INDOT**

**LEP Language Questionnaire**



## Language Questionnaire

Your assistance is needed! As a recipient of federal funds, the Indiana Department of Transportation (INDOT) is required to evaluate its programs and activities for language accessibility, and to develop a procedure for gathering statistical data regarding participants and beneficiaries of its federal-aid highway programs and activities (23 CFR §200.9(b)(4)). INDOT distributes this voluntary survey to fulfill that requirement.

You are not required to complete this questionnaire. Submittal of this information is voluntary; however, we ask you to complete the questionnaire as you may be able to assist others by translating important information if needed. INDOT will use the survey responses to monitor its programs and activities for compliance with Title VI of the Civil Rights Act of 1964, as amended (Title VI) and its related statutes and regulations. If you have any questions regarding INDOT's responsibilities under Title VI, please contact INDOT's Title VI/ADA Program Manager, Latosha N. Higgins at 100 N Senate N750, Indianapolis, IN 46204, (317) 234-6142, e-mail: [LHiggins@indot.in.gov](mailto:LHiggins@indot.in.gov).

**Please submit the completed survey to your Human Resources Manager.**

### Employee Contact Information

Employee Name: \_\_\_\_\_

Work Division/District: \_\_\_\_\_

Work Phone Number: \_\_\_\_\_

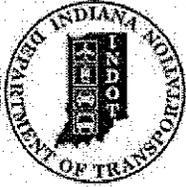
Work Email Address: \_\_\_\_\_

Survey Completion Date: \_\_\_\_\_

### Questions

1. Do you speak, write, and/or read another language in addition to English?  Yes  No
2. If you speak more than one language, would you be willing to volunteer to provide language assistance as needed, if there is a need for translation or interpreter assistance?  Yes  No

***If you answered yes to questions 1 and 2, please proceed to question 3; however, if you answered no to either question, you have completed the questionnaire.***



3. Please mark your level of proficiency regarding your ability to speak, write, and/or read any of the languages listed below as Low (L), Medium (M), or High (H) in the appropriate column.

Language/Dialect	Proficiency Level			Language/Dialect	Proficiency Level		
	Speak	Write	Read		Speak	Write	Read
Example: English	H	H	H	Ibo			
American Sign Language				Ilocano			
Arabic				Italian			
Armenian				Japanese			
Bengali				Korean			
Cambodian				Laotian			
Chamorro				Polish			
Chinese (Cantonese)				Portuguese			
Chinese (Mandarin)				Romanian			
Croatian				Russian			
Czech				Serbian			
Dutch				Slovak			
Farsi				Spanish			
French				Tagalog			
German				Thai			
Greek				Tongan			
Haitian Creole				Ukrainian			
Hindi				Urdu			
Hmong				Vietnamese			
Hungarian				Yiddish			

4. If you have an ability to speak, write, and/or read other languages other than or in addition to the languages listed above, please list the language and your level of proficiency regarding your ability to speak, write and/or read the language.

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Thank you for taking the time to complete this survey. Your time and effort is greatly appreciated.

# **APPENDIX E:**

**INDOT**

**Title VI Compliance  
Sample Documents**

**Disclaimer:** This *sample document* is provided by INDOT for informational purposes only. It does not constitute legal advice. For legal advice, please contact legal counsel.

## **Sample 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, religion, low income status, or Limited English Proficiency 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, 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 on behalf of such a person.

It is the policy of [Company] 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 printed 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 company supervisor or to the company EEO Officer. The complaint should be submitted within 180 days of the alleged discrimination. Complaint forms may be found [INDICATE WHERE COMPLAINTS FORMS MAY BE FOUND]. Individuals are not required to use the company's complaint form. If necessary, the company will help an individual reduce his or her complaint to writing for his or her signature.

Generally a complaint should include the name, address and telephone number of the individual complaining (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.

### **Complaints should be directed to:**

**EEO OFFICER  
ADDRESS  
TELEPHONE  
FACSIMILE  
EMAIL**

Within 60 days of the receipt of the complaint the company will conduct an investigation of the allegation based on the information provided and issue a written report of its

findings to the complainant. The company 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. All complaints shall be kept confidential.

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.

Complaints may also be filed with the following government agencies:

Indiana Department of Transportation  
Economic Opportunity Division  
100 N. Senate, Room N750  
Indianapolis, IN 46204  
Phone: (317) 233-6511  
Fax: (317) 233-0891

Indianapolis District EEOC Office  
101 West Ohio Street, Ste 1900  
Indianapolis, IN 46204  
Phone: (800) 669-4000  
Fax: (317) 226-7953  
TTY: 1 (800) 669-6820

Indiana Civil Rights Commission  
100 N. Senate Ave., Room N103  
Indianapolis, IN 46204  
Toll Free: 1 (800) 628-2909  
Phone: (317) 232-2600  
Fax: (317) 232-6560  
Hearing Impaired: 1 (800) 743-3336

