April 24, 2014

LPA Partners,

This notice serves as a reminder of the responsibilities of a Local Public Agency receiving federal funds from the Indiana Department of Transportation (INDOT) under the Federal Highway Administration’s (FHWA) Title VI/Nondiscrimination Program which also prohibits discrimination based on limited English proficiency (LEP). It also precedes upcoming audits in 2014 on LPA’s execution of the requirements listed below.

Each year, Federal Government agencies distribute hundreds of billions of dollars through the federally assisted programs they administer.

The agencies’ power to extend Federal financial assistance to any program or activity by way of, for example, a grant, loan, or contract, creates for them a legal obligation to ensure that all persons regardless of their race, color, national origin, sex, age, disability or income status are afforded an equal opportunity to benefit from that assistance.

Recipients of Federal financial assistance are also obligated to ensure nondiscrimination in all their programs and activities. Therefore, they are required to have a comprehensive and proactive Title VI enforcement program to prevent and eliminate discrimination in all of the programs they administer.

The law prohibits any use of Federal financial assistance to subsidize, promote, or perpetuate discrimination based on race, color, national origin, sex, age, disability or income status. Primary recipients (LPAs) are responsible for determining and obtaining compliance by their sub-recipients, contractors and consultants.

LPA Responsibilities:

- Not discriminate in its programs, activities or employment practices;
- Submit an assurance that its programs, activities and facilities will be operated in a nondiscriminatory manner;
- Disseminate Title VI information to its beneficiaries and stakeholders (e.g. general public, contractors and consultants);
- Ensure Title VI provisions are in federally funded contracts extended to contractors;
- Cooperate in obtaining voluntary compliance under Title VI;
- Keep complete and accurate records, which clearly show Title VI compliance. Specifically, LPAs are required to collect and make available to INDOT racial and ethnicity data clearly showing which members of the minority community are receiving benefits; and
- Extend subcontracting opportunities to Disadvantaged Business Enterprises (DBE) and Non DBE minority and female owned business, as well as, business with meaningful representation of minorities and women in their workforce

Requirements:

- The LPAs CEO (top official) must sign the US Department of Transportation (DOT) Standard Title VI Assurances.
  - Each time there is a change in administration or update to the LPA Title VI Implementation Plan the CEO should sign a new assurances.
  - The Title VI Assurances outline the responsibilities of a recipient of federal funds.

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An Equal Opportunity Employer
A copy of the Title VI Assurances is attached to this email.

- Designate an employee responsible for overseeing the LPAs Title VI compliance activities
  - This person may be housed in any division/department; however, he or she needs direct access to the CEO.
  - See the FHWA Title VI Handbook for examples of the duties of a Title VI Coordinator. The LPA Title VI Coordinator would have similar responsibilities at the local level.

- LPAs with populations >100,000 must have a Title VI Implementation plan that outlines its methods of administering the LPAs Title VI Program, which includes self-monitoring
- Have a complaint process for external complaints of discrimination under Title VI
- Implement and distribute its Title VI nondiscrimination notice to the public
- Train relevant staff of their Title VI responsibilities
- Monitor contractors and consultants for Title VI compliance
- INDOT requires completion of the annual pre-award certification and assurance and that the Title VI Coordinator receives Title VI training triennially. (This is pursuant to INDOT’s Title VI implementation plan.)

In addition, INDOT requires all local public agency (LPA) Title VI Coordinators to attend a Title VI workshop every three years or when there is a change in the position. The workshop gives an overview of Title VI and its related laws, a description of the Title VI compliance requirements and explanation of INDOT Title VI enforcement procedures. If a Title VI Coordinator would like to attend a workshop, please review the schedule listed below.

### 2014 Title VI and DBE Workshop Schedule

- **May 20, 2014 9:00am - 12:00pm**
  INDOT LaPorte District Office, 315 E. Boyd Blvd., LaPorte, IN 46350
- **September 16, 2014 9:00am - 12:00pm**
  INDOT Seymour District Office, 185 Agrico Lane, Seymour, IN 47274
- **October 21, 2014 9:00am - 12:00pm**
  Vigo County Public Library, One Library Square, Meeting Room C, Terre Haute, IN 47807
- **November 18, 2014 9:00am - 12:00pm**
  Indiana Government Center South, Conference Room 22, 302 W. Washington St., Indianapolis, IN 46204

For additional information regarding this Title VI, please contact:

**Preferred resource:**
Latosha N. Higgins
Title VI/ADA Program Manager
Economic Opportunity Division
Indiana Department of Transportation
100 North Senate Avenue, Room N750
Indianapolis, IN 46204
(317) 234-6142

Additional guidance:
- FHWA Title VI Handbook
- USDOT Title VI Assurances

Thank you,

Kathy Eaton-McKalip