
2016 Indiana Department of Transportation

INDOT Title VI Implementation Plan

Version 2015.2, revised 12/15/2015



www.in.gov/indot

INDIANA DEPARTMENT OF TRANSPORTATION

2016 TITLE VI IMPLEMENTATION PLAN v 2015.2

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INTRODUCTION

This Title VI Implementation Plan is a part of the Indiana Department of Transportation's (INDOT's) continual and ongoing effort to proactively 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 Implementation Plan, INDOT seeks to provide continued transparency, clarity and technical guidance for internal and external constituents regarding its Title VI program.¹

Title VI Implementation Plans outline and document policies and procedures that together comprise the State Transportation Agency's Title VI Program. For information related to our annual program goals and accomplishments, please refer to INDOT's Annual Title VI Goals and Accomplishments Report.

INDOT'S TITLE VI MISSION STATEMENT

INDOT will implement compliance with Title VI 49 CFR § 21, 23 CFR Part 200; and 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 or national origin.

¹ 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.

INDOT'S TITLE VI NON-DISCRIMINATION NOTICE & POLICY

INDOT values each individual's civil rights and intends to provide equal opportunity and equitable service for the citizens of this state. As a recipient of federal funds, INDOT conforms to Title VI and all related statutes, regulations, and directives, which provide that no person shall be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance from INDOT on the grounds of race, color, age, sex, sexual orientation, gender identity, disability, national origin, religion, income status or limited English proficiency. INDOT further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded.

It is the policy of INDOT to comply with Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e; Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. §§ 4601-4655; 1973 Federal Aid Highway Act, 23 U.S.C. § 324; Title IX of the Education Amendments of 1972, Pub. L. No. 92-318, 86 Stat. 235; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§ 701 *et seq.*; Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28; Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 *et seq.*; Title VIII of the Civil Rights Act 1968, 42 U.S.C. §§ 3601-3631; Exec. Order No. 12898, 59 Fed. Reg. 7629 (1994) (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations); and Exec. Order No. 13166, 65 Fed. Reg. 50121 (2000) (Improving Access to Services for Persons with Limited English Proficiency).

The Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities (including those programs or activities for which no federal funds are used) of those receiving Federal funds, including subrecipients who receive federal funds directly and indirectly through INDOT.

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355, INDOT hereby gives assurance that no qualified disabled person shall, solely by reason of disability, be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from this federal financial assistance.

INDOT also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations in compliance with the requirements of Environmental Justice (EJ) regulations. In addition, INDOT will take reasonable steps to provide meaningful access to services for persons with limited English proficiency (LEP). INDOT

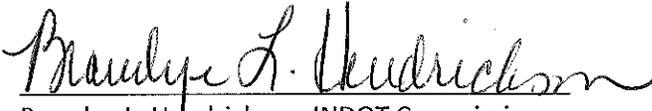
will, where necessary and appropriate, revise, update and incorporate nondiscrimination requirements into appropriate manuals, directives and regulations.

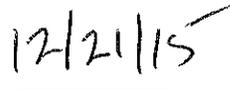
Whenever INDOT distributes federal-aid funds to a second-tier subrecipient, INDOT will include Title VI language in all written agreements.

The following individual has been identified as INDOT's Title VI and ADA Coordinator and is delegated the authority necessary to maintain responsibility for initiating and monitoring Title VI activities, preparing reports and performing other responsibilities, as required by 23 C.F.R. § 200 and 49 C.F.R. § 21 and is specifically designated as INDOT's responsible individual to coordinate, maintain, and report INDOT's Title VI compliance efforts to the Federal Highway Administration (FHWA) as well as to coordinate compliance efforts with other Federal Agencies as required.

Erin L. Hall, J.D.
INDOT Title VI / ADA Program Manager
IGCN Room 750
100 N. Senate Ave,
Indianapolis, IN 46204
(317) 234-6142
Ehall2@Indot.IN.gog

INDOT affirms its commitment to nondiscrimination annually by publishing its Annual Title VI Implementation Plan and reaffirming its Assurances of Nondiscrimination, incorporated herein (see next page).


Brandy L. Hendrickson, INDOT Commissioner


Date

TITLE VI ASSURANCES

INDIANA DEPARTMENT OF TRANSPORTATION TITLE VI ASSURANCES

The Indiana Department of Transportation (INDOT) (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation and the Federal Highway Administration, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 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 (CFR), 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, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures (hereinafter referred to as the Regulations) and other pertinent nondiscrimination authorities and directives, to the end that in accordance with the Act, Regulations, and other pertinent nondiscrimination authorities and directives, no person in the United States shall, on the grounds of religion, race color, or national origin, sex (23 USC 324), sexual orientation, gender identity (Executive Order 13672), age (42 USC 6101), disability/handicap (29 USC 790) and low income (Executive Order 12898) 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 Title 49 Code of Federal Regulations, subsection 21.7(a)(1) and Title 23 Code of Federal Regulations, section 200.9(a) (1) of the Regulations, copies of which are 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 49 CFR subsections 21.23(e) and (b) and 23 CFR 200.5(k) and (g) 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 and made in connection with all Federal-Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

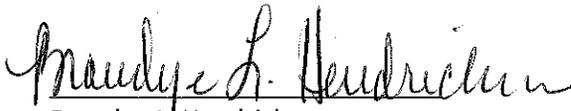
The Indiana Department of Transportation (INDOT), in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes, issued pursuant to such Acts, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, disadvantaged 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 religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income 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 Acts and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, 'as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the 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 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 Department of Transportation under the Federal-Aid Highway Program and is binding on it, other recipients, subgrantees, 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



Brandye L. Hendrickson,
INDOT Commissioner

12-21-15

Date

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 Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, 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 Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income.

- (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 (INDOT) or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to INDOT or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, INDOT shall impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:

- (a.) withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b.) cancellation, termination or suspension of the contract, in whole or in part.

(6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontract or procurement as INDOT or the FHWA 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 to enter into such litigation to protect the interests of 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.

APPENDIX B

A. 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 of Federal Regulations, the Regulations for the Administration of Federal-Aid Highway Programs and the policies and procedures prescribed by FHWA, 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 and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 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.

(HABENDUM 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 religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and]* (2) that the Indiana Department of Transportation shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, 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, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, 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.*

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 (INDOT) pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that 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,

* 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.

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, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, INDOT 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 [licenses, lease, permit, etc.] had never been made or issued.

[Include in deed.]*

That in the event of breach of any of the above nondiscrimination covenants, Indiana Department of Transportation shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of INDOT and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by INDOT pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that (1) no person on the ground of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income shall be excluded from participation in, denied the benefits of, or he otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income, shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of

* 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.

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), Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, INDOT 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.

[Include in deeds]*

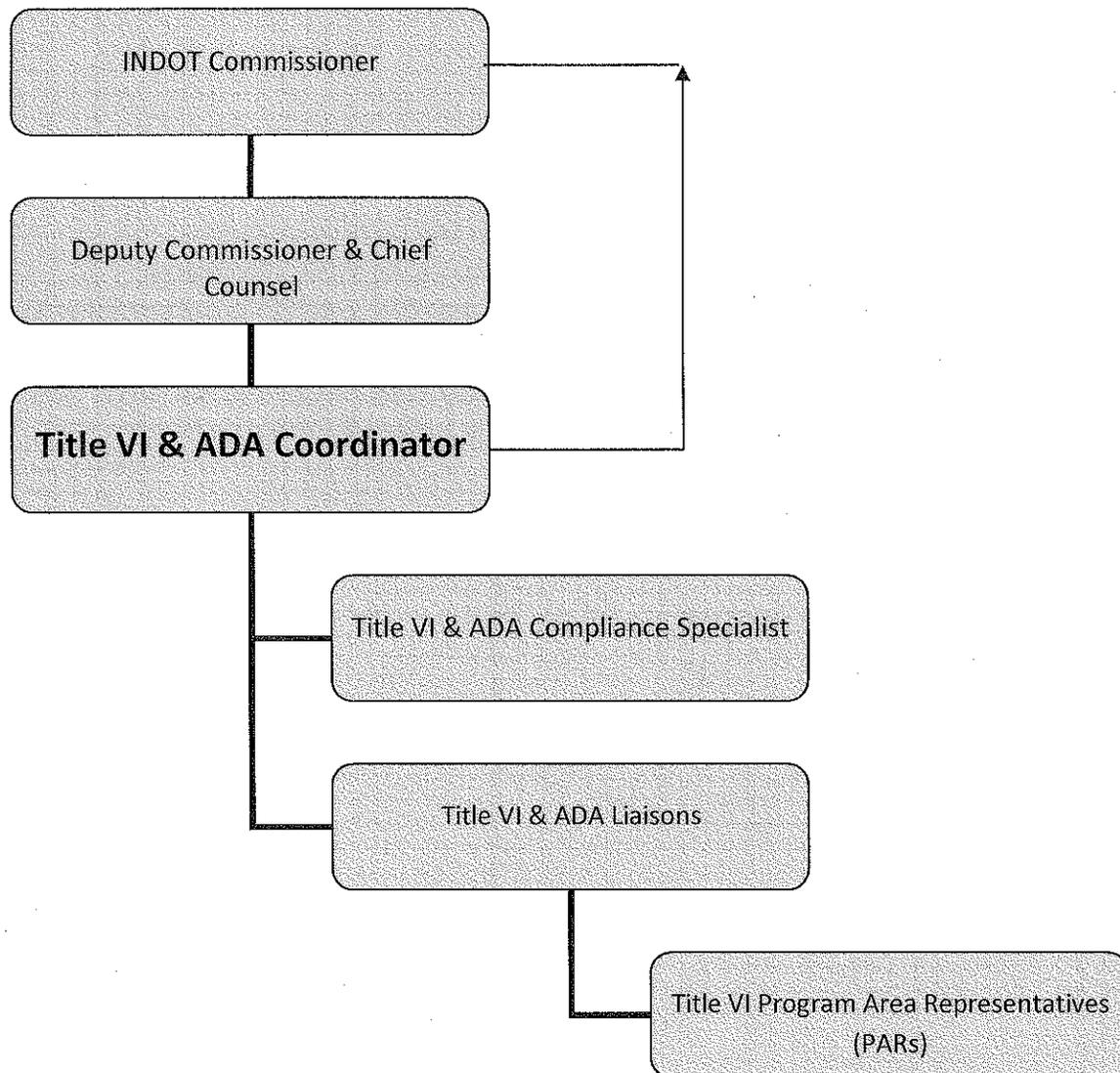
That in the event of breach of any of the above nondiscrimination covenants, INDOT shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of INDOT and its assigns.

* 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.

INDOT TITLE VI KEY PLAYERS & RESPONSIBILITIES

This section identifies who is responsible for Title VI oversight at INDOT. It demonstrates how Title VI is integrated into INDOT's day-to-day operations and clearly identifies the general responsibilities of key players within the agency. For specific information about employees responsible for each program area, please see [Appendix A](#).

INDOT TITLE VI ORGANIZATIONAL CHART



INDOT TITLE VI KEY PLAYERS

The following are descriptions of the Title VI-related roles of the following INDOT representatives:

COMMISSIONER

The Governor of the State of Indiana appoints INDOT's Commissioner. The Commissioner is responsible for organizing and administering INDOT. Indiana Code § 8-23-2-2.

The Commissioner is:

Brandye L. Hendrickson
100 N. Senate Ave., IGCN 755
Indianapolis, IN 46204

INDOT DEPUTY COMMISSIONER AND CHIEF LEGAL COUNSEL

This Deputy Commissioner manages the Economic Opportunity, Contract Administration, Prequalification 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.

The Deputy Commissioner & Chief Legal Counsel is:

Lori Torres
100 N. Senate Ave., IGCN 755
Indianapolis, IN 46204

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 and all related statutes, regulations, and directives. The Title VI/ADA Program Manager reports directly to INDOT's Chief Legal Counsel and Commissioner. General responsibilities of the Title VI/ADA Program Manger include, but are not limited to Implementing INDOT's Title VI and Americans with Disabilities Act of 1990, (ADA) plans; Developing processes and procedures for the investigation of complaints filed under Title VI and the ADA; Developing and implementing INDOT's Limited English Proficiency (LEP) Plan; Coordinating Title VI Program development with program directors, district and division managers; Providing technical assistance, guidance and advice on the Title VI Program; Establishing procedures for processing Title VI reviews; Conducting Title VI reviews of INDOT's subrecipients, special interest programs and activities; Developing and conducting Title VI training; Preparing required reports; Participating in the design, development and dissemination of Title VI information to the public; and annually updating INDOT's Title VI Implementation Plan.

The Title VI & ADA Program Manager / Coordinator of the Indiana Department of Transportation (INDOT) is:

Erin L. Hall
100 N. Senate Ave., IGCN 755
Indianapolis, IN 46204
(317) 234-6142
Ehall2@Indot.IN.gov

TITLE VI/ADA CONTRACT COMPLIANCE SPECIALIST

The Title VI/ADA Contract Compliance Specialist reports directly to the Title VI/ADA Program Manager and acts as the program's Subrecipient Compliance Review Officer. Specifically, the Title VI/ADA Contract Compliance Specialist is primarily tasked with monitoring INDOT'S oversight of its federal aid subrecipients' compliance efforts by coordinating and conducting desk and field compliance reviews, maintaining program records, and communicating with subrecipients about their compliance efforts and status.

The Title VI & ADA Contract Compliance Specialist is:

Kimberly Radcliff
100 N. Senate Ave., IGCN 755
Indianapolis, IN 46204
(317) 232-0924

LEGAL COUNSEL & INVESTIGATOR, TITLE VI & ADA PROGRAMS

In November, 2015, INDOT determined that a staff attorney and member of its legal division would be assisting INDOT's Title VI / ADA Program Manager with complaint investigations and internal program area disparate impact analysis. This adds significant operational capacity to the Title VI / ADA Program areas and permits INDOT to enhance its Title VI programs.

The Staff Attorney assisting in Title VI and ADA matters is:

Kristi Shute, J.D.
100 N. Senate Ave., IGCN 755
Indianapolis, IN 46204

TITLE VI/ADA PROGRAM AREA REPRESENTATION

INDOT's Program Area Representation is composed of core members from INDOT's program areas including a program area (or District Office) liaison and as many Program Area Representatives as necessary to effectively meet Title VI plan goals and requirements. INDOT's Program Area Representation has a four-part mission:

- To use an interdisciplinary and cross-division workflow 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 all individuals regardless of race, color, national origin, sex, sexual orientation, gender identity, age, disability, religion, income level or limited English proficiency.
- To develop, fully integrate and effectively maintain INDOT's Title VI implementation Plans.

Each year INDOT will evaluate whether or not additional program areas should be included in the Title VI Implementation Plan and, if so, who will serve as a liaison and as program area representatives. INDOT may also eliminate program areas from representation and /or reduce or expand the number of representatives and areas represented to best accomplish agency goals.

DISTRICT & PROGRAM AREA TITLE VI LIAISON RESPONSIBILITIES:

- Foster awareness of INDOT's Title VI program and its requirements by:
 - Ensuring each employee in their program area or district has received Title VI training within the last 2 years, and
 - Ensuring nondiscrimination is periodically a topic for discussion on program area meeting agendas.

- Developing and maintaining division procedures for the collection and analysis of voluntarily-reported statistical data (race, color, national origin, and sex, sexual orientation, gender identity, age, disability, religion, income status or limited English proficiency) of participants in, and beneficiaries of INDOT programs within the program area or district

- Work with Program Area Representatives to accomplish annual Program Area or District Title VI tasks.

- Participate in an annual agency-wide Title VI liaison conference and schedule quarterly program area or District Title VI meetings (independently or as part of another area meeting) to establish and accomplish annual Title VI goals, inviting the INDOT Title VI Program Manager to attend each quarterly meeting and ensuring minutes are kept for the same.

- Coordinate with the Title VI Program Manager to complete an annual Program Area or District discrimination risk assessment that identifies and prioritizes risk areas and formulates mitigation strategies to be included in the Annual Title VI Implementation plan not later than August 30th annually.

- Ensuring all aspects of their program area's operation occur in a manner consistent with INDOT's nondiscrimination policies and compliant with Title VI and nondiscrimination laws and regulations.

- Title VI Liaisons should also prepare an annual summary of its Title VI tasks & accomplishments with supporting documentation and submit the same to the Title VI Program Manager annually on August 30.

Current Title VI Liaisons for 2015-16 are identified in **Appendix A.**

TITLE VI PROGRAM AREA REPRESENTATIVES (PARS)

- Promote awareness of nondiscrimination requirements throughout the day-to-day operation of the program area
- Assist the Title VI liaison in ensuring all employees in the program area have received Title VI training within the past two years.
- Attend quarterly or other regularly-scheduled program area nondiscrimination meetings as deemed necessary by the liaison. (Nondiscrimination may be an agenda item on meetings that are broader in scope, but copies of the agenda, any meeting minutes, and attendees should be maintained by the PAR or liaison for inclusion in the annual report in evidence of the work accomplished).
- Work with liaisons to accomplish annual Title VI Tasks within the program area.
- If necessary, collect, analyze, and report statistical data (race, color, national origin, and sex, sexual orientation, gender identity, age, disability, religion, income status or limited English proficiency) of participants in, and beneficiaries of INDOT programs within the program area or district.

Current Program Area Representatives for 2015-16 are identified in **Appendix A**.

OVERVIEW OF INDOT'S TITLE VI POLICIES, PRACTICES & PROCEDURES

The following is summary information about policies and procedures related to Title VI with further information contained in the referenced appendices and / or by following the referenced links. Many of INDOT's program area and division policies and manuals contain Title VI and / or nondiscrimination elements. These individual manuals can be found at www.in.gov/indot.

The following are policies related to key program areas required to be incorporated into our Title VI Plan and include the following:

1. Program Area Review Procedures (*Includes Compliance and Enforcement Procedures*)
2. Special Emphasis Program Areas (*Includes Compliance and Enforcement Procedures*)
3. Agency Wide Data Collection Procedures for Title VI
4. Nondiscrimination Training
5. Complaint Policy
6. Subrecipient Review Procedures (*Includes Compliance and Enforcement Procedures*)
7. Public Involvement & Dissemination
8. Limited English Proficiency
9. Environmental Justice Programs

1. PROGRAM AREA REVIEW PROCEDURES

This section describes the pertinent INDOT program areas and the Title VI responsibilities of each program area. It defines the process for conducting annual reviews of program areas which includes:

- The objective of each program area review
- The types of reviews conducted for each program area including:
 - What activities are being reviewed,
 - What data is being collected and how,
 - The procedure for analyzing collected data, and
 - How the review will be used to determine the effectiveness of the program area

As program areas are added and reviewed, it may be necessary for INDOT to develop or revise its objectives, types of reviews, data collection procedures, and processes used to analyze data and make determinations. Changes to program area reviews are reflected in our annual accomplishment report. This plan will be revised to reflect the same as necessary.

GENERAL PROGRAM AREA REVIEW PROCEDURES

The following procedures apply to all program areas with current identified Title VI Tasks. These program areas have assigned a Title VI Liaison and Program Area Representatives as necessary to meet Title VI Program Goals. A list of current Title VI Liaisons and Program Area Representatives (PARs) can be found in **Appendix A**.

SELECTION AND IDENTIFICATION OF A PROGRAM AREA FOR TITLE VI PARTICIPATION

Program areas are identified and selected for Title VI program participation when it is determined that direct or significantly related Title VI Implications exist or are likely to exist within the program area. Title VI Implications include:

- Potential for disparate impacts to result from program area activities,
- Potential for disparate treatment to result from program area activities,
- Potential for discrimination to result from program area activities,
- Complaints of discrimination arising from program area activities,
- The program area conducts activities intersecting accessibility, limited English proficiency, or environmental justice requirements,
- The program area involves contractual relationships with current and future subrecipients of Federal funds for which INDOT has subrecipient monitoring oversight authority and responsibility.

INDOT Program areas with one or more Title VI Implications or potential Title VI Implications may be identified by The Title VI Program Manager, Program Area Staff, FHWA or other agency for participation in INDOT's Title VI Program. Program area selection is renewed annually and programs are typically added and / or removed from direct program participation at the time INDOT revises its annual plan for FHWA (Not later than October 1). Program participation allows for general monitoring of a program area or an aspect of a program area.

PERIODIC PROGRAM AREA EVALUATIONS

All INDOT program areas will be periodically considered and evaluated for participation in the Title VI program. The evaluation will focus on whether or not Title VI implications exist in the program area and will include a periodic review of all State Agency Directives for Title VI implications. When a program is evaluated for participation, the Program Manager will also ensure all employees in that program area have received basic training on INDOT's nondiscrimination and accessibility policies and practices. This process ensures that as programs develop, expand, and / or reorganize, Title VI compliance can be maintained.

INITIAL PROGRAM AREA REVIEWS

When a new program area is added to the Title VI Program, it is first tasked with assisting the Program Manager in the following:

- Identification of a Title VI Liaison
- Identification of the Title VI Implications existing or with potential to exist in the program area
- Objective for review of the program area
- Tasks necessary toward the achievement of the objective
- Data collection, analysis and reporting necessary to accomplish the identified tasks, and
- Program Area Representatives (PARs) who will assist the liaison in collecting, analyzing and reporting data sufficient to review the program area as it relates to its Title VI Implications in order to:
 - Identify and address any existing discrimination, disparate impacts, or disparate treatment having occurred or likely to occur within the program area, or
 - To ensure and demonstrate that, despite the existence of Title VI implications within the program area, discrimination does not occur as a result of the program's operations.

Unless there is a need for immediate action, at least one program year is dedicated for each new program area to the above-identified tasks to ensure effective and appropriate participation in the Title VI Program.

ONGOING PROGRAM AREA PARTICIPATION

Following an initial review, a program area will either:

- Be tasked with ongoing annual data collection and reporting related to Title VI implications, or
- Be identified as a special emphasis program area based upon:
 - the level of risk within that program area,
 - an ongoing concern (such as a complaint investigation) or concern of a supervisory agency such as FHWA regarding the program area (23 CFR 200.9(b)(6)), or

Program Area Reviews:

Program areas tasked with ongoing annual reporting requirements will continue to be required to:

- Collect, analyze and report data regularly collected and reviewed to ensure Title VI compliance of the program area
- Provide quarterly updates to the Title VI Program Manager that include:
 - Progress related to ongoing tasks and concerns
 - Individuals in the program area who need Title VI Training
 - Trends or patterns in the data being collected that may warrant a more in-depth review or analysis. This includes instances where data collection efforts don't appear to be capturing the information intended or are otherwise insufficient to demonstrate compliance.
 - Copies of meeting agendas, minutes, and notes that evidence regular Title VI discussions as a part of the program area's operations.
 - Any other issues related to Title VI.

Special Emphasis Program Areas:

Special Emphasis Program Areas will, in addition to the above requirements for all program areas:

- Work with the program manager to develop a targeted annual action plan that addresses the objectives identified for the program area in light of the Title VI Implications that make this program area an area of special emphasis. These would include:
 - Conducting disparate impact and / or disparate treatment analysis
 - Reviewing and potentially revising policies and procedures that may result in discriminatory outcomes, and
 - Addressing trends or patterns of discrimination identified during a review of the program area.
- Identify and train sufficient PARs to accomplish the tasks identified in the action plan
- Work with attorneys and / or investigators, who, in addition to the Program Manager, may review policies, practices, data, or other documents to determine whether or not discrimination has occurred, or is likely to occur as a result of the program area and adopt and implement mitigation procedures designed to remedy and address all identified issues.

The goal of identifying special emphasis program areas is to ensure sufficient monitoring of high-risk programs and progress tracking for areas where there exists a material deficiency, disparate impact or treatment, or discriminatory practice that requires resolution and reporting.

Certain program areas are likely to remain Special Emphasis Program areas on an ongoing basis due to the relationship of the work they do with Title VI requirements. These ongoing Special Emphasis Program Areas currently include:

- INDOT's LPA Division
- INDOT's Research Division

LPA DIVISION

INDOT's LPA Division works with Local Public Agencies (LPAs), Metropolitan Planning Organizations (MPOs), Counties, Cities and Towns across Indiana to provide funding, including Federal funding for local projects. One of INDOT's primary responsibilities under Title VI is monitoring subrecipient compliance to ensure equitable distribution of federal funds and to eliminate discriminatory practices where they are found to exist. As a result, the LPA division is considered by INDOT an ongoing Special Emphasis Program area. INDOT currently has its Compliance Specialist embedded within this program area to focus primarily on subrecipient monitoring and technical assistance.

RESEARCH DIVISION

INDOT's research division oversees selection of University subrecipients. The lack of sufficient University subrecipient monitoring was identified as part of FHWA's 2014 compliance review of INDOT and made a part of the 2015 deficiency notice provided to INDOT as result thereof. FHWA also indicated that INDOT should review its subrecipient selection procedures as they pertain to university subrecipients to ensure equitable distribution of funds.

DATA COLLECTION, ANALYSIS & REPORTING

The type of data collected is dependent on the program area's objective. INDOT collects various types of data to ensure compliance with Title VI. Some information is collected for a period of time with the objective of determining what data needs to be collected. For example, INDOT's Title VI Program Manager may collect reports or studies from a program area one year to determine what implications exist and what types of information are reported, as well as what trends exist within that report or study. This may lead to specific categories of data gathered from those reports and evaluated over time.

The following types of data are currently being collected by INDOT: (examples are available in [Appendix B.](#))

- Public Involvement Surveys
- Records of Employee and Subrecipient Title VI required Training
- Subrecipient compliance information (i.e. existence of required plans & policies, related records)
- Records related to real estate transactions
- Records related to the installation of accessible pedestrian signals and other improvements related to improving the accessibility of INDOT's assets. (INDOT's ADA Inventory)
- Environmental Justice analysis, studies and reports
- Complaints received, logged, processed and investigated by INDOT
- Limited English Proficiency requests
- Records of meeting minutes and discussions related to Title VI

INDOT is considering how best to collect the following information:

- Data related to INDOT's selection of contractors and consultants

Additional data being collected related to specific tasks and objectives is identified in INDOT's Annual Goals and Accomplishments Report. It is within this annual report that the above information is summarized and published. This report is posted on INDOT's website each year after it has been submitted to FHWA for approval.

COMPLAINTS OF DISCRIMINATION

INDOT has a compliant policy for complaints of discrimination related to Title VI and will promptly investigate all properly submitted complaints of alleged discrimination. Note that ALL COMPLAINTS AGAINST INDOT will be referred to the Federal Highway Division (FHWA) or the appropriate Federal Agency for investigation while INDOT will investigate complaints filed against subrecipients over whom INDOT has oversight authority.

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 receiving a complete complaint, INDOT will submit its final confidential

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 ten (10) calendar days of its receipt. Complaints are not considered received until they are submitted to INDOT as complete complaints, both signed and in writing.

INDOT will determine whether the person or entity purportedly engaged in the alleged discriminatory act is an INDOT sub-recipient (the legal entity to which INDOT made a sub-award 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 sub-recipient, 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. INDOT may exercise the option of informal resolution 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, sex, sexual orientation, gender identity, age, disability, religion, income status or Limited English Proficiency may file a complaint. A complainant's representative may also file a complaint on behalf of such a person.

C. TIMELINESS OF COMPLAINTS

For a complaint against INDOT or a sub-recipient 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 a signed, written complaint is received by INDOT.

INDOT will determine on a case-by-case basis whether to waive the 180 calendar day 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 complainant must file his or her complaint within 60 days of 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 complainant must file his or her complaint within 60 days after the period of incapacity ends.

LOCATION/AVAILABILITY OF COMPLAINT FORMS

INDOT will make its complaint forms available online via the INDOT website. 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. Complainants are encouraged, but not required, to use the complaint form when filing a complaint.

HOW TO FILE A COMPLAINT?

While a Complainant may preliminarily submit his or her complaint by online form submission, mail, facsimile, or email to the Title VI / ADA Program Manager, a signed, original copy of the complaint must be mailed to the Title VI / ADA Program Manager to officially begin the complaint process. Any person with a disability may request to file his or her complaint using an alternative format. INDOT does not require a Complainant to use the INDOT complaint form when submitting his or her complaint. A copy INDOT's Complaint Form and related Notices are included in **Appendix C**.

Direct all complaints of discrimination pursuant to Title VI to:

Erin L. Hall
Title VI/ADA Program Manager
Economic Opportunity Division
Indiana Department of Transportation
100 N. Senate, Room N750
Indianapolis, IN 46204
ehall2@indot.in.gov
(317) 234-6142 (Phone)
(317) 233-0891 (Facsimile)

ELEMENTS OF A COMPLETE COMPLAINT

A complaint must be both written and signed to be complete. 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 complaint must include 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.

PROCESSING COMPLAINTS

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

- 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 2011-03-04.
- 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 sub-recipient, and contact information for the investigator assigned to conduct the investigation.
- Providing written notice of the complaint to the FHWA within 10 working days of receipt of the complaint.
- 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.
- 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.
- Providing the Respondent an opportunity to respond to all aspects of the Complainant's allegations.

- Determining which witnesses will be contacted and interviewed.
- Contacting the Complainant to provide the Complainant an opportunity to provide additional information before INDOT prepares its final report to be forwarded to FHWA.
- Writing a confidential investigative report (IR) and forwarding a copy of the same to the FHWA within 180 calendar days following the receipt of the complaint by INDOT. 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.
- Drafting a Letter of Findings (LOF) and mailing the LOF to the FHWA, Respondent and Complainant within 180 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.

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.

PRE-INVESTIGATIVE/ADMINISTRATIVE CLOSURES

It is the general practice of INDOT to investigate all complete complaints not referred to other agencies for investigation; 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:

- Incomplete Complaints
- 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.

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:

- 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.
- 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.
- INDOT will forward the appeal and the record within seven calendar days to FHWA for review.
- FHWA has 30 calendar days after the receipt of the appeal to complete its review.
- Written findings of FHWA are then sent to the Complainant and the INDOT Commissioner.

CONFIDENTIALITY

In accordance with DOT Order 1000.12, INDOT shall keep all complainants' identities 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. INDOT may refer complaints to the appropriate agency or entity (typically FHWA) without obtaining permission as referral may be required. INDOT will notify Complainant of the referral at the time the referral is made. Otherwise, INDOT shall obtain a Complainant's written consent before providing a copy of the complaint to the Respondent or a third party.

RECORDS

INDOT's Title VI Program Manager shall maintain all records of an investigation in a confidential area for three years after the completion of the investigation

SUBRECIPIENT COMPLIANCE MONITORING

INDOT has policies in place to monitor its subrecipients for compliance with Title VI as required and is putting those policies into practice. Policies currently exist for review of contractors and consultants as well as LPAs, MPOs, and University subrecipients. These policies are specific to each type of subrecipient and represent, in many cases, layers of oversight and / or levels of review.

Objective:

The overall objective of compliance monitoring is to ensure all entities and agencies over which INDOT has Title VI oversight responsibility remain or are brought into compliance with Title VI and other nondiscrimination requirements.

INDOT has historically used 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 recipient and sub-recipient compliance, and to proactively identify and remedy potential and actual violations of the nondiscrimination laws.

TYPES OF SUBRECIPIENT COMPLIANCE MONITORING & REVIEWS

INDOT tailors its subrecipient monitoring practices to the type of subrecipient and level of review required. Types of subrecipients over whom INDOT has oversight responsibility include:

- Contractors
- Consultants
- Local Public Agencies (LPAs)
- Metropolitan Planning Organizations (MPOs)
- Cities & Towns
- Counties
- Universities & Colleges

Levels of subrecipient monitoring may include:

- Certifications of compliance
- Compliance Surveys
- Desk Reviews
- Telephone / Web Interviews
- Onsite Reviews

The following sections detail our compliance review levels and procedures for each subrecipient type.

POLICIES AND PROCEDURES FOR CONTRACTOR COMPLIANCE REVIEWS

The Title VI/ADA Program Manager has historically conducted Title VI compliance reviews of contractors contemporaneously with the EEO contract compliance reviews. Our reviews are done separately with a Title VI review notice sent out and a separate set of questions, data analysis and a separate compliance determination. The Title VI/ADA Program Manager requests that the subrecipient under review provide documentation before a scheduled telephone conference or onsite visit. Then, the Title VI/ADA Program Manager reviews the sub-recipient's responses and during the conference or onsite and provides feedback to the sub-recipient. By using this method, the Title VI/ADA Program Manager has been able to provide a same day verbal preliminary determination of compliance to the sub-recipient.

CONTRACTOR / CONSULTANT COMPLIANCE REVIEW PROCESS

1. The Economic Opportunity Division provides written notice to the contractor of the scheduled compliance review which usually occurs in conjunction with the contract compliance review of the subrecipient. This notice is mailed at least thirty (30) days before the submission of information is due and includes the due date, address, and required information and / or certifications; and notification to the contractor of its obligation to cooperate by providing records, allowing access to data and making staff and witnesses available.
2. Any person who fails to respond to a notice of compliance review, including the request for information, within the prescribed deadline shall receive written notification of his or her deficiency status. INDOT will send the Compliance Review Notice of Deficiency via certified mail. The subrecipient then has five (5) calendar days from the date of receipt to respond in writing.
3. Information received from the contractor / consultant is desk reviewed by the INDOT and a telephone call is scheduled to discuss preliminary deficiencies observed and to request additional information as necessary. An on-site visit may or may not be scheduled and conducting onsite evaluations is at INDOT's discretion.
4. When conducted, the onsite reviews consist of three phases and are conducted by the Title VI/ADA Program Manager, Compliance Specialist, or other trained EOD staff.
 - The first phase consists of a meeting with leadership and pertinent personnel. The reviewer will interview pertinent personnel and gather sufficient information to determine the sub-recipient's compliance. The reviewer uses the onsite review form to solicit and record information gathered during the onsite interviews. The Contractor's contract with INDOT requires the contractor to monitor its subrecipients and to include the assurances in its subcontracts.

- During the second phase of the onsite compliance review, the reviewer may tour the project site and interview personnel and subrecipients if this is necessary due to the nature of the project or the deficiency.
 - 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.
5. Preliminary Findings – Following the conclusion of the desk review and / or onsite review, the reviewer shall provide the contractor with a written report of preliminary findings which shall:
- Document any deficiencies observed and direct the contractor to come into compliance within 30 days.
 - Compliance Plan - Any deficiency which cannot possibly be resolved within 30 days shall be reflected in a compliance plan submitted to INDOT for approval within 30 days and shall include dates by which compliance will be achieved.
 - Notice of Achievement - In addition, it is the contractor’s responsibility to notify INDOT that it has achieved its approved compliance plan goals. Failure to provide such notice may place the contractor or consultant in deficiency status.

Examples of Title VI Deficiencies:

- Title VI Coordinator needs to participate in Title VI training;
 - Contracts do not contain nondiscrimination assurance language;
 - No method to solicit Disadvantaged Business Enterprises and/or businesses with meaningful minority representation; and beyond that, to solicit participation from the broader scope of Title VI protected individuals regardless of race, color, national origin, sex, sexual orientation, gender identity, age, disability, religion, income status, and limited English proficiency.
 - No method to provide services to LEP persons;
 - No Title VI complaint log;
 - No Title VI complaint and hearing procedure; and
 - No method to monitor race, ethnicity and gender of contractors.
- Failure to Comply: If the contractor does not voluntarily comply within 30 days of the original notification or by the agreed upon extension of time, INDOT will issue a notice of noncompliance. If the contractor 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.
6. Following the expiration of 30 days, INDOT will either:
- Certify the contractor’s compliance, or

- Issue a notice of noncompliance.

Copies of all notices will be provided to FHWA.

LPA SUBRECIPIENT MONITORING PROCEDURES

INDOT's subrecipient monitoring processes for cities, towns, and counties utilizes a tiered approach to ensure compliance. The lowest "tier" on the monitoring program is also the broadest and includes certifications and surveys. The top tier includes on-site compliance reviews and is reserved for a narrow subset of subrecipients selected using risk-based criteria explained below.

The current tiered subrecipient monitoring approach for Indiana communities who are subrecipients of federal funds via INDOT is as follows:

- Annual precertification survey
- Desk reviews of survey responses or applications submitted
- Certifications of compliance submitted at the time of application
- Letters of Commitment to resolve deficiencies existing at the time of application
- Action Plan review and monitoring for deficiency resolution
- Risk-based On-site Compliance Reviews

The Pre-Award Certification and Assurance is a self-reporting tool accessible online via the following link: <https://itap.indot.in.gov/>. The purpose of the Annual Pre-Award Certification and Assurances is to monitor LPA compliance with the civil rights laws on an ongoing basis. The Annual Pre-Award Certification and Assurance is an online survey that the LPA completes each year.

The LPA Annual Pre-Award Certification and Assurance outlines the basic requirements to ensure nondiscrimination in LPA transportation projects and is now used by INDOT to determine funding eligibility. An LPA or MPO must be Title VI and ADA compliant to be eligible to receive federal funds. INDOT is responsible for monitoring subrecipients to ensure compliance.

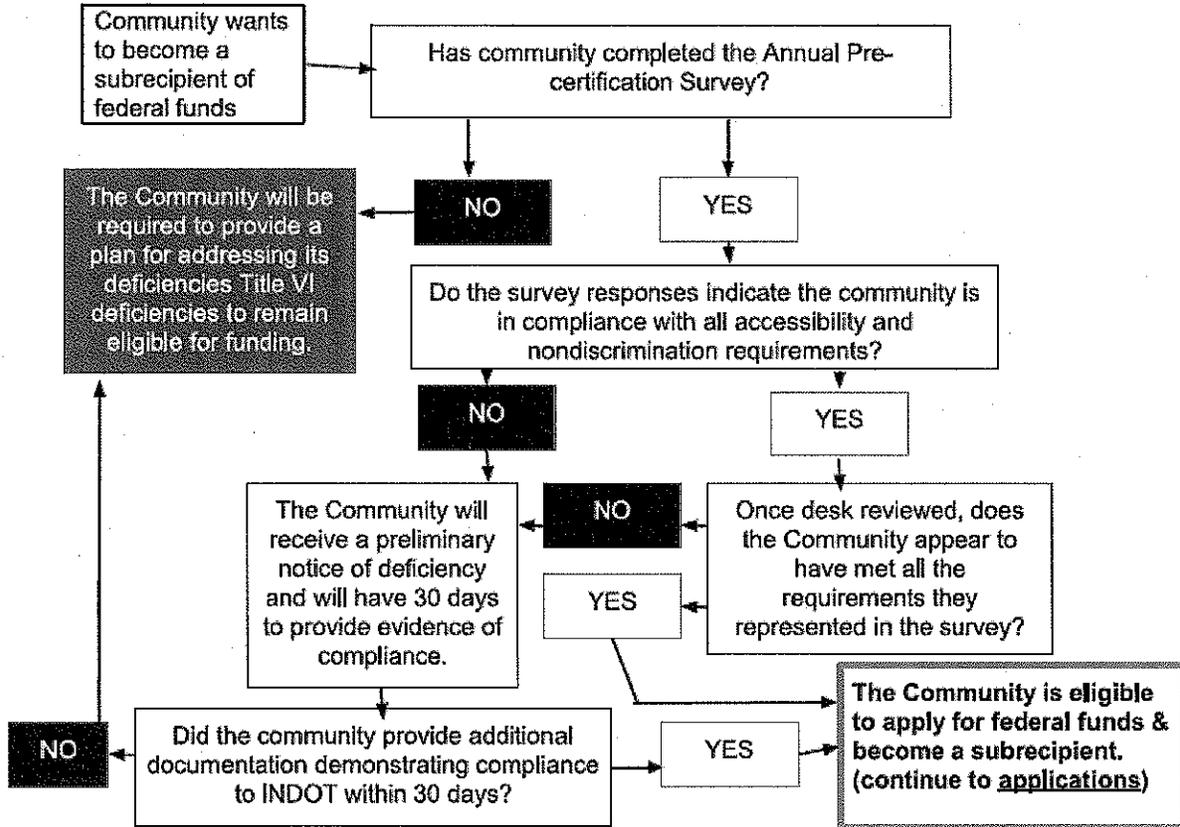
LPA PRE-AWARD SURVEY REVIEW PROCESS

For all categories of subrecipients, INDOT will make an effort to communicate clear expectations to potential and current subrecipients at the time of contracting with INDOT about what it expects in terms of compliance and what specifically it will require to demonstrate compliance.

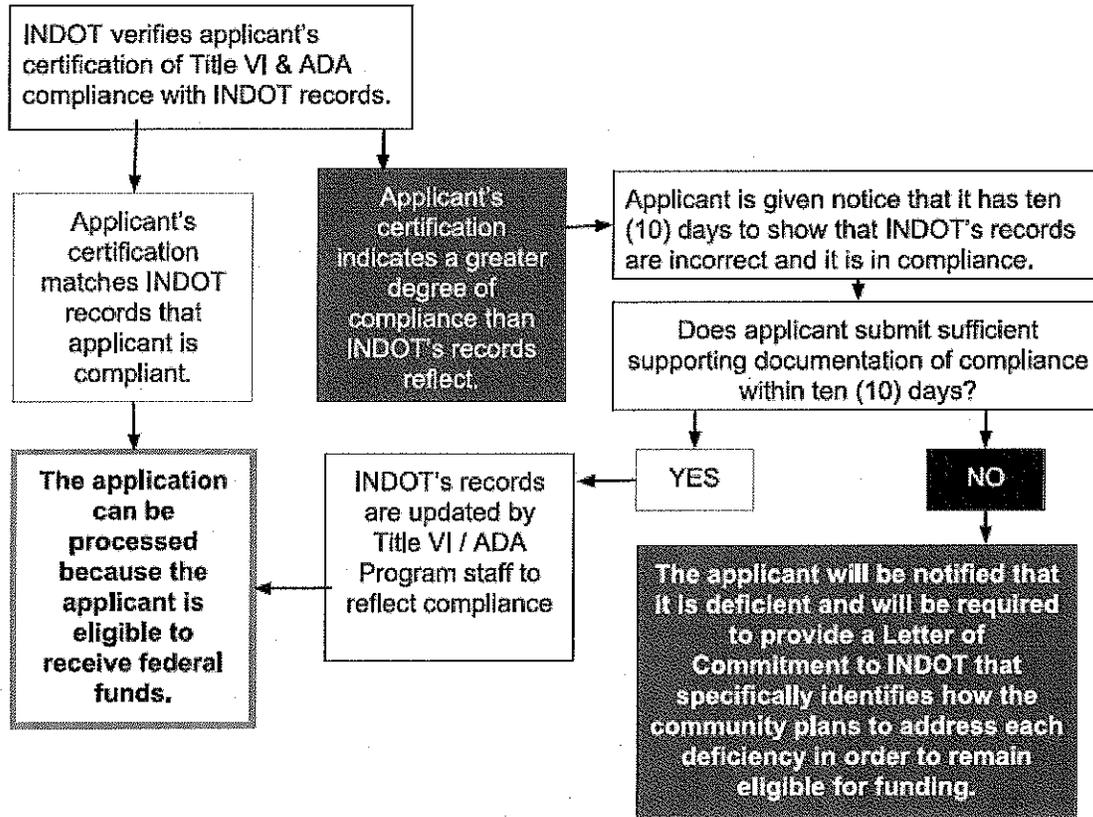
The flowcharts on the following pages illustrate how subrecipient monitoring works for LPA / MPO subrecipients. A discussion follows:

LPA / MPO SUBRECIPIENT REQUIREMENTS FLOWCHARTS:

SUBRECIPIENT ELIGIBILITY DETERMINATIONS



APPLICATIONS FOR FUNDING



The Annual Precertification Survey will form the basis of the pre-award subrecipient compliance monitoring program at INDOT as follows: (A copy of the survey is attached in Appendix G.)

- a. Desk review of annual precertification survey responses:
 - INDOT conducts a preliminary review of **all** responses submitted during the annual precertification survey period (currently June 30 to September 1 each year). This results in around 300 desk reviews of subrecipient surveys annually and form the foundation of INDOT's subrecipient monitoring program.
 - The compliance specialist looks at the website for each community to ensure information reported during the survey is accurate and contacts the LPAs directly to verify the same if necessary.
 - The objective of the precertification survey and desk review is to conduct a comprehensive baseline annual assessment of the statewide level of Title VI subrecipient compliance and to follow up each assessment with ongoing monitoring and technical assistance to deficient communities providing support until the deficiencies have been resolved.
- b. Preliminary Compliance Notifications:
 - LPAs who completed the survey will be notified of their preliminary compliance determination and whether or not they are eligible to apply for federal funds from INDOT without taking further action to address deficiencies.
 - LPAs who do not complete the survey but who have completed the survey in previous years will be notified of their noncompliant status and requested to update their information.
 - LPAs who have never completed the survey will not be notified.
- c. 30-day Compliance Review period:
 - Upon receipt of their notification of a preliminary determination of deficiency or noncompliance, the LPA will have thirty (30) days to provide additional documentation or evidence of compliance that will be considered as part of the annual precertification determination.
 - Once this thirty (30) day period has expired, INDOT will issue its final Annual LPA Compliance Report. LPAs who are deficient or noncompliant must provide a Letter of Commitment to INDOT specifically addressing each deficiency and how it will be resolved in order to remain eligible to receive federal funds via INDOT until they have resolved their deficiencies and been found in compliance. Applicants who do not provide letters of commitment may have their funding determinations deferred or other administrative action taken to address the noncompliance. A sample letter of commitment is included in Appendix D.
- d. Onsite Reviews target current subrecipients who are in noncompliance:
 - Onsite reviews may not be necessary, however onsite reviews may be performed during the precertification survey reviews process at the

discretion of the Title VI Program Manager or upon request of the subrecipient.

- Subrecipients who are already receiving funds from INDOT on one or more projects would likely require ongoing review for all but minor deficiencies.

PROJECTS & GRANT APPLICANT COMPLIANCE MONITORING PROCEDURES:

The following process describes how subrecipient monitoring is integrated into the project and grant application process at INDOT:

1. Statement of compliance submitted with application:
 - At the time of application, applicants submit a letter indicating their level of compliance with Title VI / ADA.
 - Representations made in the letter are cross-checked with our most recent reviews.
 - If the applicant indicates a higher level of compliance (i.e. Claims to have Title VI plan when our last review indicated they did not), the applicant must submit proof that the missing program element existed at the time of the last precertification survey (before September 1 of the most recent calendar year) and provide supporting documentation for review by the Title VI program staff.
2. 10-day Compliance Review period:
 - If received, supporting documents are forwarded to the Title VI Compliance Staff for consideration and,
 - If acceptable, changes are made to the compliance level indicated in the database.
3. A letter from INDOT's Title VI program staff will be sent to the applicant indicating whether or not the evidence has resulted in changes in eligibility for funding. The LPA division will be copied on this correspondence and noncompliant LPAs will be required to provide letters of commitment addressing their deficiencies or risk being considered ineligible for funding. A sample letter of commitment is included in [Appendix D](#).

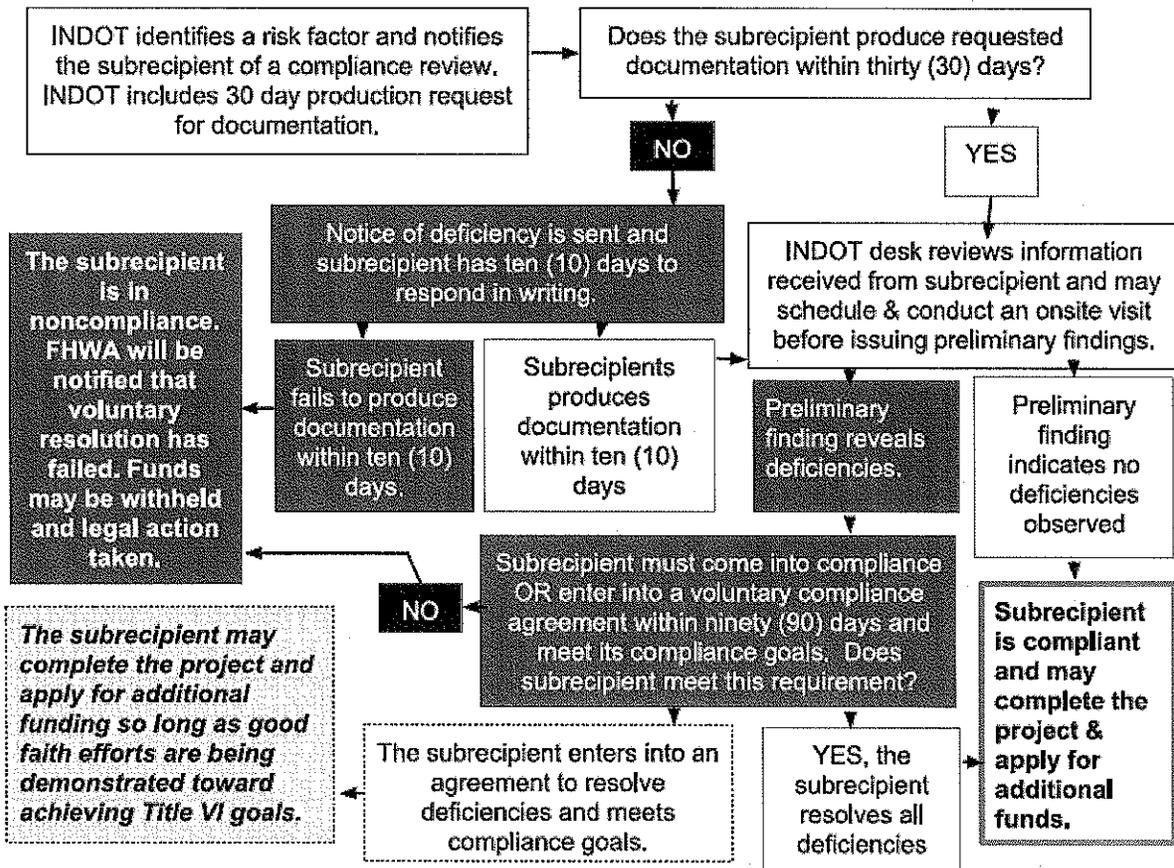
POST-AWARD SUBRECIPIENT COMPLIANCE MONITORING

Post-award Subrecipient Compliance Monitoring is focused on ensuring compliance with the assurances of nondiscrimination and is risk-based. A post-award risk-based compliance review may be conducted based upon the following:

- A high-dollar or high-impact project is being undertaken by the LPA. Impacts may or may not be related to minority, low income, disabled, or other specifically-protected individuals;
- The LPA has received a complaint of discrimination or INDOT has received a complaint about the LPA; or

- INDOT has other reason to suspect the LPA may not be in compliance with nondiscrimination requirements. This may be based upon the manner of construction of improvements, content present or absent from the LPAs website, responses of the LPA to the annual precertification survey or lack thereof, comments made in the official capacity of the LPA, actions taken that generate concern regarding the level of the LPAs compliance, or other reasonable basis identified by INDOT.

LPA / MPO Compliance Reviews



1. Notice of compliance review :

When a post-award compliance review commences, the Title VI program staff will send a notice of compliance review providing the reason for the review and a request for documents to the subrecipient.

- i. the subrecipient will have thirty (30) days to produce the requested documentation. FHWA's district office will also be notified of the post-award compliance review. Notice of deficiency or compliance:
- ii. Any subrecipient who fails to respond to a notice of compliance review, including the request for information, within the prescribed deadline shall receive written notification of his or her deficiency status from the Title VI Program Staff. (see preliminary findings below)

2. Desk review:

Information received from the subrecipient is desk reviewed by the Title VI Compliance staff and a telephone call is scheduled to discuss preliminary deficiencies observed and to request additional information as necessary.

The following factors will play a role in determining whether or not an onsite review is necessary:

- Deficiencies are directly related to improvements being constructed or maintained by the subrecipient;
- Deficiencies include missing entire program components or are otherwise considered major deficiencies;
- The subrecipient's program coordinator or representative has not been identified and / or does not appear to have the support of the executive leadership of the agency in ensuring program compliance;
- The review is based upon the receipt of a complaint

3. Preliminary Findings :

Following the conclusion of the desk review and / or onsite review, the reviewer shall provide the subrecipient with a written report of preliminary findings which shall:

- Document any deficiencies observed and direct the subrecipient to come into compliance within 90 days.
- Require that any deficiency which cannot possibly be resolved within 90 days shall be reflected in a compliance plan submitted to INDOT for approval within the 90 day period and shall include dates by which compliance will be achieved and specific action steps with identified task ownership.
- In addition, it is the subrecipient's responsibility to notify INDOT that it has achieved its approved compliance plan goals. Failure to provide such notice will place the contractor or consultant in deficiency status.
- Failure to Comply: If the subrecipient does not voluntarily comply within 90 days of the original notification, INDOT will issue a notice of noncompliance. If the subrecipient 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 and may then take or participate in other legally available action against the subrecipient for failure to comply.

4. Following the expiration of 90 days, INDOT with either:
 - Certify the current subrecipient compliant & eligibility to receive funds,
 - Identify the current subrecipient as deficient but on an approved corrective action plan, or
 - Issue a notice of noncompliance.
5. Copies of all notices will be provided to FHWA.

REQUIREMENTS FOR LPA'S DEFICIENCY RESOLUTION:

An LPA who completed the annual precertification survey may become compliant at any time by submitting sufficient documentation to the Title VI Compliance Specialist for review that demonstrates resolution of their deficiencies, however, INDOT requires time to review the documentation submitted and compliance determinations will not be able to be made in a manner that would improve eligibility at the time of application given the number of applications received and the tight timeframe. As a result letters of commitment are required to ensure the community is committed to addressing and resolving its deficiencies within a reasonable amount of time and can demonstrate a plan for doing so. (See **Appendix D.**)

RECORDKEEPING & REPORTING

INDOT shall maintain a log of all compliance reviews for three (3) years following the completion date of each review determined by the date the final compliance determination letter was sent to the subrecipient or the last action on the file, whichever is later. The Title VI/ADA Program Manager and Compliance Specialist 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 review file should contain the following documentation and evidence before INDOT notifies the sub-recipient of Title VI compliance²:

- 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 subrecipient's Title VI Implementation plan, if applicable,
- A copy of the subrecipient's nondiscrimination policy,
- A copy of the subrecipient's complaint log & policy,
- A copy or description of the sub-recipient's method used to monitor subrecipients, if any;
- A copy of the Title VI contract assurance language used in the subrecipient's contracts,
- A copy or description of the method of providing and soliciting contracting opportunities,
- Any notes or meeting minutes made by the reviewer and any exceptions, notes or objections provided by the subrecipients to be maintained in the file.

² This list may be revised during the VCAP period and periodically as the review process is further developed and implemented.

EXAMPLES OF TITLE VI DEFICIENCIES:

- Title VI coordinator has not been identified
- A Title VI Implementation Plan does not exist or meet requirements
- The subrecipient does not collect, analyze and report data sufficient to identify program areas where discrimination may occur.
 - The subrecipient does not address discrimination that occurs.
 - The subrecipient does not provide Title VI training to its staff.
 - The subrecipient does not sufficient nondiscrimination policies.
- Title VI Coordinator needs to participate in Title VI training;
- subcontracts do not contain nondiscrimination assurance language;
- No method exists to solicit participation from the broader scope of Title VI protected individuals regardless of race, color, national origin, sex, sexual orientation, gender identity, age, disability, religion, income status, and limited English proficiency.
- No method exists to provide services to LEP persons;
- No Title VI complaint log;
- No Title VI complaint and hearing procedure; and
- No method to monitor race, ethnicity and gender of subrecipients.

NONDISCRIMINATION & ACCESSIBILITY TRAINING

This section of INDOT's Title VI Implementation Plan describes how and when members of INDOT's own staff as well as subrecipients and others receive Title VI Training.

INDOT EMPLOYEE TITLE VI TRAINING

INDOT combines its nondiscrimination and accessibility training into one workshop for INDOT employees. Internal employee training is tiered with Title VI liaisons, program area representatives, and Civil Rights staff receiving the greatest degree of training while other INDOT employees receive training sufficient to ensure agency compliance with Title VI requirements.

INDOT University Online Nondiscrimination & Accessibility Training:

INDOT developed an online training module in 2015 that is available for all INDOT staff via INDOT University. District and Division management can schedule the online course to be made available for their staff during a time of year that works for their program area. Scheduling the course is as simple as providing a list of employee email addresses for each participant. Participants then receive an invitation to take the course. The online course includes an assessment that ensures adequate participation and knowledge retention since it is a self-learning tool.

Live Training Sessions: In person or Webinar available

In addition, "live" training can be scheduled via webinar or in person during program area conference and meetings or obtained by attending one of at least six (6) regularly scheduled brown bag "lunch and learn" training opportunities conducted in each INDOT district.

All Title VI liaisons and program area representatives receive in person training targeted at and tailored toward their work area and program requirements. Other employees may elect to take an online course that explains Title VI requirements and covers all related policies and procedures including:

- Nondiscrimination and Accessibility policies
- Complaint Processing
- Limited English Proficiency Requirements, and
- Environmental Justice.

SUBRECIPIENT AND STAKEHOLDER TRAINING

Subrecipients and stakeholders may receive training from INDOT Title VI Program Staff during the following training opportunities each year:

- INDOT-hosted workshops in each district
- Workshops as part of a larger conference (IACT, Purdue Road School, MPO Council Events)
- Webinars hosted by a third party

INDOT provides audience-specific training to subrecipients. Six (6) to (8) workshops hosted by INDOT are held around the state in each district separately tailored for LPA and Contractor / Consultant audiences. During these workshops INDOT communicates Title VI program requirements and provides technical assistance to subrecipients regarding their compliance efforts. INDOT has also developed a Subrecipient Toolkit to assist subrecipients with their own compliance efforts. This toolkit is available online at http://www.in.gov/indot/files/DBE_SubrecipientTechnicalAssistanceTool.pdf.

Many times additional training sessions are held by and through INDOT's participation in conference including those hosted by the MPO council, IACT, and Purdue Road School. INDOT also schedules and provides more intensive training seminars or "summits" as the need arises and often participates jointly with FHWA in these endeavors.

ENVIRONMENTAL JUSTICE

INDOT's Environmental Justice (EJ) Compliance efforts are a part of its Title VI compliance program. This section of INDOT's Title VI Plan describes how EJ considerations are integrated into INDOT's program areas. Minority and low income information is included on Public Involvement Surveys (**Appendix B**) and as a part of the demographic data collected where demographic data collection is an appropriate and necessary part of a program area's Title VI compliance efforts (e.g. Relocation). For specific current and ongoing data collection efforts, please see INDOT's Annual Goals and Accomplishments Report. All demographic data collection endeavors referenced include low income and minority information for the purposes of determining EJ impacts.

Data collected will be analyzed by the PARs and Program Area Liaison together with the Title VI Program Manager and / or Assigned Staff Attorney to conduct an appropriate benefits and burdens analysis. EJ populations are also included on INDOT's Nondiscrimination and Accessibility Complaint forms and are reflected throughout pertinent agency policies, such as INDOT's Public Involvement Policies. (See http://www.in.gov/indot/files/PI_PublicInvolvementManual_2012.pdf as an example.) When an issue arises, via complaint or otherwise, INDOT staff work together to evaluate whether or not changes in policy or practice are appropriate as part of the resolution of the issue.

Environmental Services Division:

Much of INDOT's EJ compliance is handled by and through INDOT's Environmental Services Division.

The goal of the Environmental Services Division is to ensure that INDOT identifies and addresses environmental needs during the development process of its projects. Within Environmental Services there are three sections: Cultural Resources, Ecology and Waterway Permitting and Environmental policy. The NEPA process considers environmental justice which is a component of Title VI and the division communicates these analyses to the Title VI Program Manager.

The Environmental Services division has three publications available to consultants and service providers to ensure they are aware of Title VI and ADA requirements. These include the INDOT CE Manual, the INDOT Procedural Manual, and the INDOT Equal Justice Policy. This division monitors compliance through the NEPA process. Requirements are discussed as early as planning stages while purpose and need are being assessed and during kick-off meetings.

Demographic data is collected from the census website for all EA and EIS projects. An environmental justice analysis is required for all EA and EIS projects as part of the NEPA document. This division works hard to ensure that there are not disproportionate and adverse impacts by INDOT projects.

This division conducts EJ analyses as part of the NEPA (National Environmental Policy Act) requirements. These analyses consider whether or not an EJ population exists, and, if so, what level of EJ analysis and reporting is required. Copies of these analyses are forwarded to the Title VI Program Manager, and are also maintained by the Environmental Services Division.

Training & Awareness of EJ Requirements:

Like many other areas of Title VI Compliance, awareness is vital to the success of the program. As such, EJ requirements are included in all of INDOT's internal and external training programs. These training sessions discuss how EJ issues can arise at any time from inception of a program through its completion and into maintenance of operations. Training encourages employees to identify and report potential EJ issues to Program Management to ensure proper consideration of any and all EJ issues that may arise as part of INDOT's operations or those of any subrecipient or stakeholder.

LIMITED ENGLISH PROFICIENCY (LEP)

One of INDOT's program goals 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. This section of INDOT's Title VI Implementation Plan discusses how INDOT reaches populations with Limited English Proficiency. Strategies INDOT uses to meet LEP requirements include:

- An ongoing self-assessment of LEP needs through the use of an LEP Report Form (**Appendix B**) coupled with employee training sufficient to create an effective monitoring program,
- An LEP Analysis (see **Appendix E**), and
- An LEP Plan (also in **Appendix E**.)

INDOT continues to strive to improve its data collection efforts to better track the actual number of LEP individuals encountered in the delivery of services so that INDOT may continue to evaluate the effectiveness of its LEP Implementation Plan. Training provided to INDOT employees in person or via the online module contains information about LEP requirements and tools INDOT uses to gather information on an ongoing basis about LEP needs. These tools consist of the use of the following: (Included in **Appendix E** as appropriate)

- Internal LEP Report Form
- "I Speak" Cards
- Ability of the public to request language services and translation services as appropriate
- Use of demographic information, not limited to but including census information to determine whether LEP resources and / or alternative advertising measures should be considered as part of public involvement activities.
- Employee language questionnaires

LEP information is included in INDOT's internal training and customer service staff will track, record, and monitor the number of LEP requests and individuals encountered. For more information on LEP, see **Appendix E**, INDOT LEP Analysis & LEP Plan.

ACCESSIBILITY (ADA)

Accessibility is necessarily a part of INDOT's Title VI Program as Title VI prohibits discrimination on the basis of disability. INDOT describes its accessibility programs in its ADA Transition Plan available online at <http://www.in.gov/indot/3036.htm>. INDOT aims to comply with the American's with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act by:

- Identifying an ADA Coordinator
- Maintaining a complaint policy and forms

- Ensuring public meetings and information made available online is accessible
- Adopted and utilizing its ADA Transition Plan
- Continued participation in an ADA Working Group for Public Involvement & Participation
- Use of an Internal Technical Advisory Committee for the consideration of Technical Infeasibility Requests to ensure that compliance to the maximum extent possible with accessibility requirements is achieved when constructing pedestrian facilities and accessible features of roadways.

Accessibility is also part of INDOT's internal and external Title VI Training.

PUBLIC INVOLVEMENT

INDOT has an Office of Public Involvement within its Communications Division. The current Public Hearings Manager in charge of this office is:

Rickie Clark
 Public Hearings Manager
 Indiana Department of Transportation, IGCN Room 755
 100 North Senate Avenue
 Indianapolis, IN 46204
 (317)232-6601
Rclark@indot.IN.gov

The Office of Public Involvement ensures that there is adequate public participation and input on INDOT policies, projects and planning. During public meetings the Office of Public Involvement disseminates public involvement surveys.

INDOT uses a voluntary public involvement survey (**Appendix B**) to collect information regarding persons affected by proposed transportation projects. The survey permits respondents to remain anonymous, while voluntarily answering questions regarding their, race, color, national origin, sex, sexual orientation, gender identity, age, disability status, religion, household income or limited English proficiency.

INDOT makes voluntary public involvement survey available at all public hearings and meetings. Additionally, the INDOT facilitator of the meeting or hearing is responsible for making 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 complete the survey.

INDOT retains completed surveys for three years from the date of the meeting and/or completion of the related project if applicable. These surveys are retained by the Title VI Program Manager.

INDOT public Policy Manual is currently under revision and due to have a draft completed by December 2015. The current manual can be found online at :

http://www.in.gov/indot/files/PI_PublicInvolvementManual_2012.pdf .

COMMUNICATIONS - CUSTOMER SERVICE CENTER

The Customer Service Center (CSC) within the Communications Division responds to, coordinates and manages all outside customer inquiries relating to Indiana transportation.

COMMUNICATIONS - OFFICE OF PUBLIC INVOLVEMENT

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

The role of INDOT's OPI is to ensure compliance with state and federal laws and regulations pertaining to public involvement in transportation decision-making including Title VI and related non-discrimination laws, rules and regulations. 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 at least a minimum level of public involvement, which must be documented and certified by the OPI for the project to proceed to the next stage of development. The goal of course is to exceed the minimum standards to maintain meaningful and effective levels of public involvement. Public involvement activities may include public hearings public meetings and 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, (2) inform the community where project related documents and preliminary design plans are available for public review, (3) solicit public comment on the proposed project, and (4) inform individuals with disabilities of the right to request an accommodation if needed so that the individual can participate in the public involvement process.

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 OPI purchases an Indiana Media Directory to identify, determine and coordinate legal notice publishing in Indiana newspapers and periodicals. INDOT determines where to publish legal notices and in what publications

on a case-by-case basis to achieve broad and effective public involvement on a non-discriminatory basis depending on the availability of such publications within a project area when applicable.

In addition to the above and through coordination and consultation with the project team (project manager, design and environmental, others) and upon assessing the project scope and level of impact, the OPI publishes legal notices in non-traditional and/or minority papers statewide on a project specific basis.

OPI performs the public involvement tasks for most INDOT projects. Frequently, for large-scale projects, a consultant is used and the public involvement tasks are included in the scope of the work performed by the consultant. OPI notifies consultants and professional service providers doing business with INDOT of INDOT's policies by using its public involvement listserv to communicate information.

Often, OPI will ask the consultant to perform public involvement activities to assist INDOT in areas of resources and support. When INDOT uses a consultant to perform the public involvement tasks for a project, the INDOT project manager for the project monitors and evaluates the consultant's performance. Additionally, to ensure that the consultants charged with performing the public involvement tasks complete the work satisfactorily, an OPI staff member's signature is required for all LPA and state projects to certify the completion of all public involvement tasks.

Additionally, the OPI uses listservs maintained by other INDOT divisions such as Environmental Services, Design and Local Public Agencies to communicate information to the consultant and professional service providers doing business with INDOT.

Collection of Demographic Information

OPI collects demographic information regarding the race, national origin, gender, disability status and age of the public during its delivery of services using the Voluntary Title VI Public Involvement Survey, which it makes available at public meetings and hearings. Additionally, OPI includes the survey in all of its mailings to property owners and project stakeholders that it routinely sends out in conjunction with the public involvement process for a project. The form is also available on the OPI web page for interested persons to print and submit to INDOT at their convenience.

Limited English Proficiency Services

The OPI did not receive any language requests during the reporting period. The OPI is currently taking steps to determine whether or not language line services can be obtained by INDOT.

Interpreter, Auxiliary Aides and Services

In 2013, OPI developed a standard operating procedure for processing requests for language services and requests for reasonable accommodations. A copy of the standard operating procedure is available on the INDOT website at <http://www.in.gov/indot/2366.htm>.

OPI also has a policy for responding to requests from the public for documents in Braille, large print, audio recording or accessible electronic format (such as email, CD or any other format that can be accessed with screen reader software.) OPI works with the State of Indiana’s Family & Social Services Administration Division of Aging and Disability to arrange the provision of auxiliary aids and services through their list of providers.

TITLE VI TECHNICAL ASSISTANCE TOOL UPDATE

INDOT completed the Title VI Technical Assistance Tool using its own best judgment without consultation with the FHWA based on the results of its internal reviews of its core programs. The results of INDOT’s internal assessment of its Title VI compliance efforts appear in the table below.

State Transportation Agency (STA) Responsibilities			
A. General:	Yes	No	P
1. Has the STA submitted Title VI nondiscrimination assurances to the Division? (<i>Considerations: within last 5 yrs, 2yrs, or longer</i>) (23 CFR 200.9(a)(1))	X		
2. Does the assurance certify that discrimination based on sex is prohibited? (23 CFR 200.9(a)(2))	X		
3. Does your assurance include Civil Rights provisions of other Federal statutes that prohibit discrimination? (23 CFR 200.5(p))	X		
4. Does the STA have a Civil Rights unit, e.g., an office or department? (<i>Considerations: Are the functions of your Civil Rights implementation delegated?</i>) (23 CFR 200.9(b)(1))	X		
5. Is the CR unit adequately staffed to effectively implement the State’s CR requirements? (23 CFR 200.9(b)(2)) (<i>Considerations: (a) The meaning of “adequate” is relative to each office with regard to overall staff responsibilities. There is no “magic figure” concerning the number of staff assigned implementation responsibilities. (b) Can your staff, in fact, implement the State’s Civil Rights requirements vs. simply knowing what is expected of them as staff?</i>)	X		
6. Has your STA included in its directives, specific discriminatory practices that are prohibited? (49 CFR 21.5(b)) (<i>Considerations: Do your STA’s directives prohibit practices such as, but not limited to: segregation or separate treatment in any part of the program; different standards or requirements for participation; discrimination in any employment resulting from a program?</i>)	X		
B. Implementation:			
1. Has the STA designated a Title VI Coordinator or Title VI Specialist? (23 CFR 200.9(b)(1))	X		
2. Does the Coordinator/Specialist have easy access to the Head of the STA? (23 CFR 200.9 (b)(1)) (<i>Consideration: With regard to “access”: Must the coordinator or specialist obtain permission from his/her supervisor or someone else before talking with the Head of the STA?</i>)	X		
3. Does the Title VI Coordinator/Specialist have the responsibility to monitor Title VI activities and prepare required reports? (23 CFR 200.9(b)(1))	X		
4. Has the STA provided or coordinated Title VI training? (<i>Consideration: within 1-3 yrs, attendees (# and disciplines)</i>) (23 CFR 200.9(b)(9))	X		

State Transportation Agency (STA) Responsibilities			
5. Has the Title VI Coordinator/Specialist submitted a Title VI Implementation Plan to the Division Office for approval? (23 CFR 200.9(b)(11)) (<i>Consideration:</i> Federal regulations require an updated State Title VI Implementation Plan every year.)	X		
6. Has the STA developed Title VI information for dissemination to the general public and, where appropriate, in languages other than English? (23 CFR 200.9a(b)(12)) (Considerations: a -The STA should have a demographic profile of the affected areas to determine this. b - Examples of dissemination vehicles: TV, radio, newspapers, town meetings, flyers, brochures, placement in public areas, etc.)	X		
7. Has the Title VI Coordinator/Specialist prepared an annual accomplishment report for the past year, and goals for the next year? (23 CFR 200.9(b)(10)) (<i>Note:</i> There is no need for a separate update if the accomplishment report contains one.)	X		
8. If your STA has received Federal Assistance through continuing State programs, has it established a Title VI compliance program for itself and its sub-recipients? (23 CFR 200.9(b) (5) (6), & (7)).	X		

C. Procedures			
	Yes	No	?
1. Has the STA developed procedures for processing and resolving Title VI complaints received directly by the STA? (23 CFR 200.9(b)(3))	X		
2. Are the complaints and a copy of the report of investigation forwarded to the Division Office within 60 days of the date the complaint was received by the STA? (23 CFR 200.9(b)(3))	X		
3. Does the STA have civil rights personnel trained in compliance investigations? (23 CFR 200.9(b)(3)) (<i>Examples:</i> Programs offered by the Graduate School in the U.S. Department of Agriculture; consultants in the areas of complaints and investigations; FHWA training sessions; or other certified trainers.)	X		
4. Does the STA have a Title VI log that identifies each Complainant by race, color, sex, or national origin, (23 CFR 200.9(b) (3)), age or disability (23 CFR 200.5) (p) (6)); by recipient; nature of complaint; dates the complaint was filed and the investigation completed; disposition; and other pertinent information? (23 CFR 200.9(b)(3))	X		
5. Does the STA have procedures to collect and analyze statistical data (e.g., race, color, sex, national origin) of participants and beneficiaries of the STA programs (i.e., relocatees, impacted citizens, and affected communities)? (23 CFR 200.9(b)(4))	X		
6. Has the STA established procedures to identify and eliminate discrimination when found? (23 CFR 200.9(b)(14))	X		
7. Has your STA used onsite compliance reviews to discover discriminatory practices? (See DOT Order 1000.12; and in general, 23 CFR 200.9)	X		
8. Has the STA established procedures for promptly resolving deficiencies and reducing to writing, the remedial action agreed to be necessary, within 90 days? (23 CFR 200.9(b)(15))	X		
9. In accordance with the State's signed assurances and regulation guidelines, does the STA take affirmative action to correct deficiencies when found by the FHWA? (23 CFR	X		

10. Has the STA established procedures for pre-grant and post-grant approval reviews of State programs and applicants for compliance with Title VI requirements (i.e., highway location, design and relocation, persons seeking contracts with the State)? (23 CFR 200.9(b)(13))	X		
11. Does your STA take [prompt] action to achieve voluntary compliance as its first objective? (23 CFR 200.11(d))	X		
12. Does your STA place an emphasis on community outreach and public education to inform funding recipients of the obligations imposed on them by Title VI? (23 CFR 200.9(b)(12))	X		
13. Are Title VI and related requirements included in the applicable State program directives? (23 CFR 200.9(b)(8))	X		
D. Program Reviews:	Yes	No	?
1. Has the STA developed a program to conduct Title VI reviews of program areas? (23 CFR 200.9(b)(5))	X		
2. Has the STA conducted annual Title VI Reviews of its [major] program areas to determine the effectiveness of program area activities at all levels? (23 CFR 200.9(a)(4)(b)(6))	X		
3. Has the STA conducted Title VI reviews of sub-recipients (i.e., cities, counties, consultants, contractors, colleges, universities, MPOs, and other recipients of Federal-aid highway funds)? (23 CFR 200.9(b)(7))	X		

APPENDICES

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APPENDIX A: INDOT'S TITLE VI TEAM REPRESENTING ITS KEY PROGRAM AREAS & DIVISIONS

GENERAL PROGRAM AREA & DISTRICT OFFICE RESPONSIBILITY MATRIX:

For a definition of a Title VI Liaison and a Program Area Representative (PAR), please see the definitions in Appendix F.

Responsibility	Ownership
Serves as primary point of contact for the INDOT Title VI Program Manager.	Liaison
Responsible for ensuring all employees in the Program Area are Trained in Title VI and Nondiscrimination Requirements.	Liaison
Responsible for ensuring discrimination does not occur in the program area.	Liaison & PARs
Responsible for ensuring regular communications occur regarding policies, practices, and issues within the program area between the liaison, PARs and program area staff.	Liaison & PARs
Responsible for identifying and analyzing nondiscrimination data collected in the program area	PARs
Responsible for reporting data collected & analyzed in the program area	Liaison
Responsible for resolving Title VI issues within the program area	Liaison, Title VI Program Manager & PARs
Responsible for developing agency nondiscrimination policies, processing complaints, and reporting on INDOT Title VI compliance.	Title VI Program Manager
Primarily responsible for subrecipient monitoring where subrecipients exist in the Program Area.	Liaisons, PARs, Title VI Compliance Specialist

LEGAL DIVISION

The legal division is responsible for ensuring compliance with the law in all contracts, transaction and interactions while also managing any litigation in which INDOT is involved. No PARs have been identified or determined necessary at this time.

PROGRAM AREA LIAISON & PARS:

Legal Division Title VI Liaison:**Teresa Giller, Attorney****Legal Division PARs:****(none)**

COMMUNICATIONS

The Communications Division is responsible for INDOT's:

- Website design and updates;
- Developing a public involvement policy for INDOT that adheres to federal requirements, coordinate and facilitate public involvement activities to adhere to the spirit of public participation in transportation decision making, produce and update as needed agency public involvement procedure;
- Responding to customer inquires via telephone email, letter, or walk in;
- Creating and distributing the employee newsletter, employee intranet, external annual report, web content writing, and agency videography;
- Writing and developing of presentations for the Commissioner to present to external audiences; and
- Designing, producing, print mounting, laminating and delivering electronic and hard communication solutions.

PROGRAM AREA LIAISON & PARS

Communication Title VI Liaison:**Rickie Clark, Public Hearings Manager****Communications PARs:****Executive****Linda McGrannahan-**

Communications Director	Roberson
Customer Satisfaction Manager	Lisa Wisely
Website	VACANT**

** Members of other divisions / program areas who may be a necessary part of this workflow. Their attendance and participation is deemed as necessary to be determined by the liaison.*

*** Vacant PAR roles shall be covered by the Program Area's Title VI liaison until filled.*

CONTRACT ADMINISTRATION

Contract Administration is responsible for acquiring contractors for both construction (low bid) and consultants for professional services (qualification based). INDOT reviews all federal-aid contracts and where subcontracting opportunities exist, In addition to Title VI compliance. INDOT sets DBE contract goals to increase minority and female participation in contracts with INDOT. Additionally, INDOT includes contract DBE goals in the advertisement of contracts.

The Contract Administration Division includes the Title VI Assurances and nondiscrimination language in all federal aid contracts. Pre-award contracts contain required Title VI language and post-award contracts also contain the Appendix A Assurances. Contracts are secured using a low-bid protocol for qualified companies regardless of race, color, national origin, religion, sex, sexual orientation, gender identity, disability, income status or limited English proficiency.

PROGRAM AREA LIAISON & PARS

Contracts Title VI Liaison:

Bob Cales, Director of Contract Administration &

Jeff Clanton, Professional Services Contract Manager

Contracts <u>PARs</u>:	Professional Services	Heather McIntosh
	Construction	Mike Beuchel
	MIS / technical Services	Rose Dunlap
	Prequalification*	Mark Tidd
	Contract Compliance*	David Alyea

	Title VI Compliance Specialist*	<i>Kimberly Radcliff</i>
	Legal*	<i>Theresa Giller</i>

** Members of other divisions / program areas who may be a necessary part of this workflow. Their attendance and participation is deemed as necessary to be determined by the liaison.*

CONSTRUCTION MANAGEMENT

INDOT's Construction Management Division is responsible for all construction activity on U.S. routes, state roads and interstates in the State of Indiana. This includes, but is not limited to, grading, sloping, placing culverts, paving or construction of new roadway, bridge maintenance and interchange modifications.

The Construction Division works with the district construction offices and the Title VI Program Manager, as well as EEO Officers when necessary to resolve problems on construction contracts. The division provides oversight of the statewide construction programs by setting policies and maintaining the technical manuals used by consultants. The division does not participate in the consultant selection process or direct hiring of technicians.

Construction management will be represented in the Contracting and Design workflows at this time.

ENVIRONMENTAL SERVICES DIVISION

The Environmental Services Division is the division responsible for conducting EJ analysis as part of the NEPA process. The program area for this team has been combined with representatives from the planning and scoping areas to promote cross-division communications regarding EJ and other Title VI issues.

PROGRAM AREA LIAISON & PARS

Environmental Title VI Liaison:

Ron Bales, NEPA Specialist

Environmental Justice <u>PARs</u>:	Director of the Environmental Division	Laura Hilden
	Director of Asset Management (&	Roy Nunnally*

Planning)

Scoping

Louis Feagans*

** Members of other divisions / program areas who may be a necessary part of this workflow. Their attendance and participation is deemed as necessary to be determined by the liaison.*

DISTRICT OFFICES

While acting in accordance with policies 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. That being said, INDOT Divisions have representatives in the district who report to and communicate with and through Central office to ensure consistency and a "one INDOT" mentality and operation.

INDOT has six districts:

- Crawfordsville,
- Greenfield,
- Fort Wayne,
- LaPorte,
- Seymour and
- Vincennes.

A District Deputy Commissioner who reports to the Operations Deputy Commissioner manages each district. 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 119 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.

The identification of liaisons and PARs at the district level demonstrates the level of Title VI integration at INDOT.

GREENFIELD DISTRICT LIAISON & PARS

Greenfield District Title VI Liaison:

**Jim Poturalski, Greenfield District Deputy
Commissioner & Technical Services Director**

Greenfield District <u>PARs</u>:	Technical Services	Jim Poturalski
	Administration	Cindy Parker
	Hvy Equip/Bridge Mnt 3	J.D. Brooks
	Traffic, Highway Maintenance & B&G Highway Maintenance 3	J.D. Brooks / Brenda Smoot
	Construction	Sheri Reed
	Indianapolis Maintenance / Fleet	Terry George / Shelly Ballard
	Greenfield Maintenance / Fleet	Tracy Johnson
	Cambridge City Maintenance / Fleet	Jonna Miller
	Tipton Maintenance / Fleet	Patricia Burkett
	Albany Maintenance / Fleet	Barbara Todd
	Capital Programs	Heather Johnson

SEYMOUR DISTRICT LIAISON & PARS

Seymour District Title VI Liaison:

Jim Ude, Special Projects Engineer

Seymour District <u>PARs</u>:	Customer Service	Glenda Seal
	Human Resources	Nikki Reynolds
	Technical Services	Jim Ude

Highway Maintenance

Julie Feltner

VINCENNES DISTRICT LIAISON & PARS

Vincennes District Title VI Liaison:

Ernie Stoops, Capital Programs Manager

Vincennes District PARs:

Communications

Jason Tiller

Technical Services Director

Valerie Cockrum

District Deputy
Commissioner

Rusty Fowler

CRAWFORDSVILLE DISTRICT LIAISON & PARS

Crawfordsville District Title VI Liaison:

Heather Kennedy, Capital Programs Manager

Crawfordsville District PARs:

Maintenance Director

Larry Vaughn

Communications Director

Debbie Calder

Systems Assessment
Manager

Bill Smith

Technical Services Director

Bob Montgomery

District Deputy
Commissioner

Alan Plunkett

LAPORTE DISTRICT LIAISON & PARS

LaPorte District Title VI Liaison:

Steven Vanes, Technical Services Asset Engineer

LaPorte District PARs:

Operations Analyst

Katherine Penninga

Media Relations Director	Doug Moats
Capital Programs	Amanda Sixbury
	Edgar Zambrano
Construction	Katrina Rogan

FT. WAYNE DISTRICT LIAISON & PARS

Ft. Wayne District Title VI Liaison:

Jason Kaiser, Technical Services Director

Ft. Wayne District <u>PARs</u>:	Technical Services	Jason Kaiser
	Admin Professional for DDC	Katrise Hawkins
	CPM Project Manager	Russ Hoff
	CPM Right of Way Services Manager	Matt Witt
	Construction Project Engineer	Terry Olding
	Construction Area Engineer	Nate Whitacre
	Admin Professional for HMD	Renaye Newsome
	Maintenance Buildings and Grounds supervisor	Brian Hill*
	Maintenance HT Heavy Equipment Operator	Joe Ortiz*
	Tech Services System Assessment Manager	Lew Kreeger
	Tech Services Testing HT	Cherilynn Hull

TALENT MANAGEMENT & HUMAN RESOURCES

Effectively managing top talent is critical to INDOT's success. The Talent Management Department enhances the overall training experience by providing access to existing training and logistics assistance for INDOT trainers and provides creative training resources and development opportunities, while building talent pipeline programs to plan for the future and invest in the next generation of talent.

HUMAN RESOURCES & RECRUITING

The Human Resources (HR) Department, which is part of the Indiana State Personnel 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 and university outreach including University of Louisville, IUPUI, Rose-Hulman Institute of Technology, Notre Dame, Purdue University, University of Evansville, Tine University, University of Southern Indiana, Valparaiso University, IPFW, Indiana State University, Anderson university, Ball State University, Butler University, Indiana University Bloomington, Kokomo, South Bend, Southeast and Southwest, and Taylor University..

The Division advertises on Careers.in.gov, in.gov, Post Job Free, Zip Recruiter, Facebook, LinkedIn, Twitter, CareerBuilder, Hire a Vet, Indiana Career Connect, Indiana Intern, Internships.com, and with job boards for many of the above universities. It maintains required notices and posters and collects voluntary demographic data to determine the populations being served by the Agency and identify whether the agency is underutilizing women and minorities.

PROGRAM AREA LIAISON & PARS

**Talent Management & Human Resources Title VI
Liaison:** Steve Fanning, INDOT University Manager
(Transitioning out of this role in 2016)

Talent Management & Human Resources <u>PARS</u>:	Talent Management Director	Heather Devocelle
	Deputy Commissioner of Human Resources	VACANT
	Human Resources Manager	Angela Roosa

OPERATIONS & FACILITIES MANAGEMENT

Operations includes oversight of district offices, maintenance and snow removal. Facilities Management plans, constructs and maintains INDOT structural facility inventory. This includes district offices and labs, salt buildings, maintenance buildings (units and sub-district buildings, rest areas and welcome centers and weight stations.)

INDOT has Title VI representatives assigned to every facility with public access and has provided training to its maintenance and operations staff in 2014-15.

PROGRAM AREA LIAISON & PARS

Operations / Maintenance Title VI Liaison: **Todd Shields, Maintenance Field Support Manager**

Operations / Maintenance <u>PARs</u>:	Maintenance Director	Jason Jones
	Subdistrict Representatives	AA6's in each subdistrict (see below)

Subdistrict Title VI PARs for 2015-16:

District	Subdistrict	Last Name	First Name	Position
Crawfordsville	Terre Haute	Powers	Lisa	Admin Asst
Crawfordsville	Crawfordsville	Groves	Brook	Admin Asst
Crawfordsville	Fowler	Stinson	Cathy	Admin Asst
Crawfordsville	Frankfort	Gregory	Amy	Admin Asst
Crawfordsville	Cloverdale	Devyllder	Brenda	Admin Asst

Fort Wayne	Bluffton	Athan	Heather	Admin Asst
Fort Wayne	Fort Wayne	Hart	Jennifer	Admin Asst
Fort Wayne	Wabash	Drudge	Debra	Admin Asst
Fort Wayne	Elkhart	Flutes	Regina	Admin Asst
Greenfield	Indianapolis	Ballard	Shelly	Admin Asst
Greenfield	Greenfield	Johnson	Tracey	Admin Asst
Greenfield	Cambridge City	Miller	Jonna	Admin Asst
Greenfield	Tipton	Burket	Patty	Admin Asst
Greenfield	Albany	Todd	Barbara	Admin Asst
LaPorte	Monticello	Banes	Kim	Admin Asst
LaPorte	Rensselaer	Conley	Neenah	Admin Asst
LaPorte	Gary	Armand	Brenda	Admin Asst
LaPorte	Laporte	Stewart	Jeanie	Admin Asst
LaPorte	Plymouth	Cripe	Terry	Admin Asst
Seymour	Falls City	Brown	Annette	Admin Asst
Seymour	Madison	Gibson	Kay	Admin Asst

Seymour	Aurora	Hartwell	Terri	Admin Asst
Seymour	Columbus	Capes	Katelyn	Admin Asst
Seymour	Bloomington	Galyan	Teresa	Admin Asst
Vincennes	Linton	Farris	Patty	Admin Asst
Vincennes	Vincennes	Martin	Eva	Admin Asst
Vincennes	Evansville	Ward	Brenda	Admin Asst
Vincennes	Tell City	Dougan	Sarah	Admin Asst
Vincennes	Paoli	Newline	Carla	Admin Asst

DESIGN PROGRAM AREA

The goal of Highway Design Services is to set road design policy, assist with roadway standard. Review all LPA and state plans for conformance to standards both in house and within districts. The in-house staff is also tasked with producing as many roadways projects as possible. In addition, other program areas such as bridge design, pavement, standards, and right-of-way are integral to the design process that the program area team has been expanded to broaden the representation of this program as reflected within the VCAP document.

PROGRAM AREA LIAISON & PARS

Design Title VI Liaison:

John Wright, Director

Design Process PARs:

**ADA TAC
Representative**

Russ Brittain

Bridges

Greg Klevitsky

Local Project Review

Herb Davis

INDOT Project review	Shariq Husain
INDOT Project design	Elena Veksler
Design Standards	Katherine Smutzer
Right-of-way	Todd Clift*
Utilities	Gail Lee*

* Members of other divisions / program areas who may be a necessary part of this workflow. Their attendance and participation is deemed as necessary to be determined by the liaison.

LPA AND MPO PROGRAM AREA

The LPA/MPO Division assists Local Public Agencies (LPA) and Metropolitan Planning Organizations (MPO) in carrying out local transportation projects. It also assists the Title VI and ADA Program Manager in training, certification and oversight of LPA/MPO compliance. The capital programs division oversees construction and management of the local projects.

The Division successfully implemented the LPA Annual Pre-Award Certification and Assurance surveys and is now utilizing this information to determine eligibility for funding. They communicate Title VI and ADA training opportunities to LPA and MPO subrecipients and have included this information as part of ERC training sessions hosted by the program area. LPAs who are not compliant with Title VI and ADA requirements will not be eligible to receive funding for future projects.

PROGRAM AREA LIAISON & PARS

LPA Program Title VI Liaison:

Michael Cales, ITAP Administrator

LPA Program <u>PARs</u>:	Training	Vacant
	Funding & Contracts	Stephani Vermillion
	Policy & Guidance	Brenda Fox
	Project Support*	<i>Trevor Mills, Director of Project Support</i>
	Grant Administrator	Ann Bishop
	Newsletter &	Jennifer Beck

Communications	
Division Director	Kathy Eaton-McKalip
Title VI Compliance Specialist*	Kimberly Radcliff

** Members of other divisions / program areas who may be a necessary part of this workflow.*

MULTIMODAL TRANSPORTATION PROGRAM AREAS

INDOT’s office of transit has its own Title VI Implementation plan that is provided to FTA. Transit has been included in INDOT’s FHWA Implementation plan, however, moving forward, INDOT would refer FHWA and the public to transit’s plan for Title VI information beyond general information. For the purposes of this plan, INDOT is broadening the scope of its multimodal team to include representation from all areas of the division (including freight & rail) to ensure adequate training of employees and awareness of nondiscrimination requirements exists.

INDOT’s Office of Transit provides financial and technical assistance to 64 public transit systems across the state, which results in support for more than 36 million passenger trips annually. INDOT additionally provides financial assistance to over 100 specialized transportation providers around the state. INDOT’s role in the state’s public transit system is mainly financial – administering millions of dollars through funds including the Public Mass Transportation Fund (PMTF), Rural Transit Program, Commuter Rail Service Fund and the Specialized Transit Fund.

INDOT considers public transit to be an essential service that supports local and state goals for safety, mobility, economic growth, energy conservation and quality of life.

REAL ESTATE

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. The Real Estate Division consists of the following three sections: acquisition (buying and condemnation), relocation and property management services.

ACQUISITION

During the acquisition process, the Real Estate Division seeks to include all persons regardless of race, color, national origin, age, sex, sexual orientation, gender identity, disability, religion, income status or

limited English proficiency in the process. As such, INDOT reviews each right of way contract and where subcontracting opportunities exist, INDOT sets a contract goal for 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, because 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.

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.

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 require 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.

When INDOT hires appraisers and brokers or any other consultant involved in the real estate division's work, equal opportunity is the protocol. All interested parties must apply through the pre-qualification process.

PROGRAM AREA LIAISON & PARS

Real Estate Division Title VI Liaison:

Todd Clift, Real Estate Support Manager

Real Estate Division PARs:

Appraising	Jim Crall
Relocation	Todd Clift
Buying	Todd Clift
LPAs*	Todd Clift
LRS Technical Services	Lora Woods

** LPA PAR may be asked to participate in LPA Program Area issues as necessary.*

RESEARCH AND DEVELOPMENT

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.

Research and Development is responsible for the delivery of service in the following four areas: (1) Research, Development and Technology Transfer (RDT), (2) Specialized Testing, (3) Forensic Investigations and (4) Technical Training. To help fulfill this responsibility, the research program reaches, in coordination with the Joint Transportation Research Program (JTRP), into Indiana's universities and associations, and Indiana industry and national affiliations for expertise and technical assistance in solving INDOT's transportation challenges.

University subrecipients will be monitored by the Research Division and the Title VI compliance specialist and a compliance review of the primary university subrecipient, Purdue University, will be conducted in the fall of 2015.

PROGRAM AREA LIAISON & PARS

Research Division Title VI Liaison:

Mary Phillips, Business Administrator

Research Division PARs:

Director

Barry Partridge

JTRP Office

Debbie Horton

(Additional PARS TBD)

(pending)

Title VI Compliance Specialist*

Kimberly Radcliff

** Members of other divisions / program areas who may be a necessary part of this workflow. Their attendance and participation is deemed as necessary to be determined by the liaison.*

TRAFFIC ENGINEERING, MAINTENANCE & DESIGN

This program area was recently added to INDOT's Title VI workflow to ensure discrimination does not result from INDOT's traffic signal and traffic maintenance installation or operation.

PROGRAM AREA LIAISON & PARS

Traffic Programs Title VI Liaison:

Brad Steckler, Director of Traffic Engineering

Traffic Programs PARs:

Corridor Development Karl Leet

Traffic Administration Lalit Garg

Traffic Safety Kevin Knoke

APPENDIX E: INDOT LEP ANALYSIS & LEP PLAN

According to the U.S. Census Bureau 2007-2011 American Community Survey (ACS) data, over the five-year period from 2007-2011, approximately 2.60% of the population in Indiana reported that they speak English less than very well. Furthermore, 20 Indiana counties have populations where more than 2.60% of their total population reported that they speak English less than very well.

In addition, the Census 2010 American Community Survey states that 20.6% of Indiana's population age five years and older speak a language other than English at home. Of that figure, 42.4% indicated that they speak English "less than very well." Moreover, 55.3% of those who speak a language other than English at home speak Spanish or Spanish Creole.

SCOPE:

The scope of this analysis is limited to a county level evaluation of the 92 counties in Indiana and a review of the proportion of persons who have a limited ability to speak English using the American Community Survey measure of individuals who self-reported that they "*speak English less than very well.*"

METHODOLOGY:

INDOT based its four-factor analysis on the U.S. Census Bureau 2007-2011 American Community Survey (ACS) data.

ANALYSIS:

Factor 1: The number or proportion of LEP persons served or encountered in the eligible service population

Using the American FactFinder website to locate census data, INDOT downloaded information from the table "B16001- Languages Spoken at Home by Ability to Speak English for the Populations 5 Years and Over" and calculated the total percentage of individuals for each county who reported that they spoke English less than very well. INDOT elected to use the information contained in this table for its LEP analysis because it gives the most detailed information available. The ACS uses continuous data collection methods to provide free updates regarding population demographics.

According to the data over the five-year period from 2007-2011, approximately 2.60% of the population in Indiana reported that they speak English less than very well. Furthermore, 20 Indiana counties have populations where more than 2.60% of their total population reported that they speak English less than very well.

The highlighted counties in the table below are locations where the proportion of persons who reported that they spoke English less than very well exceeds the proportion of individuals in Indiana who report that they speak English less than very well.

Proportion of LEP Persons in Indiana's 92 Counties per 2007-2011 ACS			
Location	Estimated Population	Estimated Population that Speaks English Less than Very Well	Percentage Who Speak English Less than Very Well
Indiana (Statewide)	6,020,973	156,396	2.60
Allen	327,249	12,637	3.86
Bartholomew	71,292	2,785	3.91
Benton	8,203	162	1.97
Blackford	12,086	14	0.12
Boone	51,818	579	1.12
Brown	14,495	117	0.81
Carroll	18,898	375	1.98
Cass	36,194	2,620	7.24

Proportion of LEP Persons in Indiana's 92 Counties per 2007-2011 ACS

Location	Estimated Population	Estimated Population that Speaks English Less than Very Well	Percentage Who Speak English Less than Very Well
Clark	101,627	2,503	2.46
Clay County	25,262	93	0.37
Clinton	30,713	2,087	6.80
Crawford	10,064	28	0.28
Daviess	28,755	1,317	4.58
Dearborn	46,756	272	0.58
Decatur	23,983	135	0.56
DeKalb	39,302	390	0.99
Delaware	111,147	1,313	1.18
Dubois	39,211	1,386	3.53
Elkhart	181,396	15,115	8.33
Fayette	22,822	162	0.71
Floyd	69,654	877	1.26

Proportion of LEP Persons in Indiana's 92 Counties per 2007-2011 ACS

Location	Estimated Population	Estimated Population that Speaks English Less than Very Well	Percentage Who Speak English Less than Very Well
Fountain	16,223	166	1.02
Franklin	21,754	126	0.58
Fulton	19,373	431	2.22
Gibson	31,230	196	0.63
Grant	66,061	710	1.07
Greene	31,061	112	0.36
Hamilton	247,711	6,485	2.62
Hancock	64,850	487	0.75
Harrison	36,598	168	0.46
Hendricks	133,166	2,079	1.56
Henry	47,478	99	0.21
Howard	77,896	863	1.11
Huntington	34,935	161	0.46

Proportion of LEP Persons in Indiana's 92 Counties per 2007-2011 ACS

Location	Estimated Population	Estimated Population that Speaks English Less than Very Well	Percentage Who Speak English Less than Very Well
Jackson	39,336	1,382	3.51
Jasper	31,048	282	0.91
Jay	19,884	197	0.99
Jefferson	30,523	337	1.10
Jennings	26,560	163	0.61
Johnson	128,720	1,667	1.30
Knox	36,136	370	1.02
Kosciusko	71,767	2,559	3.57
LaGrange	33,416	4,895	14.65
Lake	461,665	22,686	4.91
LaPorte	104,638	2,255	2.16
Lawrence	43,550	217	0.50
Madison	123,267	1,235	1.00

Proportion of LEP Persons in Indiana's 92 Counties per 2007-2011 ACS

Location	Estimated Population	Estimated Population that Speaks English Less than Very Well	Percentage Who Speak English Less than Very Well
Marion	829,685	10,851	1.31
Marshall	43,665	2,139	4.90
Martin	9,659	55	0.57
Miami	34,747	143	0.41
Monroe	129,885	4,289	3.30
Montgomery	35,825	988	2.76
Morgan	64,584	351	0.54
Newtown	13,468	203	1.51
Noble	44,088	2,332	5.29
Ohio	5,779	8	0.14
Orange	18,662	214	1.15
Owen	20,408	186	0.91
Parke	16,387	501	3.06

Proportion of LEP Persons in Indiana's 92 Counties per 2007-2011 ACS

Location	Estimated Population	Estimated Population that Speaks English Less than Very Well	Percentage Who Speak English Less than Very Well
Perry	18,148	97	0.53
Pike	12,152	37	0.30
Porter	153,557	2,790	1.82
Posey	24,547	145	0.59
Pulaski	12,746	55	0.43
Putnam	36,146	459	1.27
Randolph	24,725	427	1.73
Ripley	26,739	247	0.92
Rush	16,465	218	1.32
Scott	22,649	213	0.94
Shelby	41,564	719	1.73
Spencer	19,762	357	1.81
St. Joseph	248,839	8,000	3.21

Proportion of LEP Persons in Indiana's 92 Counties per 2007-2011 ACS

Location	Estimated Population	Estimated Population that Speaks English Less than Very Well	Percentage Who Speak English Less than Very Well
Starke	21,868	303	1.39
Steuben	32,153	417	1.30
Sullivan	20,341	252	1.24
Switzerland	9,714	184	1.89
Tippecanoe	160,066	8,223	5.14
Tipton	15,205	137	0.90
Union	7,038	26	0.37
Vanderburgh	167,373	2,509	1.50
Vermillion	15,406	55	0.36
Vigo	101,315	1,576	1.56
Wabash	31,086	344	1.11
Warren	8,030	25	0.31
Warrick	55,244	335	0.61

Proportion of LEP Persons in Indiana's 92 Counties per 2007-2011 ACS			
Location	Estimated Population	Estimated Population that Speaks English Less than Very Well	Percentage Who Speak English Less than Very Well
Washington	26,553	133	0.50
Wayne	64,624	1,308	2.02
Wells	25,950	168	0.65
White	23,217	741	3.19
Whitley	30,981	156	0.50

Factor 2: The frequency with which LEP individuals encounter INDOT's programs, activities or services

In 2010, INDOT began conducting annual reviews of its core programs, which include an LEP component. INDOT has since included LEP training as part of its employee training materials and has a PAR in every district and subdistrict, as well as INDOT's customer service division, who will be trained in procedures for tracking and monitoring LEP requests and encounters with LEP individuals. "I Speak Cards" are being made available to these front-line staff in 2015-16 together with an LEP Report Form used to collect and track LEP requests and needs.

INDOT's goal is to improve its data collection efforts to better track the actual number of LEP individuals encountered in the delivery of services so that INDOT may continue to evaluate the effectiveness of its LEP Implementation Plan and provide effective communication and meaningful access to its programs and opportunities for LEP populations so they may fully engage in the transportation planning process.

Factor 3: Nature and importance of the programs, activities or services provided by INDOT

The services provided by INDOT are important service that can have great impact on LEP persons. Indiana citizens play a substantial role in shaping the transportation decisions that will affect their communities. Residents rely on the transportation system to move around their communities and

through the state for work and pleasure. Visitors rely on the system to reach their destinations and return safely home. Businesses rely on the system to move products and materials. A solid transportation system is one of the top three drivers for economic development. In addition to their reliance on the system to meet transportation needs, all of these users have a stake in transportation decisions because they are taxpayers.

Factor 4: Agency Available Resources

INDOT has the following resources available to provide language services as the need arises in the delivery of its services and programs.

- An LEP plan, which is included in INDOT's Title VI Implementation Plan that outlines how INDOT is to provide language assistance to the LEP population
- Quantity Purchase Agreements (QPAs) for interpretation services Face-to-Face. QPAs are contracts between the State of Indiana and vendors in which commodities are supplied to Indiana State Agencies on an on-going, as-needed basis. QPAs benefit the state by enabling the state to aggregate its purchases to achieve bulk pricing. INDOT awards QPAs via the competitive bid process. INDOT does not have a QPA for documentation translations. Instead, INDOT obtains document translations on an as needed basis via its traditional procurement process.
- A listing of multilingual employees who have agreed to provide volunteer translation and interpretation services on an as needed basis as determined by an employee questionnaire provided upon hire.

INDOT'S 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. INDOT's current in-person and online training materials for employees include LEP requirements and policies. Training will be updated as these policies change.

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. The challenge with this approach is that very few individuals self-identify as both bilingual and willing to provide translation services.

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.

APPENDIX F: DEFINITIONS

GENERAL 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 complainant or an authorized representative of the complainant must sign the complaint.
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 200.5(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, 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. ³ IC 5-15-5.1-6.5
Native Hawaiian or	A person having origins in any of the original peoples of
Other Pacific Islander	Hawaii, Guam, Samoa or other Pacific Islands. 62 FR 58782-01
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," or "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

³ 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.

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 sub-recipient 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

INDOT PROGRAM DEFINITIONS

The following definitions are practical definitions of terms of art, acronyms, and key terms used in this Voluntary Corrective Action Plan (VCAP). These are not intended to be legal definitions but are included to assist the reader in understanding the obligations and processes discussed herein.

- ADA -** The Americans with Disabilities Act of 1990, (Title II of the Americans with Disabilities Act of 1990) also used to refer to accessibility requirements for programs and facilities developed by recipients of federal funds.
- Assurances -** The Title VI assurances of nondiscrimination signed by every recipient and subrecipient of federal funds. The Assurances transfer the obligation to demonstrate effective nondiscrimination practices and policies along with the federal funds to ensure tax dollars benefit all people without discrimination.
- EJ -** Environmental Justice. Environmental justice refers to the requirement that projects and programs are evaluated to determine whether or not they disparately impact low income and minority populations and to ensure that public participation is sought when EJ impact exist and mitigation measures employed whenever possible. See also Executive Order 12898 .
- FHWA -** Refers to the Federal Highway Administration
- INDOT -** Refers to the Indiana Department of Transportation
- Liaison -** The primary point of contact for INDOT's Title VI Manager in each program area, district, or division who is responsible for ensuring his or her program area is in compliance with all nondiscrimination requirements jointly wit the Title VI Program Manager and other designated Program Area Representatives (PARs)
- LEP -** Refers to persons and populations with limited English proficiency.
- LPA -** Local Public Agency, often a city or town.
- MPO -** Metropolitan Planning Organization, typically associated with the County.
- PAR -** INDOT employees who are Program Area Representatives who work with the Title VI Liaison for their program area to collect, analyze and report data and to ensure the program area complies with nondiscrimination requirements. PARs must, at a

minimum, be Title VI trained and participate in program area nondiscrimination meetings and / or conference calls as deemed necessary by the Title VI liaison.

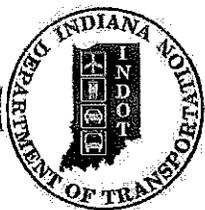
Recipient - Any person, agency or company who had received any amount of federal funds. All recipients are required to comply with Title VI and all other nondiscrimination requirements arising from federal law and / or the signed assurances of nondiscrimination.

STA- State transportation agency / agencies, of which INDOT is one example.

Subrecipient - A recipient of federal funds who received those funds by and through an intermediary recipient making them a subrecipient. Subrecipients have the same obligations as a recipient but their compliance with nondiscrimination requirements is monitored primarily by the recipient of federal funds. E.g. – INDOT awards federal funds to a city. INDOT is primary recipient and the city is a subrecipient. The city now has an obligation to comply with nondiscrimination laws incorporated into the local public agreement and INDOT has an obligation to monitor the city's compliance.

VCAP - Voluntary Corrective Action Plan. This document is used to demonstrate good faith efforts of a recipient or subrecipient to comply with nondiscrimination requirements once that recipient or subrecipient has been found deficient in their compliance efforts.

APPENDIX B: FORMS INDOT USES TO COLLECT DATA



INDIANA DEPARTMENT OF TRANSPORTATION

As we receive and use public (federal) funds, the Indiana Department of Transportation (INDOT) has developed this survey to ensure our programs do not result in discrimination. This survey gathers data about the beneficiaries of federal-aid highway programs and activities (23 CFR 200.9 (b)(4)). INDOT is distributing this voluntary survey to make sure our projects benefit everyone equally. Your response is important as it helps us better serve you.

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 the Title VI of the Civil Rights Act of 1964, as amended and its related statutes and regulations.

If you have questions regarding INDOT's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act (ADA), please contact INDOT's Title VI/ADA Program Management office at 100 North Senate Avenue, Room N750, Indianapolis, Indiana 46204, (317) 234-6142, FAX (317) 233-0891. In addition, please visit the INDOT Title VI Resource page at: <http://www.in.gov/indot/2751.htm>.

You may return the survey to the registration table (if you received this survey while attending a public meeting or hearing), and if you are receiving this survey as part of a project mailing and choose to participate, please reply using the information contained within the survey.

INDOT TITLE VI PUBLIC INVOLVEMENT SURVEY

Date (month, day, year): _____ Project Name: _____

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

Race: (Check one or more): American Indian or Alaska Native Asian Black or African-American

Native Hawaiian or Other Pacific Islander White Multiracial

Age: 1-21 22-40 41-65 65+ Disability: Yes No

Household Income:

\$0 - \$12,000 \$12,001 - \$24,000 \$24,001 - \$36,000
\$36,001 - \$48,000 \$48,001 - \$60,000 \$60,001 +

How will this information be used?

- INDOT will monitor, track and document data received as a result of this survey in an effort to comply with Title VI of the Civil Rights Act of 1964.
- Documentation is submitted to the Federal Highway Administration (FHWA) for evaluation and review.
- INDOT makes changes and modifications to its program and project development activities based upon this information.

How should I submit this information to INDOT?

- Mail to the INDOT Office of Public Involvement, Indiana Government Center North, Room N642, Indianapolis, Indiana 46204; ATTN: Rickie Clark (317) 232-6601; E-mail relark@indot.in.gov; Visit <http://www.in.gov/indot/2366.htm>





INDIANA DEPARTMENT OF TRANSPORTATION

LIMITED ENGLISH PROFICIENCY (LEP) REPORT

USE OF FORM: This form should be used to record and report communications with or requests for services from individuals and / or entities in need of language services. If there is a language barrier between an INDOT employee in an individual or group interaction, please provide as much information regarding the interaction as possible on this form.

TRANSMITTAL: Please complete this form and deliver it by mail, facsimile, or e-mail to:
 Erin L. Hall, J.D.
 Title VI & ADA Coordinator
 Indiana Department of Transportation, IGCN Room 755
 100 N. Senate Avenue, Indianapolis, IN 46204
 Phone: (317) 234-6142
 Fax: (317) 233-0891
 E-mail: Ehall2@INDOT.in.gov

Date of Form Completion:	INDOT Employee Completing Form:	INDOT Employee Job Title / Role:	INDOT Employee Work Phone:
Date of LEP Issue:	Was there a request for language services? [] YES [] NO	If requested, by whom:	INDOT Employee E-mail:
Contact Type: <input type="checkbox"/> Individual face-to-face <input type="checkbox"/> Individual by phone <input type="checkbox"/> Individual in writing <input type="checkbox"/> Agency-sponsored Public Meeting <input type="checkbox"/> Event (describe below) <input type="checkbox"/> Contact by outside organization <input type="checkbox"/> Other (please describe below)		Level of Language Barrier: <input type="checkbox"/> Communication was not possible <input type="checkbox"/> Communication was significantly impaired. <input type="checkbox"/> Communication was partially possible <input type="checkbox"/> Communication was possible due to interpretation provided by a non-INDOT sponsored interpreter. <i>Was this interpreter a minor</i> [] YES [] NO <input type="checkbox"/> Communication was possible due to language services provided by interpreter or translator retained by INDOT or the forum in which the services were required.	
Number of people requiring language services:			
Language for which LEP services were required:	How was this determined: [] I Speak Cards [] Self-identified [] Other (describe)	Type of services needed: (check all that apply) [] In person interpretation [] Telephone interpretation [] Written material translation [] Other	

Please use the back of this form if additional information is required. Contact Erin Hall with any questions.

LANGUAGE IDENTIFICATION FLASHCARD

ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.

1. Arabic

Խոսողո՞ւմ ե՞նք հնչո՞ւմ կատարե՞ք այս քառակուսում,
եթե խոսո՞ւմ կա՞մ կարդո՞ւմ եք հայերեն:

2. Armenian

যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।

3. Bengali

ល្អបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។

4. Cambodian

Motka i kakhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.

5. Chamorro

如果你能读中文或讲中文，请选择此框。

6. Simplified Chinese

如果你能讀中文或講中文，請選擇此框。

7. Traditional Chinese

Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.

8. Croatian

Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.

9. Czech

Kruis dit vakje aan als u Nederlands kunt lezen of spreken.

10. Dutch

Mark this box if you read or speak English.

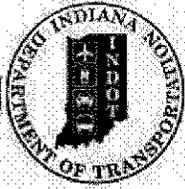
11. English

اگر خواندن و نوشتن فارسي بلد هستيد، اين مربع را علامت بنيد.

12. Farsi

<input type="checkbox"/>	Cocher ici si vous lisez ou parlez le français.	13. French
<input type="checkbox"/>	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
<input type="checkbox"/>	Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
<input type="checkbox"/>	Make kazyè sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
<input type="checkbox"/>	अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
<input type="checkbox"/>	Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
<input type="checkbox"/>	Jelölje meg ezt a kockát, ha megérti vagy beszél a magyar nyelvet.	19. Hungarian
<input type="checkbox"/>	Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
<input type="checkbox"/>	Marchi questa casella se legge o parla italiano.	21. Italian
<input type="checkbox"/>	日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
<input type="checkbox"/>	한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
<input type="checkbox"/>	ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	24. Laotian
<input type="checkbox"/>	Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

- Assinale este quadrado se você lê ou fala português. 26. Portuguese
- Însemnați această casuță dacă citiți sau vorbiți românește. 27. Romanian
- Пометьте этот квадратик, если вы читаете или говорите по-русски. 28. Russian
- Обележите овај квадратић уколико читате или говорите српски језик. 29. Serbian
- Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky. 30. Slovak
- Marque esta casilla si lee o habla español. 31. Spanish
- Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog. 32. Tagalog
- ให้กาเครื่องหมายลงในช่องสี่เหลี่ยมหรือพูดภาษาไทย. 33. Thai
- Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga. 34. Tongan
- Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою. 35. Ukrainian
- اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔ 36. Urdu
- Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ. 37. Vietnamese
- באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש. 38. Yiddish



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, Erin L. Hall at 100 N Senate N750, Indianapolis, IN 46204, (317) 234-6142, e-mail: ehall2@indot.in.gov.

Please submit the completed survey to your Human Resources Manager.

Employee Contact Information

Employee Name: _____

Work Division/District: _____

Work Phone Number: _____

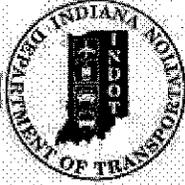
Work Email Address: _____

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.

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

APPENDIX C: EXTERNAL COMPLAINT FORMS



EXTERNAL COMPLAINT OF DISCRIMINATION

State Form 54516 (R3 / 7-15)
INDIANA DEPARTMENT OF TRANSPORTATION
ECONOMIC OPPORTUNITY DIVISION

Erin L. Hall, Title VI / ADA Program Manager
INDIANA DEPARTMENT OF TRANSPORTATION
ECONOMIC OPPORTUNITY DIVISION
100 N Senate Ave. Room N750
Indianapolis, IN 46204
Telephone number: (317) 234-6142
Fax number: (317) 233-0891
E-mail address: Ehall2@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 and national origin 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's non-discrimination policy also prohibits discrimination based on age, gender and income status.

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 (R / 9-12)
 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 statues 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"/> Consent</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"/> Consent Denied</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 D: SAMPLE SUBRECIPIENT COMMITMENT LETTER & CORRECTIVE ACTION PLAN

[Letterhead]

[date]

Erin L. Hall, JD
Title VI & ADA Program Manager
Indiana Department of Transportation
Indiana Government Center North, Room 750
100 N. Senate Ave.
Indianapolis, IN 46204

RE: [name of community]'s Nondiscrimination & Accessibility Letter of Commitment to INDOT

Ms. Hall;

[Community] is submitting this correspondence to INDOT as a good faith representation that it intends to improve its compliance with those nondiscrimination & accessibility requirements which are conditions of receiving federal funds. INDOT has reviewed [community]'s compliance efforts and identified the following potential deficiencies:

[List deficiencies identified or attach list and reference attachment here]

[Community] has enclosed documents in evidence that [community] is in compliance with the following:

[list potential deficiency identified by INDOT]	[list item enclosed that demonstrates compliance]
e.g. Community does not have an ADA Transition Plan.	e.g. Copy of Communities transition plan is enclosed.

[Community] commits to address the remaining deficiencies (if any) as follows:

- I. [identify first deficiency] (e.g. Community does not have a Title VI Implementation Plan.)
 - a. [Community] plans to address this deficiency by [date].
 - b. In 2016 [Community] plans to take the following steps toward resolving this deficiency:
 - i. By [Month / Date] [Community] will (e.g. identify program areas with Title VI Implications)
 - ii. By [Month / Date] [Community] will (e.g. review existing policies for incorporation or reference into the Title VI Implementation Plan)
 - iii. [identify next action step]
- II. [identify next deficiency]

[Community] represents that the above representations are made in good faith and represent its commitment toward achieving compliance with all nondiscrimination and accessibility requirements. [Community] represents that the undersigned individual is authorized to make these commitments on behalf of [Community] and that INDOT may monitor [Community]'s progress toward achieving its goals as represented herein.

This letter of Commitment is being submitted by:

[name] [Title / role]

[address]

[email]

[phone]

[fax]

Sincerely,

[Name]

[Letterhead]

[date]

Erin L. Hall, JD
Title VI & ADA Program Manager
Indiana Department of Transportation
Indiana Government Center North, Room 750
100 N. Senate Ave.
Indianapolis, IN 46204

RE: [name of community]'s Nondiscrimination & Accessibility Letter of Commitment to INDOT

Ms. Hall;

[Community] is submitting this correspondence to INDOT as a good faith representation that it intends to improve its compliance with those nondiscrimination & accessibility requirements which are conditions of receiving federal funds. INDOT has reviewed [community]'s compliance efforts and identified the following potential deficiencies:

[List deficiencies identified or attach list and reference attachment here]

[Community] has enclosed documents in evidence that [community] is in compliance with the following:

[list potential deficiency identified by INDOT]	[list item enclosed that demonstrates compliance]
e.g. Community does not have an ADA Transition Plan.	e.g. Copy of Communities transition plan is enclosed.

[Community] commits to address the remaining deficiencies (if any) as follows:

- I. [identify first deficiency] (e.g. Community does not have a Title VI Implementation Plan.)
 - a. [Community] plans to address this deficiency by [date].
 - b. In 2016 [Community] plans to take the following steps toward resolving this deficiency:
 - i. By [Month / Date] [Community] will (e.g. identify program areas with Title VI Implications)
 - ii. By [Month / Date] [Community] will (e.g. review existing policies for incorporation or reference into the Title VI Implementation Plan)
 - iii. [identify next action step]
- II. [identify next deficiency]

[Community] represents that the above representations are made in good faith and represent its commitment toward achieving compliance with all nondiscrimination and accessibility requirements. [Community] represents that the undersigned individual is authorized to make these commitments on behalf of [Community] and understands that INDOT may monitor [Community]'s progress toward achieving its goals as represented herein.

This letter of Commitment is being submitted by:

[name] [Title / role]

[address]

[email]

[phone]

[fax]

Sincerely,

[Name]