

---

# Indiana Department of Transportation 2021 Title VI Goals and 2020 Accomplishments Report



Dated: October 1, 2021



[www.in.gov/indot](http://www.in.gov/indot)

---

# INDIANA DEPARTMENT OF TRANSPORTATION

---

## 2021 Title VI Goals and 2020 Accomplishments Report

Prepared by:

Kimberly Ray, MBA  
INDOT Title VI Program Manager &  
Title VI Coordinator  
100 North Senate Avenue, Room N755  
Indianapolis, Indiana 46204-2216  
Phone: (317) 232-0924  
Facsimile: (317) 232-1499  
**KiRay@indot.in.gov**

---

## TABLE OF CONTENTS

TABLE OF CONTENTS .....	3
INDOT'S 2021 GOALS AND 2020 ACCOMPLISHMENTS REPORT .....	4
PROGRAM AREA REVIEWS .....	5
GENERAL SUMMARY .....	5
GENERAL PROGRAM AREA REVIEWS .....	7
PROGRAM TASKS AND GOALS .....	8
DISTRICT OFFICES .....	28
INTEGRATED PROGRAMS COMPLIANCE SUMMARY .....	28
PUBLIC INVOLVEMENT .....	30
FOCUS AREAS .....	37
SUBRECIPIENT COMPLIANCE MONITORING .....	43
TITLE VI TRAINING .....	44
COMPLAINTS OF DISCRIMINATION .....	45

## INDOT'S 2021 GOALS AND 2020 ACCOMPLISHMENTS REPORT

This report should be read in light of INDOT's Annual Title VI Implementation Plan which outlines INDOT's Programs and Policies that it implements and adheres in order to ensure its Title VI Compliance. Part of those policies include annual program area reviews, which include data collection and analysis to identify and address discrimination if found to exist, training workshops, subrecipient compliance reviews, and INDOT's complaint policy.

INDOT's Title VI Program Year runs from October 1 thru September 30 annually and mirrors the federal fiscal year.

This report identifies INDOT's accomplishments during the previous program year, in this case 2019, and establishes goals guided by and derived from data gathered in 2019 and previous years as well as agency input and input from Federal Highway Administration (FHWA). INDOT also welcomes public input on its selection of annual goals. Public input may be directed to INDOT's Title VI Program Manager ("Program Manager") at:

Kimberly Ray, MBA  
INDOT Title VI Program Manager &  
Title VI Coordinator  
Indiana Government Center, North Building, Room N755  
100 N. Senate Avenue, Indianapolis, IN 46204  
(317)232-0924  
KiRay@indot.in.gov

The following sections identify INDOT's 2020 Accomplishments and 2021 Goals in light of the data reviewed for each area below:

- **Program Area Reviews**
  - Program Areas Included in the Title VI Program
  - Integrated (Cross-Division) Programs Included in the Title VI Program
  - Identification of Focus Areas
- **Subrecipient Compliance Monitoring**
  - Contract Compliance Monitoring
  - LPA / MPO Compliance Monitoring
  - University Compliance Monitoring
- **Title VI Training**
  - Internal Nondiscrimination & Accessibility Training
  - External Nondiscrimination & Accessibility Training
- **Title VI Complaints**

## PROGRAM AREA REVIEWS

### GENERAL SUMMARY

The 2020 annual assessment revealed that INDOT continues to benefit from additional district-level engagement, our overhauled program website and Actionstep Case Management System implementation. In addition, the program areas analyzed and included as liaisons continue to be evaluated and expanded on an ongoing basis to include more program areas and more integrated representation within the divisions. INDOT continues to expand its internal working group and promote staff awareness and participation. In 2017, INDOT put mechanisms in place to gather data in key areas it explored in 2016 now that its subrecipient monitoring program has been fully developed and is operational. Data is being gathered for professional services contracting, real estate, environmental justice, limited English proficiency and Accessible Pedestrian Signal (“APS”).

As a result of changes made to INDOT’s Title VI Program, The Federal Highway Administration (FHWA) upon completion of its compliance review of INDOT in 2016 provided notice that INDOT had resolved its deficiencies and was in compliance with Title VI. INDOT continues to implement the changes made to ensure a fully effective and operational agency-wide Title VI program. INDOT’s program documents were again accepted in 2019 and FHWA has been invited to participate in this report

---

### 2020 PROGRAM YEAR SUMMARY OF ACCOMPLISHMENTS

The following is a summary of the accomplishments INDOT made in FFY 2020 tied to the above FHWA and INDOT goals.<sup>1</sup>

---

### INDOT APPROACH TO INTERNAL COMPLIANCE REVIEW WAS REVISED

INDOT revised its approach to internal compliance by increasing the frequency of communications between the Program Manager and Liaisons. As a result Title VI representatives within the agency actively assisted in developing procedures for the collection of statistical data (race, color, or national origin) of participants in, and beneficiaries of State highway programs, i.e., relocatees, impacted citizens and affected communities. [23 CFR 200.9 \(b\)\(4\)](#).

The internal network was developed as a result of a review of prior practices which were evaluated as ineffective in achieving results. After several years of operations with the increased communications in INDOT’s internal network, it has been observed that there is an increase in effectiveness demonstrated by the following:

- Increased attendance and participation during internal training opportunities.
- Increased dialogue between the Program Manager and the interdisciplinary team.
- Increase in the number of program achievements and annual goals met.
- Increased awareness of Title VI requirements by and among employees.

---

<sup>1</sup>All references to FFY 2017 shall refer to the federal fiscal year which is 10/1/16 – 9/30/17. INDOT’s fiscal year for 2017 is from 7/1/17 – 6/30/18.

Key program areas, such as the Local Public Agencies (LPAs) and Metropolitan Planning Organizations (MPOs) Division and the Design Division have already had teams established and tasks identified and assigned. Meeting minutes from each program area and/or district meeting are maintained by the Program Manager as compliance records.

---

## **INDOT CONTINUES TO DULY IMPLEMENT ITS SUBRECIPIENT MONITORING PROCEDURES**

INDOT has developed and implemented a risk-based subrecipient monitoring process for all subrecipients of federal funds, including LPAs, MPOs, contractors, consultants and universities. The process defines:

- How INDOT prioritizes conducting annual subrecipient reviews;
- What form the reviews will take (desk or onsite);
- Criterion for onsite reviews;
- The documentation from subrecipients required for review;
- Determining metrics and parameters for substantial compliance; and,
- How the reports will be distributed to subrecipients.

These subrecipient monitoring procedures are reflected in INDOT's Title VI Implementation Plan.

In FFY 2018, INDOT:

- Acquired the case management system, ActionStep, to track, analyze and run reports pertaining to Title VI and hired additional staff dedicated to subrecipient compliance monitoring;
- Included a Title VI and ADA certification in the prequalification packet for contractors and consultants;
- Provided web-based training for contractors and consultants; and
- Developed a website for each specific subrecipient audience with targeted resources and both in person and online training opportunities.

---

## **INDOT HAS REVISED AND EXPANDED ITS NONDISCRIMINATION TRAINING PROGRAM**

INDOT has provided training to all of its liaisons, Program Area Representatives (PARS) and managers in key program areas since 2015, representing about 250 key staff members. In FFY 2020, INDOT continues to work closely with INDOT Talent Management to train incoming employees, participating in live onboarding training and providing ample opportunity for the balance of INDOT's staff to receive training using the new platform procured by the Division. Additional training modules are in the process of being recorded that can be integrated with our new platform and launched online.

In addition, due to the unforeseen conditions surrounding the pandemic of 2020, the agency decided to place all live trainings on hold until further notice. However, INDOT will continue its collaboration with the Title VI Coordinators' Association to provide certification training through INDOT University in FFY 2021.

More specific information about INDOT's training materials and those who received training can be found below in the overview of INDOT's Title VI Policies, Practices & Procedures subsection on training. The general workshop training materials used each year will be provided upon request and will be posted online at <http://www.in.gov/indot/3591.htm>.

### **GENERAL PROGRAM AREA REVIEWS**

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. 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 that should be monitored above and beyond general compliance oversight as part of our agency and will include a periodic review of all state agency policies and 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 policies and practices.

Following an initial review, a program area will:

- Be tasked with ongoing annual data collection and reporting related to Title VI implications.

For more information on program area review practices and procedures, please see INDOT's Title VI Implementation Plan.

In FFY 2020, focus areas included:

- INDOT's LPA Division
- INDOT's Real Estate Division;
- INDOT Construction; and
- MPOs as subrecipients of INDOT

In FFY 2021, focus areas continue to be:

- INDOT's LPA Division;
- INDOT's Real Estate Division;
- INDOT Construction; and
- MPOs

## PROGRAM TASKS AND GOALS

This section includes general goals for ALL program areas. These are designed to ensure basic compliance and program awareness on an agency wide basis and include program components every employee must be aware of. These goals were established based on evidence from the previous year that those programs which received the most training and who conducted regular discussions including Title VI as a topic demonstrated greater progress toward their division specific goals and more regularly approached the Program Manager with questions and issues related to their work area.

INDOT'S Program Manager continues to review INDOT's program areas to identify liaisons as well as Program Area Representatives (PARs) who are subject matter experts and/or "front line" representative in their work area. Those program areas already identified are included in **Exhibit A** of the Title VI Implementation Plan. In so doing, INDOT will be able to ensure comprehensive Title VI program area representation and integration. This review will ensure that:

- Every INDOT facility with public access and every program area has a PAR to ensure nondiscrimination requirements are met, including the training of INDOT staff within the respective district.
- Title VI Liaisons will coordinate with the PARs in each work area to ensure appropriate nondiscrimination data is collected, and to analyze that data with the assistance of the Program Manager in order to determine what action the program area should take, if any, to improve nondiscrimination practices and to eliminate discrimination if necessary.
- Sufficient personnel are in place within the agency to accomplish annual work plans and to ensure nondiscrimination practices and policies are followed and fully integrated into the INDOT operations.

In FFY 2021, INDOT will revisit the idea of adding construction liaisons to the program to prepare for a review of sound wall installation and erosion control mechanisms in 2021 and beyond. In addition, INDOT will monitor the MPO's more closely by having the Subrecipient Compliance Auditor conduct compliance review of our MPO process as it relates to our program area. Our Compliance Division already sends a representative to as many meetings as possible to provide technical assistance and to support and facilitate ADA Transit reviews.

**GENERAL 2021 GOALS FOR ALL PROGRAM AREAS:**

Attend quarterly Title VI Program Meetings	Liaison
Conduct quarterly discussions of nondiscrimination issues relevant to the program area. (May occur as part of another program area meeting but should appear on the agenda.)	Liaison
Receive Title VI Training	Liaison & PARs
Report potential program area Title VI Implications/Potential discriminatory impacts to the Program Manager.	Liaison
Implement INDOT’s revised LEP plan	Liaison & PARs
Adhere to and promote all Title VI—related INDOT Policies	Liaison & PARs

**DIVISION – SPECIFIC 2021 GOALS & 2020 ACCOMPLISHMENTS DURING THE REPORTING PERIOD**

**Legal Division**

<u>2021 Goals</u>	<u>Ownership</u>	<u>Status</u>
Perform quarterly reviews of 10% of executed agency professional services agreements based on the total number of agreements executed in FFY 2020 to ensure ongoing compliance with Title VI.	Liaison and Program Manager	Ongoing - INDOT has reviewed its contract form agreements. Liaison to ensure additional nonstandard agreements are reviewed for compliance.
Review and collaborate with Legal Division regarding any litigation which raises Title VI or any discrimination under other civil rights statutes to ensure that ongoing compliance with Title VI in agency policies.	Liaison and Program Manager	Ongoing - Liaison to assist Program Manager in review of agency policies.

**2020 Division Accomplishments:**

In FFY 2020, INDOT’s Program Manager collaborated with the Contracts Administrator of the Professional Services Contracts team and reviewed 10% of the executed professional service agreements to ensure the Title VI language is indeed being executed as required. The baseline in establishing the 10% metric was determined from the total number of professional services contracts executed in FFY 2019. The selection of those contracts were done at random.

Also in FFY 2020, INDOT began the process of developing policy templates and determining how policies, guidance documents and procedures should be defined and reviewed. In 2021, INDOT will continue to evaluate whether an Office of Policy should be created and how solid definitions

of documents and a formulation and review process can improve the agency, not limited to but certainly including from a Title VI standpoint.

<b>Contract Number</b>	<b>Reviewer Initials</b>
ON190067	KMR
ON190066	KMR
ON190068	KMR
ON190003	KMR
ON190087	KMR
SP190002	KMR
G180432	KMR
G180427	KMR
G180431	KMR
G180428	KMR
G180425	KMR
LE190001	KMR
G190172	KMR
UT200003	KMR
ON170171	KMR
OT170404	KMR
140207a	KMR
RR190019	KMR
P180213	KMR
UT190119	KMR
O150102b	KMR

ON190181	KMR
ON190197	KMR

**2021 Division Goals:**

In FFY 2021, INDOT’s Program Manager will continue to work with the Contracts Administrator of Professional Services Contracts to review on a quarterly basis INDOT’s 10% of the executed professional service agreements to ensure the Title VI language is indeed being executed as required. The baseline in establishing the 10% metric is determined from the total number of professional services contracts executed in FFY 2020. The selection of these contracts will be random. In the event that it is discovered in the audit of the professional service agreements that Title VI language is not included, the Program Manager will bring this fact to the attention of the Legal Liaison and Contracts Administrator for Professional Services Contracts to provide an explanation for the exclusion of the Title VI language. The percentage of contracts reviewed will be noted and reported in the audit as either compliant or noncompliant.

Finalize policy templates, procedures and definitions and determine whether or not an Office of Policy will be created at INDOT or whether existing program areas can collaborate on enhanced policymaking, approval and revision processes.

**Real Estate Division – Focus Area**

<u>2021 Goals</u>	<u>Ownership</u>	<u>Status</u>
Review all policy manuals related to relocation, buying appraising and condemnation for Title VI and other possible disparate impact and make recommendations for change	Program Manager	Ongoing
Gather data resulting from implementation of the new mechanism in Land Record System (LRS) to capture demographic data beyond the scope of relocations for this program area.	Liaison & PARs	Continuing
Continue to review how opportunities to do business with INDOT in this division are promoted and made available and evaluate for discriminatory impacts.	Liaison Program Manager	Ongoing
Collect and review data related to approved appraisers and buyers who are not INDOT employees to evaluate for discriminatory impacts	Liaison Program Manager	Ongoing

**2020 Division Accomplishments:**

The division representatives met with the Program Manager to review progress on implementation of LRS mechanisms implemented to gather demographic data similar to that gathered and reported below in LRS for other operations areas of the division (buying, condemnation etc.). In addition, the division representatives discussed the need to evaluate opportunities to do business with INDOT within the division (i.e. as an approved appraiser or buyer). The real estate division was able to construct a “Title VI tab” placed within the buying section of the online survey, which is used to capture demographic data from relocation and buying. Preliminary review of data collected will be conducted in 2019/2020, utilizing our Actionstep platform and additional program staff.

We’ve initiated a joint review of section 6 of the I-69 project for Title VI with FHWA. After several meeting, we’ve agreed upon data fields to be evaluated. Our MIS & real estate teams are in the process of gathering data and populating those fields. Our review will be conducted as a 2021 goal, once the data is complete.

age is View Only - Packet is not available in this Discipline

Buying			
Buying		Buying Status Report	
		Title VI	
VI/ADA Maintenance			Screen Mode:
Sum of the ethnicity count must be equal to the sum of the gender count unless Declined			
Sum of the six race counts must be equal to the sum of the gender count unless Declined			
Sum of the four age counts must be equal to the sum of the gender count unless Declined			
Did Displacee choose not to respond to request for information?		<input type="radio"/> YES <input type="radio"/> NO	
Suffix			
Gender Count Male	<input type="text"/>	Gender Count Female	<input type="text"/>
Ethnicity Count Hispanic or Latino	<input type="text"/>	Ethnicity Count Other	<input type="text"/>
Race Count American Indian or Alaskan Native	<input type="text"/>	Race Count Asian	<input type="text"/>
Race Count Black or African American	<input type="text"/>	Race Count Native Hawaiian or Pacific Islander	<input type="text"/>
Race Count White	<input type="text"/>	Race Count Multiracial or Other	<input type="text"/>
Age Count =<21	<input type="text"/>	Age Count 22-40	<input type="text"/>
Age Count 41-65	<input type="text"/>	Age Count > 65	<input type="text"/>
Household Income	<input type="text"/>	Low Income	<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> N/A
Limited English Proficiency	<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> N/A	Disability	<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> N/A
Limited English Proficiency Language			
		Save	Cancel
* This color background fields are mandatory.			

## 2021 Division Goals:

The Division's goals for 2021 will continue to be:

- Continue to review all real estate policy manuals and protocols, including relocation, buying, appraising and condemnation for assessment of any policies which could result in discriminatory treatment
- Continue to implement any additional changes in LRS necessary to collect demographic data for evaluation of program areas beyond the scope of relocations
  - ◊ Data is being collected in LRS for areas of operation beyond the scope of relocations. October 2020 will mark three years since implementation. This demographic data will be analyzed by the Program Manager and the LRS Liaison to determine if there is a risk for discrimination in the real estate program areas. The new policy to examine and assess possible discriminatory impacts under Title VI is for Buyers will collect data by providing the Title VI Request for Information form to the property owners who were not relocated and the value of their property was in excess of \$100,000. Information from the completed forms will be entered into LRS system. This completion of this form is voluntary. Therefore, the accuracy of the data collected is a product of the willingness of the public to participate in the survey.
- Coordinate with professional services to evaluate the opportunities to do business with INDOT within the division for Title VI Implications.
  - Current assignment process is to evaluate current workload and consultant availability, geographic location, and determination of skill sets needed;
  - Ensure due effort is made to distribute work among the approved, pre-qualified consultants such as appraisers. Train and meet with those staff responsible for assignments and discuss how to mitigate risks for discrimination. Recommend adoption of protocol and policies as necessary.

The following report summarizes the information gathered by the Real Estate Division during the reporting period.

## VI/ADA Reporting Information

Date: 09/10/2020 7:53:58AM

Dates: 09/11/2019 through 08/31/2020

The information is a count for each criterion below during the requested reporting period.

	Appraisers	APA Appraisers	Reviewer Appraisers	Field Check Reviewer
Appraisers:	1149	1058	1,197	0
DBE Appraisers:	27	85	38	0
MBE Appraisers:	27	85	38	0
WBE Appraisers:	0	0	0	0
Current number of Appraisers on the Prequalified Consultant list:			122	
Current number of DBEs on the Prequalified Consultant list:			8	
Current number of WBEs on the Prequalified Consultant list:			6	
Current number of MBEs on the Prequalified Consultant list:			2	
Condemnations:			235	
Relocations:			172	
Negotiations:			1463	

The following information pertains to relocations and a random sample of acquisitions.

### Acquisitions

	Sum of Count	Declined
Hispanics or Latinos	0	0
American Indian or Alaskan Natives	0	0
Asians	0	0
Blacks or African Americans	0	0
Native Hawaiians or Other Pacific Islanders	0	0
Whites	0	0
Females	0	0
Males	0	0
Multiracial or Other	0	0
Age Count =< 21	0	0
Age Count 22-40	0	0
Age Count 41-65	0	0
Age Count > 65	0	0

	Yes	No	N/A
Low Income	0	0	0
Limited English Proficiency	0	0	0
Disability	0	0	0

Displacees and property owners chose not to respond to request for information: 0

## VI/ADA Reporting Information

Date: 09/10/2020 7:53:58AM

Dates: 09/11/2019 through 08/31/2020

### Relocations

	Sum of Count	Declined
Hispanics or Latinos	3	1
American Indian or Alaskan Natives	1	0
Asians	0	0
Blacks or African Americans	0	0
Native Hawaiians or Other Pacific Islanders	0	0
Whites	172	0
Females	73	1
Males	102	1
Multiracial or Other	3	0
Age Count =< 21	34	1
Age Count 22-40	31	1
Age Count 41-65	70	1
Age Count > 65	40	1

	Yes	No	N/A
Low Income	11	76	13
Limited English Proficiency	0	82	2
Disability	9	74	1

Displacees and property owners chose not to respond to request for information: 85

**LPA/MPO Division – Focus Area**

<u>2021 Goals</u>	<u>Ownership</u>	<u>Status</u>
Improve consistency of communications regarding Title VI compliance between INDOT and its Subrecipients	Liaison, PARs, Program Manager	Ongoing - Identifying a district LPA staff liaison by Subrecipient Compliance Auditor. Collaborating with Interagency Relations and District Deputy Commissioners and Communications staff.
Develop a submission portal to replace the annual precertification survey in ITAP	Liaison, PARs, Program Manager	Continuing - INDOT utilizes its new case management software, ActionStep, as the behind-the-scenes location to store and manage local records, and will be selecting one of the three portal vendors as the new user interface in early 2019.
Conduct subrecipient Compliance reviews of 2020 Community Crossing Grant recipients.	Title VI Subrecipient Compliance Auditor, Program Manager	Ongoing
Continue to develop and promote new resources, training opportunities and avenues for technical assistance	Title VI Subrecipient Compliance Auditor & Program Manager	Continuing/Ongoing

**2020 Division Accomplishments:**

In FFY 2016, INDOT launched its subrecipient monitoring program for LPAs, MPO, cities, towns and other Indiana communities who receive federal funding via INDOT. This subrecipient monitoring program includes:

- Annual self-certification of compliance by the subrecipient.
- Desk reviews of the annual certifications by INDOT.
- Training (several person sessions and an annual day-long summit) on the compliance requirements.
- Voluntary Compliance Agreement Plans (VCAPs) by Indiana communities who are deficient to certify their good faith efforts to resolve their deficiencies with Title VI (and ADA) requirements.
- “Tier Two” reviews of subrecipients who are likely to receive funding or have received funding based upon elevated risk criteria.

- Ongoing development of technical assistance tools, templates, and other resources to promote and facilitate compliance.
- Partnerships with other community organizations focused on improving compliance with nondiscrimination and accessibility requirements.

As a result of this implementation, a total of 652 communities applied for Community Crossing Grants in 2019. Once the application process was closed, the LPA Division turned the applicant’s information over to the Title VI department in order to confirm compliance with both Title VI and ADA. In 2020, a total of 235 communities applied for Community Crossing Grants, and the LPA Division reached out to the Title VI department to help confirm the compliance status for all communities whom applied. As of today, the reviews are ongoing and will continue until all applicants compliance efforts are accounted for.

In addition, we have started the process of revising all of our LPA resources and the updated documents will be made available by the end of 2020. Also, our live training sessions have been placed on hold due to the COVID-19 pandemic, which as a result has increased the demand for online training. Prior to the live trainings being placed on hold, we’ve been collaborating with AIM and the coordinators association to host our summit twice each year. We have developed a program for the summit but had to cancel our dates due to Covid-19. However, our program is ready for launch once it is safe to host a summit.

Current compliance data for LPAs is as follows:

	2018	2019	2020
LPAs in INDOT’s System	459	500	515
LPAs with ADA Plans	177	253	284
LPAs with Title VI Plans	142	215	241
ADA Compliant LPAs	115	157	277
Title VI Compliant LPAs	136	176	235
LPAs deemed to be in good faith compliance	93	132	160
LPAs with VCAPS	119	104	96

**2021 Division Goals:**

In FFY 2021, INDOT will continue to work with the LPA division to promote better and consistent communication with our subrecipients regarding program compliance. We are still in the process of working to develop a submission portal with an existing or new vendor, so that the LPAs can upload their compliance documents to the portal for the Subrecipient Compliance Auditor to review and comment. This portal will replace the outdated certification survey. In addition, the compliance staff will increase their effort with those communities who have not submitted any compliance documents and have yet to enter into a voluntary compliance agreement with INDOT. This feedback will be used to develop new resources and to improve existing ones. INDOT'S Director of Compliance will continue to collaborate with the Program Manager to include program requirements in the guide for doing business with INDOT being developed for small communities.

INDOT is still in the process of selectively reviewing those applications. Each application required the disclosure by the applicant communities, including identifying their Title VI coordinators and the certifying the existence of the Title VI plan documents. In addition, INDOT will continue to conduct intensive compliance reviews of communities in FFY 2021, since the LPA Division anticipates opening up another "call for project" for the Community Crossing Grants. The Subrecipient Compliance Auditor, along with the Program Manager, will continue the process of ensuring the process of collecting data to ensure every community that has applied for the grant will be included in the compliance review. Once we have collected the necessary data, both parties will enter the information into our new case management system and run reports when needed to track our progress.

## Contracts, Compliance and Prequalification –

<u>2021 Goals</u>	<u>Ownership</u>	<u>Status</u>
Review 5% of certifying respondees to determine their level of compliance.	Liaisons, PARs	Ongoing
Provide technical assistance to those contractors and consultants who reported deficiencies	Subrecipient Compliance Auditor	Ongoing - Consultants and contractors who reported deficiencies on their prequalification forms will be provided technical resources to assist in resolving their deficiencies.

### 2020 Division Accomplishments:

In FFY 2020, we continued to see a drastic increase in the number of contractors/consultants who submitted certifications via the prequalification process. During the submittal process, our team was able to log the certifications into ActionStep, from there start the review process to see how many contractor/consultants were truly in compliance with Title VI. Our team's contractor compliance review numbers grew tremendously once we were able to partner with the prequalification division. We conducted a total of 58 contractor/consultant compliance reviews for FFY 2020, which was a major jump from last year. Due to the newly implemented process I can see our numbers growing even more once the new software is made available in 2021.

In addition, we have reviewed templates utilized by 15 of the largest contractors in our database. These templates are used with all of their subcontracts when determining Title VI compliance.

### 2021 Division Goals:

Launch our training and revise our resources to meet the gaps that were identified during the 2020 compliance reviews.

**Communications & Public Involvement –**

<u>2021 Goals</u>	<u>Ownership</u>	<u>Status</u>
Continue to identify vital documents that require translation.	Liaison	Continuing
Work with the communications personnel and the Office of Public Involvement to make language services forms widely available on our internet and the Transportation Services Call Center (TSCC). The Program Manager will collaborate to ensure that the call center is compliant with Title VI Program requirements.	Liaison Program Manager	Continuing - with public involvement decentralized, we have engaged a cross section of internal peer groups in project management, communications and public information to provide training to the decentralized staff engaged in public involvement and periodic follow up discussions of issues related to Title VI and ADA.
Continue to utilize the public involvement surveys; and evaluate the effectiveness of these surveys and determine if there are better alternatives for capturing demographic data.	Customer Satisfaction Manager PAR	Ongoing
Continue to evaluate the level of compliance of INDOT's website and identify policy and content changes required to make the website compliant with Title VI requirements.	Website PAR Subrecipient Compliance Auditor	Ongoing

**2020 Division Accomplishments:**

In 2020, INDOT continued on course with implementing changes to our revised LEP plan by considering which documents were vital documents and should be translated per the safe harbor provisions. We worked diligently to ensure our translation request form was made available online and in person as required. Furthermore, as our technical resources were revised, we made sure our website content was upgraded as well.

**2021 Division Goals:**

In 2021, INDOT will continue to ensure our translation request form is made available online and in person as required. We will continue to ensure staff in this division and the frontline customer service staff at the District and Sub-district level are trained in Title VI. As our technical resources continue to be revised, we will make sure website content is upgraded during the process. The Program Manager will continue to collaborate with the call center to ensure it is compliant with Title VI and ADA program requirements at all times. As well as, continue to ensure the staff in this division and the front line customer service staff at the District and Sub-district level are trained in Title VI.

In addition, we will coordinate a meeting with our public information officer, director of project manager statewide, as well as our director of communication to engage our peer groups in communications and project management in developing new protocols for evaluating public involvement for discrimination and ensuring it is equitable in accessible.

**Traffic: Engineering, Safety, Administration and Design**

<u>2021 Goals</u>	<u>Ownership</u>	<u>Status</u>
Continue to cooperatively work with traffic engineering in ensuring that INDOT and contractors consistently apply the criteria to determine the need for installation of Accessible Pedestrian Signal (APS)	Liaison and Program Manager	Ongoing. Recommendations regarding changes to current operating procedures manual is being reviewed by traffic engineering
Ensure copies of all APS studies are timely provided to the Program Manager	Liaison	In progress. It is now required that District Traffic Engineers provide the Program Manager with copies of all APS studies.

**2020 Division Accomplishments:**

In FFY 2020, a new APS protocol was in place were as an agency we decided APS as a policy when new signals are placed or upgraded. However, we continue to use the APS survey when an APS request is filed. Not all copies of the survey are being routed to our division, so we are continuing to work on communication at this time.

**2021 Division Goals:**

In 2021 we were able to change the survey, as outlined in our 2019 goals. However, the number of APS studies, from the traffic engineers in the district, that came across our desk started to decline. In FFY 2020, we will review our processes to ensure we are copies on all APS studies conducted, as well as continue to review the new protocols in order to determine its effectiveness.

## Research and University Subrecipient Monitoring – Focus Area

<u>2021 Goals</u>	<u>Ownership</u>	<u>Status</u>
Provide technical assistance to Purdue University’s Research Division as they consider how to monitor subrecipients of federal funds.	Program Manager & Liaison	In progress
Evaluate the impact of the new submission protocols put in place in 2016	Liaison, Program Manager; Director of Interagency Relations	Ongoing

### 2016 - 2020 History of Division Accomplishments:

In 2016 a compliance review of INDOT’s Research Division and the JTRP (Joint Transportation Research Program) with Purdue University was conducted. INDOT reviewed Purdue University’s (“Purdue”) compliance with Title VI as well as its own program for deficiencies. As a result, INDOT acknowledged that Purdue is generally in compliance with Title VI, but that Purdue should develop a plan for monitoring its subrecipients of federal funds. INDOT’s research liaison worked to develop ways to expand participation in research projects and to reduce the risk of discrimination by permitting and soliciting broader participation than “by invitation only” methods historically used. Changes to the program were made to facilitate open submission of research ideas and participation in the projects by those submitting the ideas.

In FFY 2019, to keep the momentum going, Purdue created several links giving researchers the ability to submit or view research ideas, check their statuses, as well as view the impact and/or return on investments of completed research projects. Through this process, a record number of submittals for research needs were received via internal and external entities. In addition, an annual INDOT Research Program Innovation Fair was conducted in the month of February, in which those within the academia and industry realm were invited to participate. The invitations were sent to accredited Indiana universities through the JTRP Office.

### 2021 Division Goals:

In FFY 2021, training will be provided to Purdue program area staff. We will discuss how the new changes are working and evaluate their effectiveness in reducing risks for discrimination and/or discriminatory impacts. INDOT will continue to provide technical assistance to Purdue as it monitor its subrecipients of federal funds. We will continue to evaluate this program area to determine whether discrimination may occur. In addition, the Director of Interagency Relations, along with the Program Manager, will conduct a progress report/review to determine how effective these changes have been in addressing FHWA concerns. Additional recommendations will be made as necessary.

## People Services

<u>2021 Goals</u>	<u>Ownership</u>	<u>Status</u>
Ensure Title VI training is conducted at the INDOT new employee onboarding bi-monthly sessions	Subrecipient Compliance Auditor and Talent Management Liaison	Ongoing
Ensure INDOT University is administered in a nondiscriminatory fashion.	Liaison Program Manager Director of Interagency Relations	Ongoing
Collaborate with INDOT University to provide certification training for Title VI and ADA coordinator in conjunction with the Coordinators' association and Association of Indiana Municipalities (AIM).	Program Manager	New LMS system is finally launching statewide through SPD and superusers in Talent Management are user testing the system for 2021 launch. Our online programs will be migrated to the new system for user self-registration and ease of online experience.

### 2020 Division Accomplishments:

Talent management has succeeded in launching a new learning management system (LMS) through SPD which will permit user self-registration for training in 2021. Super users in talent management are beta testing the system and preparing content for transition (upload) to the system. Following a discussion of the new system between talent management and INDOT's program director on August 21, 2020, it was determined that the new system does not present any immediate Title VI concerns and the platform was designed to be accessible.

### 2021 Goals

In FFY 2021, the Talent Management division will continue to work with the Program Manager to ensure Title VI remains a material part of new hire training and becomes a more integral part to ongoing training for INDOT employees. We will also continue to evaluate our external training programs for discrimination. In addition, INDOT will continue to collaborate with the ADA Coordinator's Association to develop certification training for Title VI coordinators at the local level. The division's new platform may also serve as a portal to upload local documents, creating a one-stop shop for Indiana communities.

In 2020 – 2021, the Compliance Division will complete a review of all human resources policies.

## Operations & Maintenance (includes Facilities & Fleet)

<u>2021 Goals</u>	<u>Ownership</u>	<u>Status</u>
Evaluate maintenance practices & policies for potential discrimination.	Liaison	Ongoing
Ensure adequate training of Title VI requirements	Liaison, jointly with Contracts Division Professional Services Liaison.	Ongoing

### 2020 Division Accomplishments:

In FFY 2020, the maintenance director attended the nation conference that brought to light issues related to homeless encampments and ROW. As a result, INDOT developed and initiated a homelessness and ROW policy. This policy is designed to ensure the safety of homeless individuals and INDOT personnel and to protect the rights and property of homeless individuals encamped in our ROW while still enabling maintenance, construction, and the safe flow of traffic to occur. We are piloting this program in Marion County in partnership with local wrap around supportive service partners with the hope of expanding this program statewide.

### 2021 Division Goals

In FFY 2021, we will continue to focus on creating and implementing the policy, in addition to gathering data for the GIS layer when it pertains to tracking our encounters with the homeless. The Program Manager will meet with the maintenance department liaison on a quarterly basis to gather updated data to input into our plan. Also, we will continue to work to ensure each Subdistrict administrative staff is trained in Title VI and that the required resources are available at each facility. We will continue to work with the professional services division to evaluate the opportunities to do business with INDOT for discrimination.

## Design

<u>2021 Goals</u>	<u>Ownership</u>	<u>Status</u>
Track 10% of responses to requests for technical inquiries for adherence to the technical advice given. Continue to ensure design standards and committee decisions do not result in discrimination and adopt remediation measures if necessary.	Liaison, PARs	Ongoing
Ensure updated ADA technical training is provided to all requisite employees	Liaison, PARs, Program Manager	Ongoing. Widespread effort ensured that most district staff received technical training in 2017. Additional follow-up training will be provided in 2018 and 2019 to those employees who missed the opportunity in 2017.

### **2020 Division Accomplishments:**

During FFY 2020, we were able to provide live training in two of the districts before Covid-19 hit. We were also able to do full WebEx training for all of INDOT design and construction employees in May that covered ADA training and work zone safety. That training was recorded and made available on demand until our online platform can be launched.

### **2021 Division Goals:**

Members of the design team will continue to assist the program manager and division staff in providing ADA technical training to INDOT employees with an annual focus on work zone safety and mobility and use of the collector application. New staff will continue to need basic ADA standards training. Online training modules have been developed and will be deployed this fall, however, at least two in person trainings will be offered, and likely more as we are often invited to speak at the district construction conferences.

The design division will continue to enter data and assist with evaluating information entered in the collector application as well as Actionstep. Audits of as-built projects will be conducted to ensure that what was built compliance with what was approved.

For Title VI, the program manager will work with the design division to ensure that policies for installation of sound barriers and similar items are facially neutral and that the data indicates these decisions are not made in a manner that is discriminatory and do not result in discriminatory outcomes.

## Environmental Services Division (includes Scoping & Planning)

<u>2021 Goals</u>	<u>Ownership</u>	<u>Status</u>
Continue to expand the awareness and analysis of environmental justice issues beyond the NEPA process and into the scoping and planning stages of a project and ensure EJ awareness and monitoring continues throughout the entirety of each project	Liaison, PARs	Ongoing - EJ is being included in other division's trainings.

### 2020 Division Accomplishments:

In 2020 the Environmental Services Division (INDOT-ESD) worked with the compliance division to help track the Homeless Initiative project as applied in the maintenance section above. We are continuing to use the Milestones Work Product entry. Milestones is a database that INDOT-ESD uses to track various work products such as Noise Studies, NEPA documents, etc. INDOT-ESD will track projects that required an EJ analysis through this database by Milestones entry. Therefore, INDOT-ESD was able to provide data as needed or requested

In addition, the Program Manager received copies of all environmental studies and participated in discussions when an EJ population was identified, provided feedback and input throughout the outreach and mitigation process. The ESD supported the Program Manager's efforts to ensure that the scope of Environmental Justice was more broadly understood and implemented at the agency level.

As a result of this new level of engagement, the Program Manager was involved in more discussions related to specific EJ issues and analysis as they related to INDOT and local projects, such as I-69 through Martinsville and several other key projects that the Division staff participated in.

### 2021 Division Goals:

This division will continue to ensure that its staff is trained in Title VI requirements and we will continue to evaluate the effectiveness of the newly adopted procedures to expand and monitor environmental justice issues at INDOT. Record-keeping has greatly improved, and the division is poised for a review of its studies in FFY 2021.

## DISTRICT OFFICES

District offices do not have district specific tasks identified but rather participate in the agency-wide goals and program-related goals as they apply to each District's operations. Teams have been identified and all Districts' Liaisons and PARs have received training. The general tasks for all program areas will be applied to the Districts to ensure sufficient implementation of Title VI requirements.

In 2018, the Program Manager will continue to provide more training opportunities in each district and ensure remote attendance is possible for Subdistrict employees. The Program Manager aims to visit each district at least two to three times during the year to address both Title VI and ADA program issues and to provide training and to answer questions. This will foster relationships between District staff and Central Office program staff as it relates to Title VI program goals and objectives and ensure that the districts are in compliance with Title VI program policies and practices.

## INTEGRATED PROGRAMS COMPLIANCE SUMMARY

Integrated Program accomplishment discussions are appropriate for related requirements that fall under the Title VI "umbrella." These integrated program discussions include:

- Limited English Proficiency
- Accessibility Programs
- Public Involvement

---

## LIMITED ENGLISH PROFICIENCY AND LANGUAGE SERVICES

INDOT received several requests for language services in 2016. These requests were in relation to INDOT's I-69 project and documents were translated into Spanish and Burmese to accommodate those requests. INDOT has trained many of its front-line individuals (those who answer phones, staff customer service areas, and sit at reception desks) in tracking and responding to requests for language services.

Only one LEP report form was completed in 2016. While INDOT receives few requests, it has revised its LEP plan to adopt the safe harbor requirements and now translates all vital documents into another language when 5% or 1,000 people in an identified community do not speak English very well and speak a specific different yet have same language in common. INDOT also maintains a documents translation request form in key identified languages to ensure that individuals who do not speak English can make effective reasonable requests for translation. This information will be posted on INDOT's new comprehensive Title VI website in 2017. <http://www.in.gov/indot/files/Translation%20Request%20Form.doc>.

If INDOT identifies a translation of documents presented during public meetings will likely be needed, INDOT has already taken steps to translate those materials in advance of the meetings, even in instances where there has not been a direct request.

The Program Manager will ensure that language services or LEP training is made available for INDOT call center and or TSCC divisions.

---

## **ACCESSIBILITY PROGRAMS**

In 2015 INDOT updated its ADA Transition Plan, which for the first time included an inventory of its ADA assets, a prioritization schedule for the remediation of those assets, and a budget for the same. Over 60 employees at INDOT from many divisions were involved in completing the ADA asset inventory and prioritization schedule. 7500+ intersections were included in the inventory with 5 million dollars budgeted for ADA remediation starting in 2016. The ADA Transition Plan was submitted to FHWA in June 2015 and is posted online and made publicly available.

Now that INDOT is programming ADA-specific projects, it is ensuring that these projects will be constructed appropriately by providing agency-wide ADA technical training which began in FFY 2016 and continued throughout FFY 2018. The new design standards have been put into effect and made available. Also, some web-based and in person training related to these standards has already occurred. The Program Manager regularly meets with Technical Services and Capital Program staff to monitor the progress of the implementation of our ADA Transition Plan.

The ADA Transition Plan will be updated again in 2021. Ahead of that update, INDOT now has an ADA peer group consisting of subject matter experts, ADA liaisons, and district staff across many disciplines sharing best practices, initiatives and issues to improve the accessibility of our programs across the state.

## PUBLIC INVOLVEMENT

The number of public involvement surveys received for FFY 2018 was average. The number of surveys completed in FFY 2019 was 103 and in FFY 2020 it was to 63. This survey is available in Spanish and Burmese.

### CATEGORY REPRESENTATION

Gender: 13 female (22%); 47 male (78%)

Ethnicity: 5 Hispanic or Latino (21%)  
19 Not Hispanic or Latino (79%)

Race: 3 Black (5%)  
1 Native American (2%)  
0 Asian (0%)  
0 Native Hawaiian/Pacific Islander (0%)  
0 Multi-racial (0%)  
53 White (93%)

Age: 3 -- 1 – 21 years (5%)  
26 -- 22- 40 years (44%)  
30 -- 41- 65 years (51%)  
0 -- +65 years (0%)

Disability: 0 represented having a disability (0%)

Income: 0 represented income level of \$0 - \$12,000 (0%)  
0 represented income level of \$12,001 - \$24,000 (0%);  
1 represented income level of \$24,001 - \$36,000 (2%);  
18 represented income level of \$36,001 - \$48,000 (31%);  
14 represented income level of \$48,001- \$60,000 (24%); and  
25 represented income level at or above \$60,001 (43%)  
100% reported income level.

---

## PUBLIC MEETINGS/HEARINGS HELD FROM JULY 2019 TO JUNE 2020

The Office of Public Involvement reports for FFY 2020 that the number of attendees (based upon sign-in attendance sheets) at either a public hearing, public meeting and/or open house was **2,331**. A public hearing is a formal proceeding occurring during a project decision-making point and is held during the environmental analysis phase of a project's development, wherein the proposed action is evaluated to determine the level of impact the action may have on the community, social-economic and natural environments. There is a formal presentation made by INDOT staff and a session to accept public comment and testimony. A public meeting is held at any time and at INDOT's sole discretion. It is generally held to inform the public of an INDOT action and held in the best of interest of the community in which an INDOT project is planned.

During FY 2020, **13** public information meetings/open houses and **14** public hearings were held.

Several events are highlighted in yellow and were not counted as part of the public hearings/meetings number:

- Title VI / ADA Summit held in October 2019
- I-65 Added Travel Lanes project in Boone County, on-line only public hearing session held in March 2020
- I-65/I-70 North Split project in Indy held two on-line sessions in April 2020 and one on-line event in May 2020

### July 2019

- Public hearing regarding road rehabilitation project on State Road 28 from U.S. 231 in Romney to the U.S. 52 west junction, Tippecanoe County. Tuesday, July 9, 2019 at James Cole Elementary School in the cafeteria located at 6418 E. 900 S. in Lafayette. 59 persons attended
- Public meeting regarding Reconfigure 465 in Indianapolis, Marion County, Decatur Central HS on Wednesday, July 10, 2019; 88 persons attended
- Public hearing on Thursday, July 11, 2019 at 6:00pm (local time), at the Beyond 4 Walls Christian Center, 875 South Lake Street, Gary, Indiana 46403, Lake Co. (102 persons attended)

INDOT hosted a public hearing on **Thursday, July 18, 2019, at the Northridge High School Cafeteria (enter doors 15 or 21), 56779 Northridge Drive, Middlebury, IN 46540. The doors are open to the public at 5:30 p.m. with the presentation beginning at 6:00 p.m.** (INDOT) proposed road improvement on US 20 from State Road (SR) 15 to County Road (CR) 35, approximately 4.4 miles in length, located west of the town of Middlebury in Elkhart County. 61 persons attended

## August 2019

Mid-States Corridor Project The Mid-States Corridor Project Study Area generally is defined as those counties within the area bounded by I-69 on the west and north, SR 37 on the east and north and the Ohio River on the south.

- Monday, Aug. 5: Washington High School (250 persons attended)
- Tuesday, Aug. 6: Springs Valley High School (200 persons attended)
- Thursday, Aug. 8: Jasper High School (275 persons attended)

## September 2019

- The Indiana Department of Transportation (INDOT) hosted a public hearing on **Thursday, September 19, 2019 at 6:00 p.m.**, at the Bridgeport Elementary School, 9035 West Morris Street, Indianapolis, Indiana 46231, regarding proposed improvement to U.S. 36 (Rockville Road) from approximately Raceway Road to Shiloh Park Drive (Shiloh Crossing), extending 1 mile west from the Marion/Hendricks County line into the Town of Avon. 18 persons attended
- The Indiana Department of Transportation (INDOT) announced a proposed road reconstruction project on State Road (SR) 28, from 1.7 miles west of SR 39 to 0.7 east of SR 39, 2.4 miles in length, located in the Clinton County. A local reference for the project is approximately CR 200 W. to South Hoke Avenue in the City of Frankfort, Indiana. **INDOT hosted a public hearing on Thursday, September 26, 2019, at 6:00 p.m. in the cafeteria at the Frankfort High School, 1 South Maish Road, (Enter Door #1), Frankfort, IN 46041.** (64 persons attended)

## October 2019

- Notice of Public Hearing for S.R. 105 Bridge Rehabilitation over the Salamonie Lake/Reservoir in Huntington County; The Indiana Department of Transportation held a public hearing on **Tuesday, October 1, 2019**, with a presentation at 5:30 p.m. at the Andrews Elementary School, 509 East Jefferson Street, Andrews, Indiana 46702. 29 persons attended
- **The Indiana Department of Transportation (INDOT) hosted a public hearing on Tuesday, October 8, 2019 at 6:00 p.m. in the Coesse Elementary School, Cafeteria, Enter Door 1, 2250 S 500 E, Columbia City, Indiana 46725.** The purpose of the public hearing was to offer all interested persons an opportunity to comment on current design plans for a U.S. 30 intersection improvement at County Road 500 East (CR 500 E), located in Whitley County. (52 persons attended)

- **INDOT Title VI/ADA Summit – Indianapolis, Marion County.** The Indiana Department of Transportation (INDOT) hosted a Title VI (Civil Rights Act of 1964) and Americans with Disabilities (ADA) Summit on **Tuesday, October 8, 2019** at the Indiana Government Center South, Conference Room C, 302 W Washington Street, Indianapolis, IN 46204, from 9:00 a.m. to 4:00 p.m. (local time). This event was open to the public.
- The Indiana Department of Transportation hosted a series of public meetings at the end of the month to provide updates on the sixth and final section of I-69 construction between Evansville and Indianapolis. The project will upgrade existing State Road 37 to interstate standards from Martinsville to Indianapolis. Attendees learned how they could participate in an online aesthetics survey related to pedestrian railings and light fixtures at specific overpasses and interchanges. **The meetings were held October 21, October 22 and October 24. The meetings were from 5:30 to 7:30 p.m., with a presentation held at 6 p.m. The remainder of each meeting transitioned into an open house format featuring several information stations.**

**Monday, Oct. 21 Martinsville High School (cafeteria) 1360 E. Gray St., Martinsville (125 attendance)**

**Tuesday, Oct. 22 Center Grove High School (auditorium) 2717 South Morgantown Road, Greenwood (157 attendance)**

**Thursday, Oct. 24 Perry Meridian High School (auditorium) 401 W. Meridian School Rd., Indianapolis (170 attendance)**

**PUBLIC HEARING – U.S. 231 Intersection Improvement at S.R. 70 and C.R. 800 North in Spencer County**

- The Indiana Department of Transportation (INDOT) hosted a public hearing at 6:00 p.m. (local time) on Wednesday, October 23, 2019, at the Spencer County Youth & Community Center, 1101 E C.R. 800 N, Chrisney, Indiana, 47611. (67 attended)

**November 2019**

- **The Indiana Department of Transportation (INDOT) hosted a public hearing Thursday, November 7, 2019 at Springs Valley Jr. / Sr. High School, 326 South Larry Bird Blvd., French Lick, IN 47432, at 6:00 p.m. (local time).** The purpose of the public hearing was to offer all interested persons an opportunity to comment on preliminary design plans and environmental documentation for the proposed New Airport

Road / C.R. 300 South road realignment from S.R. 145 to C.R. 375, (the entrance to the Orange County French Lick Municipal Airport) in Orange County. (10 attended)

- **The Indiana Department of Transportation (INDOT) hosted a public information meeting at 5:30 p.m. (local time; presentation was at 6:00 p.m.) on Thursday, November 7, 2019, at the City of Seymour City Hall Building – City Council Chambers, 301 North Chestnut Street, Seymour, Indiana, 47274. The entrance used was located directly on 3<sup>rd</sup> Street (around the corner from the City Hall main entrance).** The purpose of the public information meeting was to inform all interested persons on the upcoming U.S. 50 proposed reconstruction, intersection improvement at U.S. 31, and the addition of the City of Seymour sponsored multi-use pedestrian path located in the City of Seymour, Jackson County. (22 attended)
- **The Indiana Department of Transportation (INDOT) held a public hearing on Thursday, November 14, 2019, at the Greenfield Central Junior High School Cafeteria, 140 Highland Avenue, Greenfield, Indiana 46140, the hearing began at 6:00 p.m.** The purpose of the public hearing was to offer all interested persons an opportunity to comment on current design plans for a State Road (SR) 9, hot mix asphalt (HMA) overlay between I-70 and U.S. 52 in Hancock and Shelby Counties. The project is approximately 9.5 miles in length. (63 attended)

#### **December 2019**

- **The Indiana Department of Transportation (INDOT) held a public hearing on Tuesday, December 10, 2019 at Decatur Central High School (in the cafeteria), 5251 Kentucky Avenue, Indianapolis, IN 46221, the hearing began at 6:00 p.m.** The purpose of the public hearing was to offer all interested persons an opportunity to comment on preliminary design plans and environmental documentation for the proposed added travel lanes project on Interstate 465 (I-465) in Indianapolis, Marion County. The project consists of two sections: Section A/B, from 0.3 mile west of the I-465/U.S. 31 interchange to the I-465/I-65 interchange; and Section C from the I-465/I-70 interchange to the I-465/Mann Road interchange. (15 attended)

#### **January 2020**

- **The Indiana Department of Transportation (INDOT) hosted a public hearing on Wednesday January 15, 2020 at Salem City Hall, 201 East Market Street, Salem, IN 47167. The hearing began at 6:00 p.m.** The purpose of the public hearing was to offer all interested persons an opportunity to comment on current design plans for a proposed intersection improvement project at State Road (SR) 60 and the Salem Bypass in Washington County. Specifically, the project proposes to convert the existing two-way stop control intersection into a roundabout intersection. (41 attended)

- **The Indiana Department of Transportation hosted a public open house on Wednesday, January 29, 2020, starting at 5:30 p.m. at the South Spencer High School Auditorium, 1142 N CR 275 W, Rockport, Indiana 47635. A brief presentation was held at 6:00pm.** Displays and representatives was made available prior to and following the presentation. The purpose of the public meeting is to notify all interested persons regarding the revised design plans for a proposed intersection improvement at State Road (SR) 66 and Orchard Road (N CR 275 W), 0.26 mile east of SR 161, located in Spencer County. On June 23, 2017, a public hearing on preliminary design plans was held for this project, which included a roundabout. In response to community concerns, INDOT modified the project by eliminating the roundabout and proposing a signalized intersection with an added turn lane. (21 attended)

### **February 2020**

- **The Indiana Department of Transportation (INDOT) hosted a public hearing on Thursday, February 13, 2020 at the South Creek Church of God, 5937 South Park Road, Kokomo, IN 46902, the hearing began at 6:00 p.m.** The purpose of the public hearing was to offer all interested persons an opportunity to comment on current preliminary design plans to modify the intersection at State Road (SR) 26 and Park Road in Kokomo, Howard County. The purpose of the project is to enhance safety at the intersection and to address the frequency of vehicular collisions due to an increase in traffic volume at this location. (25 attended)

### **March 2020**

The Mid-States Corridor Project examines the concept of an improved highway connection in southern Indiana. The Mid-States Corridor Regional Development Authority and the Indiana Department of Transportation are conducting the required Tier 1 Environmental Study for the project to determine a preferred corridor. Find more information at [www.midstatescorridor.com](http://www.midstatescorridor.com).

Three public meetings were scheduled for February for the Mid-States Corridor Project, which examines the concept of an improved highway connection in southern Indiana. The meetings provided an update on the Tier 1 environmental study underway.

**Meetings were planned for Loogootee, Bedford and Jasper for the following dates and locations:**

**Tuesday, Feb. 18: Loogootee High School (152 attended)**  
201 Brooks Avenue, Loogootee, IN

**Wednesday, Feb. 19: Bedford Middle School**  
1501 N St., Bedford, IN (115 attended)

**Thursday, Feb. 20: Jasper Middle School**  
3600 N. Portersville Rd., Jasper, IN (150 attended)

### **March 2020 / on-line only event**

The Indiana Department of Transportation (INDOT) hosted a public hearing on Wednesday, March 18, 2020, beginning at 6:30 p.m., in the Lebanon High School auditorium, located at 510 Tiger Way, Lebanon, Indiana for the proposed Interstate 65 (I-65) Added Travel Lanes from State Road (SR) 32 to SR 47 Project (Des. 1802967) near Lebanon, Boone County. **The meeting was held as on on-line virtual public hearing (approximately 60 participants).**

### **April 2020**

**INDOT invited the public to attend a virtual public open houses regarding the North Split Project**

The Indiana Department of Transportation invited the general public to participate in a virtual public open house for the North Split Project (downtown Indianapolis, Marion County).

During the virtual open house, the North Split Project Team shared several updates, including the Aesthetic Design Guidelines, which were created as a result of the Context Sensitive Solutions (CSS) process.

In compliance with the Indiana State Department of Health's social distancing requirements, two virtual public open houses were offered online only:

Tuesday, April 28 from 2 p.m. to 4 p.m. EST (**approximately 50 participants**)

Thursday, April 30 from 6 p.m. to 8 p.m. EST (**approximately 50 participants**)

Both open houses contained the same presentation and both were conducted using the WebEx conferencing tool. During the WebEx presentation, attendees were able to view and listen to a formal presentation from the North Split Project Team, as well as ask questions.

### **May 2020**

- **North Split on-line only public meeting for P3 component of project (approximately 50 participants)**
- No other hearings or meetings

### **June 2020**

- No hearings or meetings

---

## FOCUS AREAS

Additional information is included in this report to demonstrate the work accomplished and goals identified for INDOT's Focus Areas. Since the LPA Division was a focus area in at least one prior year, both goals and accomplishments will be reflected as part of this discussion. The Research Division was a focus area from 2014 to 2016 and was identified as such during the FHWA review period.

Focus Areas will include, in addition to the above tasks:

- Working 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 focus. These would include:
  - Conducting discriminatory impact 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.
- Identification and training of a sufficient number of 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 focus areas is to ensure sufficient monitoring of high-risk programs and to track those areas where there exists a material deficiency or discriminatory practice that requires resolution and reporting.

---

## LPA DIVISION ACTION PLAN & ACCOMPLISHMENTS

Starting in 2015 the LPA Division received division-specific Title VI training and met on several occasions to discuss, develop and implement new subrecipient monitoring procedures to ensure compliance with Title VI requirements. These meetings resulted in the development of new subrecipient monitoring procedures included in the 2015-16 Title VI Implementation Plan. In addition, a Title VI Resource toolkit was developed to assist subrecipients with their compliance efforts and additional targeted training and outreach opportunities were identified.

[http://www.in.gov/indot/files/Subrecipient\\_Technical\\_Assistance\\_2016\\_Version\\_2.pdf](http://www.in.gov/indot/files/Subrecipient_Technical_Assistance_2016_Version_2.pdf). This information is reflected in the training summary portion of this report at pp. 35-36.

In FFY 2016 the LPA division followed its newly implemented procedures and reviewed in-house over 300 Indiana communities. Technical assistance was provided in several forms: an all-day training summit, multiple in-person and online training opportunities, and the development of resources and templates, including a new Title VI Implementation Plan Template.

<http://www.in.gov/indot/files/Title%20VI%20Implementation%20Plan%20Template.doc>.

INDOT surpassed its goal to conduct four “Tier Two” compliance reviews and conducted those reviews with ten sidewalk grant applicants and six current and previous Stellar Grant recipients, as well as coaching key communities impacted by the I-69 project toward compliance.

In FFY 2017 INDOT overhauled its website and developed a separate page for each type of subrecipient. All technical resources were uploaded and training opportunities, as well as office hours were made virtually available. In addition, CAWG meetings were coordinated with LPA training days and coordinator association meetings and the summit was expanded to two days. As a result, hundreds of additional LPAs were connected to outreach opportunities, though the virtual office hours were never utilized and abandoned in FFY 2018.

Title VI and ADA information was included on the community crossings grant application and over 400 communities applied. Those communities were evaluated in FFY 2017 and continued to be evaluated in FFY 2018. Subrecipient data was migrated into our case management system, ActionStep, in 2018 and a new front end portal for both submission and training was being created on Talent Management’s new INDOT University Platform for FFY 2019 and we were able to launch it this year.

In FFY 2019, the Compliance Division met with the LPA division to strategize on how to bridge the gap between our monitoring efforts and their community grant process. We decided it would be a good idea to step in on the front end of the application process, by reviewing the applications as soon as they come in so we can reach out to communities to walk them through the compliance process. The director of the LPA division gave us a list of the communities currently in their database (659) so the subrecipient compliance auditor can start the review process.

---

## **RESEARCH DIVISION COMPLIANCE REVIEW**

In 2014, a review of INDOT’s Title VI Program by FHWA identified several areas for a focused review. INDOT’s research program and the Title VI compliance of its primary research partner, Purdue University, were two of those areas identified for review. Purdue University was identified because it is a subrecipient of federal funds. Several Title VI implications were identified for review:

- INDOT is required to monitor Purdue University for Title VI Compliance as a subrecipient of federal funds.
- The research program creates opportunities to do business with INDOT / Purdue University and INDOT should review whether program participation and the solicitation for participation is broad enough to ensure discrimination does not result.
- INDOT needed to provide training to program staff and establish a liaison network within the program area to address any Title VI concerns which might arise.

### **The Review Process**

The initial meeting to discuss the Title VI compliance review for Purdue and INDOT Research Division/Joint Transportation Research Program (JTRP) took place August 18, 2015 via teleconference with INDOT and Purdue’s representatives attending. During that meeting INDOT Title VI program management discussed INDOT’s agreement to conduct a compliance review of the program area(s) as part of its VCAP with FHWA.

Prior to meeting with individual representative for each part of the program area(s), it was determined that INDOT's Program Manager would provide an overview of the Title VI requirements and Title VI Training to JTRP staff during a JTRP board meeting.

A follow up conference occurred on October 15, 2015, whereby it was decided INDOT's Program Manager would present training materials and conduct a Title VI discussion during the JTRP Board meeting on November 4, 2016. During the conference INDOT Program Manager communicated the importance of Title VI being part of program area meeting agendas to afford employees the opportunity to raise and discuss Title VI concerns and ensure general awareness of Title VI requirements.

On October 9, 2015, INDOT Title VI Program management discussed Title VI requirements with Debbie Horton, the JTRP representative participating in INDOT's review. Ms. Horton identified Alyssa Christmas-Rollock as Purdue's Title VI Coordinator and INDOT drafted and submitted its compliance review notice to Ms. Rollock.

During the program area training session, the Program Manager discussed the requirements of Title VI compliance, specifically those related to the program which included:

- Training and awareness of all INDOT / Purdue University Title VI Policies
- Fairly extending/advertising and otherwise promoting the opportunity to do business with INDOT/Purdue University as related to the JTRP/Research Program Area.
- Monitoring any further subrecipients of federal funds.

Additionally, INDOT's Program Manager traveled to Purdue to meet with Ms. Horton, JTRP Managing Director, to understand and evaluate the JTRP Program. During that meeting and upon a review of the materials presented in response to INDOT's notice of compliance review by Purdue, it was determined that INDOT is primarily responsible for selection of universities and others who will conduct research and participate in research projects and, since the contracts themselves are between Purdue University and subrecipients, Purdue is primarily responsible for monitoring subrecipients for compliance with Title VI.

### **Discussion and Review**

Purdue provided documentation and links to documentation as part of its response to INDOT's notice of compliance review that demonstrated the following:

- It has a Title VI Program Coordinator identified by name who has received and conducts nondiscrimination (and accessibility training) for Purdue University employees.
- It has a nondiscrimination policy and complaint policy and forms, though no Title VI complaints have been received.
- The assurances of nondiscrimination were signed as part of the agreement between INDOT and the University ("The JTRP Executed Agreement" dated 2013)

Purdue has not monitored subrecipients of federal funds for compliance with Title VI, although the assurances themselves are part of the agreements. Typically, there are only a handful of active contracts. As part of this review it was communicated to the Purdue JTRP program staff that this is a deficiency and Purdue is responsible for monitoring subrecipients for compliance.

INDOT will continue to provide:

- Annual Title VI training opportunities specific to the JTRP program practices and policies; and
- The Program Manager and the Director of Interagency and Compliance will communicate quarterly with program area liaisons from INDOT and Purdue University regarding Title VI issues.

In addition, discussions with INDOT/JTRP Research Program staff resulted in an expansion of the opportunities to do business with INDOT by further opening the door to and promoting a broader spectrum of participation in INDOT Research activities.

INDOT's Research Program, prior to 2016 changes, conducted business primarily as follows:

- Research needs and/or ideas could be submitted by anyone (INDOT, a university, or member of the public) but this was not as broadly advertised as it is now with a submission link on INDOT's website.
- INDOT is responsible for identifying research needs (or acknowledging a submitted research idea as fitting a need). As part of this process, brainstorming groups were invited by INDOT. Now INDOT has moved toward a peer group approach whereby liaisons are created for the purposes of needs identification and anyone can submit an idea and participate in the process. INDOT retains the responsibility of prioritizing research needs
- Once a need is identified, a principal investigator is identified, which is often the source of the idea, who would then submit a proposal to the JTRP Executive Committee. If a need is identified by an institution or individual without sufficient expertise or resources, a co-principal investigator may be identified, which would allow the institution submitting the need or idea to remain a principal investigator and participate in the research. INDOT, Purdue and FHWA work together as part of this process. A Study Advisory Committee (SAC) is often formed to help flesh out the ideas submitted as proposals.

The following changes have already been implemented to promote broader (less "by invitation only" participation opportunities) and, where invitations to participate are warranted, the invitations themselves have been expanded. INDOT will continue to monitor how the following changes impact Title VI program objectives during the FFY 2018.

The following are the recent Title VI-related changes to the INDOT /JTRP Research Program INDOT has implemented in calendar year 2016:

- INDOT extended broader invitations to the "poster sessions":
  - A poster session is an opportunity for students, staff and faculty from a number of educational institutions to engage directly with INDOT personnel from across the state on a wide variety of transportation-related topics.
  - For the February Poster Session, INDOT invited 8 university civil engineering department heads from a broader spectrum of Indiana universities and 5 universities ultimately participated.
- INDOT's Research Division worked together with INDOT's Office of Communications to:
  - Post peer group liaison contact information or a designated contact for submission of research ideas /needs on INDOT website; and

- Post identified research needs and contact person on the INDOT website for accredited Indiana colleges and university faculty to broaden program awareness and/or potential involvement for those with subject matter expertise.
  - These changes make it easier for anyone with interest to contact INDOT's Research Division directly. Several conference calls have already occurred resulting in program participation from a broader spectrum of qualified participants.
  - These changes benefit the research program by broadening the scope and thus, the potential, for submission of research proposals. A link for "Submission of Research Ideas" has been added to INDOT's webpage: <https://app.smartsheet.com/b/form?EQBCT=35c82d4533f6458c8877c2ba03dedcca>.
  - The link also supports identification of innovation and research needs and ideas. This allows external faculty and others to view identified research needs and their status. The project information will be updated periodically. Interested researchers can contact the Research Division for follow-up information about a project or potential participation.
- The annual revision of the program areas' users manual will incorporate these processes and include Title VI information.
- Title VI continues to be an agenda item at JTRP board meetings and INDOT's Program Manager will continue to attend at least one meeting annually to address Title VI issues and provide training to board members.

### **Outcomes**

As a result of its Title VI review of the INDOT/JTRP Research Program, as well as a review of Purdue University's Title VI compliance as it relates to the aforementioned program areas, INDOT was able to determine the following:

- Sufficient modifications to the program are in place to ensure INDOT does not discriminate in its selection of research program participants.
- Sufficient training and Title VI awareness protocols are in place to ensure Purdue and INDOT staff receive Title VI training annually and are made aware of Title VI policies and requirements, as well as regularly afforded the opportunity to discuss Title VI issues and/or concerns.
- Purdue/JTRP are generally in compliance with Title VI requirements, deficient only in that they have not engaged in subrecipient monitoring as it relates to JTRP contracts. The JTRP program is working to resolve this deficiency in moving forward as it determines how best to engage in subrecipient monitoring. INDOT will follow up with the program liaisons in FFY2016 to ensure good faith efforts are being made to address this deficiency.

The following are the recent Title VI-related changes to the Research Program implemented in calendar year 2020:

A significant effort has been made to accommodate all accredited Indiana universities in the research program and increase awareness. INDOT Research Program has made continuous Title VI improvement in the last 3 fiscal years:

The public link (<https://www.in.gov/indot/2404.htm>) has 4 sub links

- [Submission of Research Ideas to INDOT](#)
  - [Innovation and Research Needs & Ideas](#)
  - [Research Program IMPACT Report](#)
  - [INDOT Research Program Return on Investment](#)
- 
- These links have been created to provide all researchers the ability to submit research ideas (at any time) , view identified research needs & ideas and their status, and view the impact and return on investment of completed research projects based on their ideas.
  
  - Information is updated periodically (monthly for the status and annually for the impact). Viewers can also contact R&D for follow-up information about a project, or potential participation. Numerous submittals were received from external (outside of Purdue CE) faculty and 202 research needs were submitted for the FY 2021 Research Program. Needs from external faculty were also selected by the JTRP Executive Board for funding.
  
  - An Annual INDOT Research Program Innovation Fair (Poster Workshop) is conducted in the month of February. Academia and Industry are invited to participate in the Fair. The invitation is sent to accredited Indiana universities through the JTRP Office. The INDOT Office of Communications also provides assistance in advertising the fair. A list of presenters is attached.
  
  - Seven Research Focus Groups were used to identify and prioritize research needs and ideas for programming. Focus groups consist of subject matter experts from INDOT, Academia and Industry. The invitation to participate is sent to accredited Indiana universities through the JTRP Office. A list of those registrants for FY 2021 program is attached. This list includes only registrants, not all participants. As noted, multiple universities chose to participate in the Focus Group process.
  
  - The Research & Innovation User's Manual for Research and Innovation includes these processes and a Title VI reference. This manual is revised annually and reviewed and approved by INDOT Executive Staff and the Federal Highway Administration (FHWA) [https://engineering.purdue.edu/JTRP/files/UsersManual\\_20191201.pdf](https://engineering.purdue.edu/JTRP/files/UsersManual_20191201.pdf)
  
  - The makeup of the Joint Transportation Research Program (JTRP) Executive Committee/Board has been reorganized to include Faculty outside of the Civil Engineering Department of Purdue University. This currently includes faculty from IUPUI.

The JTRP Office generally serves as the liaison with accredited Indiana universities in project awards, tracking projects, subcontracting, etc.

In FFY 2021, INDOT will follow up to evaluate how well the processes are achieving Title VI goals.

## SUBRECIPIENT COMPLIANCE MONITORING

This program area was part of the focus area in 2015-16. New processes were implemented to greatly improve our subrecipient compliance monitoring efforts. The results are detailed on pages 13-15 of this report and summarized in this section.

### **Contractor compliance reviews:**

In FFY 2018, Title VI certification was made part of the prequalification process. Hundreds of contractors and consultants responded and over a hundred took part in virtual training opportunities. In FFY 2019, we continued to see a surge in the number of contractors and consultants who took part in our virtual training program; therefore, we will continue to provide virtual training due to the success of the program. In FFY 2020, the number of contractors and consultants to gain their Title VI certification through the prequalification process increased, as well as the number of those who took part in our virtual training program. However, all goals from 2020 will roll over into 2021 due to the pandemic. We will continue to review the certifications we received for compliance in FFY 2021.

### **LPA compliance reviews:**

Nearly 400 Indiana Communities who are or who are likely to become subrecipients of federal funds have been reviewed to determine the level of compliance with Title VI requirements. Common deficiencies include failure to include Title VI information on the LPAs website or make it otherwise publicly available and failure to develop a Title VI implementation plan.

During FFY 2018, INDOT followed up with those communities who failed to adequately respond to our requests to resolve deficiencies. We conducted second-tier reviews of those communities who have specifically applied for sidewalk funding or were awarded a Community Crossing Grant.

Most LPAs now have a Title VI Implementation Plan, nondiscrimination assurances, complaint policy and log. Based upon the preliminary results, most of the LPAs reviewed have already received and responded to our notice for deficiency in one or more program areas. However, we are still in the process of identifying communities which are still noncompliant when it comes to having a Title VI Implementation Plan. In FFY 2020, our main objective was to focus on helping those communities with numerous deficiencies come into compliance. The LPA division agreed to give us a copy of all grant applications once they were submitted, giving us the opportunity to connect with deficient communities in the beginning of the process. By doing so, the compliance division was able to reach several communities who have flown under the radar when it comes to complying with Title VI/ADA, simply due to lack of transparency from the LPA division. Going into FFY 2021, the LPA division has vowed to be more transparent and open when it comes to communicating with our department. They continue to share important data and resources which aid the compliance division in doing our job in a more sufficient manner.

Additional day-long training summits, online training opportunities, and shorter in person seminars are being implemented in FFY 2021 since all training programs had to adjust or be delayed during FFY 2020. This will enable us to continue coaching our Indiana communities toward compliance and meeting our own subrecipient monitoring objectives.

## TITLE VI TRAINING

Since 2014, INDOT has trained over 1,327 employees and 1,027 subrecipients, providing training related to policy implementation and compliance as well as technical ADA training. In FFY 2021, INDOT will be making all of its training available on an online platform, while still providing strategic in person training opportunities throughout the year.

## COMPLAINTS OF DISCRIMINATION

INDOT will submit all complaints to FHWA within ten (10) days. INDOT's complaint process provides a procedure for appeal of all unsubstantiated claims of discrimination. INDOT maintains a complaint log for three (3) years of all complaints received.

### SUMMARY OF COMPLAINT ACTIVITY IN FFY 2020

INDOT did not receive any Title VI complaints during the reporting period of FFY 2020. INDOT will continue to gather complaint as they are submitted and forward them over to FHWA within the ten (10) day time frame allotted.

## STATE TRANSPORTATION DIRECTIVES

INDOT is committed to reviewing all policies and directives that may implicate Title VI deficiencies. INDOT's directives may be found on its website at <https://www.in.gov/indot/div/mt/directives/directives.htm> . In 2020-21 INDOT's Legal Division will continue to review all current directives for Title VI Implications / discrimination and consult with the program manager primarily responsible for implementing the directive to address any concerns. These findings will be included in our annual accomplishments report.