

INDIANA DEPARTMENT OF TRANSPORTATION 2021 ADA TRANSITION PLAN UPDATE

This document defines and describes how INDOT implements federal and state accessibility requirements into its policies and programs. Members of the public, including the disability community, are invited to engage INDOT and participate in its nondiscrimination and accessibility efforts. This ADA Transition plan serves as a resource and a starting point for discussion and public participation and involvement. We look forward to doing business for you, with you.

July 2021

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2021 / ADA TRANSITION PLAN UPDATE

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INDIANA DEPARTMENT OF TRANSPORTATION

July 16, 2021

Dear Citizen.

It is my pleasure as Commissioner of the Indiana Department of Transportation to adopt, implement and present this updated ADA Transition Plan. This Transition Plan represents and encompasses INDOT's ongoing and continuous effort on behalf of our fully committed staff to serve all persons living in, doing business with or visiting the state of Indiana.

As Commissioner, it is my duty and responsibility to ensure that INDOT remains fully committed to ensuring and promoting accessibility and nondiscrimination in all our program areas and facilities. This updated ADA Transition Plan demonstrates and effectuates our commitment to ongoing barrier removal, compliance monitoring, public participation, and program evaluation that provide a means to the most inclusive future of transportation. Our agency's efforts to improve accessibility are a part of our statewide "Next Level Indiana" efforts to build a better future and promote access for all in public transportation. Your voice is vital to these efforts. Public comments may be submitted at any time to accessforall@indot.in.gov or by calling our customer service hotline at 1-855-INDOT4U (855-463-6848).

Thank you in advance for your participation! Your voice matters.

Sincerely,

Joe McGuiness, Commissioner
Indiana Department of Transportation

Introduction

An American with Disabilities Act (**ADA**) **Transition Plan** is a living **document** that assesses the accessibility of Indiana’s transportation system, highlighting **compliance** efforts and charting a course for improvements. As a state agency, the Indiana Department of Transportation (“INDOT”) must meet the requirements of Title I and Title II of the Americans with Disabilities Act. Title I of the ADA prohibits private employers, state and local governments, employment agencies, and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, promotion/demotion, compensation, and job training. This document will focus on Title II of the ADA, which applies to state and local government entities, and, in subtitle A, protects qualified individuals with disabilities from discrimination in services, programs, and activities provided by state and local government entities. The scope of Title II is broad and requires these entities to also ensure that all subrecipients of their funding and any contractors or assignees who operate their programs do not discriminate on the basis of disability.

This document updates the initial Plan established in 2018 and is based on requirements and guidelines set forth in the ADA and by the Federal Highway Administration (FHWA).¹ The Plan is specific to Title II of ADA. Its focus is to identify and address accessibility concerns under the FHWA’s jurisdiction. The Transition Plan will therefore focus mainly on highway and bridge facilities, rest areas, and the other highway facilities. It will also include discussion about the newly formed ADA Liaison Peer Group, which came together in 2020 to address the budgeting and constructing of ADA assets in a wholesale manner and not by individual; and INDOT’s ADA Technical Advisory Committee (TAC), which assists designers and engineers to ultimately design and construct accessible and compliant assets or facilities. This document reflects INDOT’s continuing good-faith efforts to comply with and implement the provisions of Title II of the Americans with Disabilities Act (ADA), especially as these regulations relate to pedestrian facilities on and adjacent to its highway system.

What is the significance of Title II of ADA to INDOT?

The Americans with Disabilities Act (ADA) became law in 1990 and prohibits discrimination on the basis of disability in public programs and facilities. The ADA is broad in scope and is divided into five sections called “Titles,” each addressing a different area of public activity:

Title I – Title I covers employment opportunities and requires reasonable accommodations by employers for persons with disabilities. Title I also defines what is a disability under the ADA.

Title II – Title II covers public services and applies to state and local governments. It requires all public entities to make their programs, services and activities accessible to individuals with disabilities and outlines what is required to identify and plan for the removal of barriers to access.

Title III – Title III covers public accommodations and public services provided by private entities. It requires private businesses to make reasonable modifications to their programs

¹ In November 2015, FHWA provided additional guidance for State agencies in the development of their transition plans, *State DOT Transition Plan Attributes Review Guide* (Appendix I). Requirements of that Guidance are shown in italics in the document.

and facilities and to take steps necessary to communicate with customers who may have a disability.

Title IV – Title IV covers telecommunications and requires telephone and internet companies to provide services that accommodate persons with disabilities.

Title V – Title V contains miscellaneous provisions that apply to the ADA as a whole and cover how it is to integrate with other laws and protect individuals who are seeking accommodations from retaliation.

Public entities that have 50 or more employees are required to have a grievance procedure, an ADA Coordinator and an ADA Transition Plan. For more information please see <https://www.ada.gov/regs2010/titleI 2010/title ii primer.html>.

In addition, INDOT is subject to federal oversight of its compliance with the ADA and other nondiscrimination requirements (Title VI). The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) both conduct compliance reviews of INDOT's programs and make recommendations that INDOT evaluates in good faith and considers and/or implements as it continuously works to improve its agency-wide nondiscrimination plans and programs.

Jurisdictional Responsibilities²

INDOT is responsible for constructing and maintaining interstate highways, U.S. routes and state roads in Indiana, including adjacent overpasses, ramps and traffic-control devices, including signs and traffic signals, on these roadways. Local units of government, cities, counties and towns are responsible for Indiana roadways that are not interstate highways, U.S. routes, or state roads.

INDOT also administers federal highway funds provided to cities, towns and counties, and supports and provides financial assistance to public transit systems, freight and passenger rail and port facilities. INDOT also encourages and assists in the development of airports, landing fields, and other aviation navigation facilities.

INDOT has six district offices that handle day-to-day operations such as construction and detours, traffic-signal operations, permits, and maintenance operations, including repairing potholes and plowing snow, along with various other responsibilities.

² <https://www.in.gov/indot/2337.htm>

Transition Plan Elements

- Identify physical obstacles (to accessible pedestrian travel) and their location
- Describe the methods the entity will use to make the facilities accessible
- Provide a schedule for making the access modifications
- Provide a yearly schedule if the transition plan is more than one year long

Minimum Requirements of Transition Plan

INDOT's Transition Plan at least meets, if not exceeds, the minimum requirements of an ADA Transition Plan if it contains the following provisions:

- **Name:** The official who is responsible for implementing the Transition Plan
- **Inventory:** The barriers (identification of physical obstacles);³
As a starting point, identify intersection information, including curb ramps, and other pedestrian elements. Develop an action plan to inventory of sidewalks (slopes, obstructions, protruding objects, changes in levels, etc.), Accessible Pedestrian Signals (APS), bus stops (bus pads), buildings, parking, rest areas (tourist areas, picnic areas, visitor centers, etc.), mixed-use trails, linkages to transit.
- **Schedule:** Show strong commitment toward upgrading ADA elements identified in inventory in short term (planned capital improvements projects), and strong commitment over time toward prioritizing curb ramps at walkways serving entities covered by ADA.⁴ Include prioritization information, planning and investments directed at eliminating other identified barriers over time;⁵
- **Methods:** Describe in detail the methods that will be used to make the facilities accessible;⁶
- **Public Involvement:** – Description of the process to enable the public to readily access and submit comments for both self-evaluation and transition plan.⁷

³ See 28 CFR 35.150(d)(3)(i); 28 CFR 35.105(a): Common Barrier's to Participation Experienced by People with Disabilities, <https://www.cdc.gov/ncbddd/disabilityandhealth/disability-barriers.html>

⁴ See 28 CFR 35.150(d)(2).

⁵ See 28 CFR 150(d)(3),

⁶ See 28 CFR 35.150(d)(3)(ii) Best practice: Include the Standard that the State is following (i.e., 2010 ADAAG, 2011 PROWAG)

⁷ 28 CFR 35.150(d)(1); 28 CFR 35.105(b)

An ADA Plan Must Include:

- **Official declaration of adoption and implementation** by the highest-ranking official of the agency or by board resolution or ordinance adoption;
- **Name and provide contact information about ADA Coordinator**
- **Section 504 Nondiscrimination Policy:** A Transition Plan adopts and implements the agency's nondiscrimination policy and provides written assurance to FHWA that it will operate in compliance with Section 504 and the ADA;⁸
- **Complaint (Grievance) process regarding ADA compliance:** A Transition Plan adopts and implements the agency's grievance (complaint) procedure;
- **Engages the Public:** A Transition Plan identifies how ongoing public involvement is obtained to ensure public participation in transportation decision making, especially as it relates to the ADA Transition Plan and provides a means for public comment and a disclosure of how and where its Transition Plan is made available for public inspection;
- **Identifies the barriers to accessibility discovered during the agency's self-evaluation:** A Transition Plan includes and incorporates the agency's self-evaluation / ADA asset inventory;
- **Identifies the agency's prioritization schedule and budget for barrier removal;**
- **Incorporates sustainability of the program:** A Transition Plan discusses how the agency sustains these efforts by updating the self-evaluation and prioritization list with opportunity for public participation;
- **Identifies standards used:** A Transition Plan identifies design standards, policies and procedures designed to ensure that new programs and facilities will be constructed in an accessible manner and how the agency determines whether compliance is technically infeasible;
- **Discusses Maintenance procedures:** A Transition Plan identifies how the agency maintains existing programs and facilities to ensure that they remain accessible;
- **Discusses Auxiliary Aids and services provided:** A Transition Plan identifies how the agency provides auxiliary aids upon request to persons with disabilities and how the public is notified of these services. Includes how hearing-impaired individuals may contact the agency;
- **Discusses how the agency monitors others:** A Transition Plan identifies subrecipient monitoring practices, where applicable, to ensure agency funding will not support the construction of inaccessible facilities or the development of inaccessible programs.

⁸ See f.n. 1.

- **Discusses Progress made:** A Transition Plan includes discussions of accomplishments and remedial actions taken by the agency to eliminate the effects of discrimination resulting from prior practices and to promote improvement of accessibility throughout its programs and practices.

What is an ADA Transition Plan? Why Is INDOT Required to Have One?

Having an ADA Transition plan is a requirement of Title II of the Americans with Disabilities Act of 1990 for all state and local governments, including departments, agencies, special purpose districts and other instrumentalities of state or local governments⁹ for all their programs, services and facilities. An ADA Transition Plan begins with a self-evaluation. The scope of Title II is broad and requires INDOT and other agencies that develop Transition Plans must first conducting a thorough self-evaluation of all facilities, programs and policies to identify barriers to by accessibility and potential areas where discrimination on the basis of a disability might occur. Once an agency completes its initial self-evaluation, it can develop its ADA Transition Plan.

In 2015, INDOT began the process of ...

- Identifying an ADA Coordinator and its programs and facilities that would require self-evaluation and dedicating additional staff resources as necessary.
- Completion of its initial self-evaluation in 2015 and created a database for its inventory. As INDOT removes barriers to accessibility, it continually updates its inventory through its live database (Collector Application) to improve management of its ADA asset inventory.
- Developing a prioritization schedule and annual budget to target its ADA asset inventory and to ensure barriers are targeted and removed.
- Developing and publishing its Section 504 of the Rehabilitation Act of 1973 nondiscrimination policy.
- Developing and implementing its ADA grievance procedure, investigating complaints and removing barriers identified by the public.
- Identifying its design standards and incorporating the **Pedestrian Right-of-Way Accessibility Guidelines** (PROWAG)¹⁰ to improve accessibility of its pedestrian facilities.
- Forming an internal Technical Advisory Committee (TAC) to continuously ensure compliance with PROWAG standards.
- Establishing internal and external working groups to engage the public and evaluate its programs and facilities.

⁹ Otherwise referred to as “public entities.”

¹⁰ PROWAG standards are found at <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/proposed-rights-of-way-guidelines>. INDOT applies its standards or requirements in the design and construction of all of its A assets throughout the six INDOT districts.

- Conducting public meetings and engaging the public in its programmatic decisions.
- Reviewing public comments on an ongoing basis to improve statewide access to its programs and facilities and those of local governments funded by INDOT.
- Updating its transition plan every three (3) years (2018, 2021 ...) in collaboration with its internal program directors, members of the public, and the Federal Highway Administration (FHWA).

IN 2021, INDOT ...

- TAC formalizes a regular weekly meeting schedule.
- Initiates and supports ADA Liaison Peer Group; establishes cohesive coordination of projects to best utilize budget for ADA assets.
- Asset Management team takes responsibility for ADA assets.
- Updates its inventory throughout districts.
- ADA coordinator and INDOT communications reaches out to public seeking comments on its Transition plan.
- Highlights its commitment to ADA by setting forth projects that had ADA components in each district and the funds expended.
- Inventories assets in each district for compliance with PROWAG.

INDOT Values Input from Its Stakeholders

Individuals with disabilities

- Senior citizens
- Individuals who encounter accessibility barriers such as parents/family members/friends of individuals with disabilities
- Members of groups that provide services or transportation to individuals with disabilities
- Individuals with experience and knowledge of ADA planning and requirements.

What are Some Opportunities for Public Involvement?

The public's participation in our transition plan is welcomed, encouraged and required. INDOT cannot have an effective transition plan without your involvement! It is our goal to effectively identify barriers to accessibility across our state and develop the most up-to-date prioritization schedule feasible. We are certain that your experience is the most valuable information that can support our efforts and we are continuously improving the means and frequency of opportunities available for you to engage us in our efforts to improve accessibility.

This section identifies how you can use this plan and how you can provide input and participate in our programs.

You can use this plan to:

- Understand how INDOT ensures its own programs are accessible and how it identifies and removes barriers to access;
- Identify how INDOT monitors the accessibility of the local government programs and the projects it funds;
- Learn how INDOT ensures everyone it does business with is in compliance with nondiscrimination requirements; and
- Determine how or you or your organization can get involved by providing input to our programs and procedures or by filing a grievance. (see page 29 for more information)
- Public Comments may be made at any time by submitting an inquiry or comment to INDOT's ADA Coordinator,
- Request installation of an Accessible Pedestrian Signal (APS).¹¹ Anyone may request the installation of an APS on behalf of a person with a disability at an intersection controlled by INDOT. See Appendices for APS Request form and INDOT'S APS Policy).

It may seem odd, but filing a grievance is something INDOT wants you to do if you notice an INDOT program or facility currently that is not accessible to pedestrian, wheelchair, or bike travel. Buildings, roads and pedestrian facilities have been constructed across Indiana over many years and by different design standards. Even newly constructed facilities require maintenance and may become damaged by vehicles and climate or other unforeseen challenges. Filing an ADA Grievance will ensure INDOT is able to promptly address and manage access barriers that might otherwise result in discrimination. A description of our grievance procedure and how to file a complaint can be found beginning on page 29.

¹¹ **Accessible Pedestrian Signals** are devices that communicate information about the WALK and DON'T WALK intervals at signalized intersections in non-visual formats to **pedestrians** who are blind or who have low vision. <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/background/regulatory-assessment/accessible-pedestrian-signals-and-pedestrian-pushbuttons>

- **NEW!** You may comment on INDOT's Facebook™ about what you think about INDOT's transition plan, or where you think INDOT needs to remove barriers to accessibility in your community. <https://www.facebook.com/indianadepartmentoftransportation/>
- You can sign up for INDOT's Listserv to receive email notifications about public meetings in your area. <https://public.govdelivery.com/accounts/INDOT/subscriber/new>
- Attend virtual public meetings
- Ongoing public comments

Responsibility for ADA Transition Plan Implementation

As stated in the Commissioner's letter, above, he is responsible for the implementation of the ADA Transition Plan. He, in turn, designates the ADA Coordinator to carry out those responsibilities:

Barbara Malone, Attorney, ADA Coordinator by email at accessforall@indot.in.gov or by mail if posted to Barbara Malone, INDOT Legal Division, Indiana Government Center North Building, Room N758, Indianapolis, IN 46204. Public comments may also be made by calling our customer service hotline at 1-855-INDOT4U (855-463-6848).

About INDOT

INDOT employs approximately 3,500 employees (not counting seasonal employees and interns), making it one of the state's largest agencies. INDOT is proud to be an equal opportunity employer. In addition, many companies have the opportunity to do business with INDOT by providing construction-related and / or professional services to INDOT on a contractual basis.

Understanding how INDOT operates is key to understanding our jurisdiction and responsibilities when it comes to addressing accessibility needs and requirements. In this section you will learn about:

- INDOT'S Mission and Agency Objectives
- INDOT'S Responsibilities
- INDOT's Organization and Leadership
- Accessibility and Nondiscrimination Policies in Practice at INDOT:
- INDOT'S Design Standards
- INDOT's Technical Advisory Committee
- Subrecipient Compliance Monitoring
- INDOT's Grievance Procedure
- INDOT's Self-Evaluation and Remediation Schedule

This section covers the programs and facilities evaluated by INDOT on a continual basis and identifies current budgets, schedules and proposed solutions to address barriers identified. This portion of INDOT's Transition Plan is kept "live" and will be updated on a continual basis as

projects are scheduled, completed and as public input is received and solutions developed and put into practice. Between 2015 and the 2018 update to our Transition Plan, INDOT has been developing and is now implementing a comprehensive ADA Asset Management Program

- Programs (including multimodal transportation and transit oversight)
- Self-evaluation of INDOT's facilities – INDOT's ADA Asset Management Program
- Public Involvement
- Buildings
- Pedestrian Facilities
- Budget and Prioritization Schedule for Barrier Removal

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INDOT Builds and Maintains Pedestrian Facilities along Its Roads and Highways¹²



Maintaining and Preserving all assets

11,100 centerline and 28,500 total lane miles

14 interstates

I-64, I-65, I-69, I-70, I-74, I-80, I-90, I-94, I-164, I-265, I-275, I-465, I-469 and I-865

Traffic-control devices and signs

Monitors and oversees Indiana communities for compliance with state and federal regulations when those communities receive state and / or federal funding through INDOT to construct local improvements.

Oversees:

± 4,500 rail miles

110 public access and ≥ 560 private airports

INDOT Transit division provides funding to and oversees transit operations statewide where the transit operator is not a direct recipient of FTA funding,¹³ Also, INDOT provides funding across the state for local projects that develop, construct and improve bicycle and pedestrian trails.

Designing and building new roadways and resurfacing of others and construction of traffic controls devices and signs.

Traffic Signals including Accessible Pedestrian Signals (APS)

¹² See page 3, above. Local cities, counties and towns are primarily responsible for all other roadways that are not an interstate, U.S. highway, or state road. These entities are responsible for having their own ADA Transition Plans for facilities they own, maintain and control. (see IC 8-23-6-3(d)).

¹³ INDOT is currently collaborating with the Metropolitan Planning Organizations (MPOs) to evaluate the accessibility of bus stops operated by municipalities and plans to provide joint technical assistance to these communities in addressing barriers to accessibility related to transit. All transit providers in Indiana are conducting an inventory of its system. INDOT does not oversee fixed-route public bus transit in Indiana.

Statewide Offices

Along with INDOT's Central Office, there are six district offices across the state that handle day-to-day operations, such as construction and detours, traffic-signal operations, permits and maintenance operations (for example, mowing, filling potholes and plowing snow), along with various other responsibilities. These districts are further divided into sub-districts and units.

CENTRAL OFFICE



100 N. Senate Avenue, Rm 758
Indianapolis, IN 46204

DISTRICT OFFICES

Crawfordsville



41 W 300 N
Crawfordsville 47933

Fort Wayne



5333 Hatfield Road
Fort Wayne, IN 46808

Counties served:

Benton, Boone, Clay, Clinton, Fountain,
Hendricks, Montgomery, Parke, Putnam,
Tippecanoe, Vermillion, Vigo, and Warren

Adams, Allen, DeKalb, Elkhart, Grant,
Huntington, Kosciusko, LaGrange, Miami,
Noble, Steuben, Wabash, Wells, Whitley
and parts of Blackford, Fulton, and Jay

Greenfield



32 S. Broadway
Greenfield, IN 46140

Delaware, Fayette, Hamilton, Hancock,
Henry, Howard, Jay, Madison, Marion,
Randolph, Rush, Shelby, Tipton, Union,
and Wayne

LaPorte



315 E. Boyd Road,
LaPorte, IN 46350

Carroll, Cass, Fulton, Jasper, Lake,
LaPorte, Marshall, Newton, Porter, Pulaski,
St. Joseph, Starke, and White

Seymour



185 Agrico Lane
Seymour, IN 47274

Bartholomew, Brown, Clark, Dearborn,
Decatur, Floyd, Franklin, Harrison,
Jackson, Jefferson, Jennings, Johnson,
Monroe, Ohio, Ripley, Scott, Switzerland,
and Washington

Vincennes



3650 South U.S. Highway 41
Vincennes, IN 47591

Crawford, Daviess, Dubois, Gibson,
Greene, Knox, Lawrence, Martin, Orange,
Perry, Pike, Posey, Spencer, Sullivan,
Vanderburgh, and Warrick

INDOT's Mission & Objectives

Mission:

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

Values:

Respect: Treat others fairly. Value the individual skills, experience, diversity and contributions of fellow employees.

Teamwork: Share information and seek input from co-workers and agency partners to achieve goals.

Accountability: Take personal responsibility for actions and decisions.

Excellence: Provide exceptional customer service through individual initiative, innovation and delivery of quality results.

2021 Agency Goals –Taking INDOT to the Next Level:

Deliver great service

Be efficient and effective - manage taxpayer dollars entrusted to INDOT to deliver the highest possible quality product at the best value

Innovate from start to finish by embracing new technology and process improvement technique

Improve customer satisfaction

Focus on safety, asset condition, and mobility

Be responsive, transparent, and consistently meet needs and exceed expectations

Partner with purpose – identify, communicate and collaborate with stakeholders – internal and external

Enhance Indiana's economic competitiveness and quality of life

Deliver a transportation system that supports the safe, efficient movement of people and goods
Increase access to multiple modes of transportation to better connect people with opportunity and better connect Indiana with the world

Create a state highway system that supports and compliments air, water, rail, and public transit

Execute a 20-year road and bridge plan

Go beyond taking care of what we have – improve what we have

Steady, consistent improvement in bridge and pavement quality

Make our transportation system safer – for those who build it and those who use it

Focus on engineering, education, enforcement and emergency response

Reduce crashes, serious injuries and deaths

Strive for zero work zone incidents

Increase pedestrian mobility

Invest in projects to ease congestion, eliminate delays, foster economic growth

Develop INDOT's 21st Century Workforce

Increase bench strength

Develop and retain current employees through mentoring and individual development

Hire efficiently and effectively

Put the right person, with the right tools, in the right job – every time

Align employees around department's mission

Clearly communicate INDOT's mission and vision to ALL employees

Make sure work efforts align with strategic goals and objectives

Embrace performance measures and accountability

Foster a climate of Diversity, Equity and Inclusion

Mission: to not discriminate and to provide access for all and equal opportunity to participate in and benefit from INDOT programs and projects.

INDOT's Accessibility Goals:

INDOT's accessibility program management works to:

- Ensure that our programs meet or exceed the requirements for accessibility and nondiscrimination;
- Effectively remove barriers to program and facility access;

- Engage in meaningful public involvement and to improve participation by traditionally underserved populations including persons with disabilities in transportation planning;
- Lead by example as we work to improve accessibility in our statewide transportation infrastructure.

INDOT's Markers for Achieving Accessibility Goals for 2021-2024 Transition Plan Program Cycle.

- Has facilitated the transition of the management of ADA facilities to Asset Management.
- Has completed a full reevaluation cycle of all its programs and building facilities and continues to update its pedestrian facility database every time an asset is touched or evaluated in the field.
- Has remediated all assets identified through its prioritization process targeted for remediation within this plan cycle period and has spent at least the targeted amount identified as its ADA annual budget fund on ADA-specific projects.
- Has received, evaluated, and implemented sufficient reasonable public feedback on its ADA Transition Plan and ADA program to make substantial and meaningful improvements to its ADA program in at least three areas that would not have been altered or modified without having obtained public input or suggestions.
- Has resolved and / or addressed all ADA grievances filed during the ADA Transition plan program cycle.

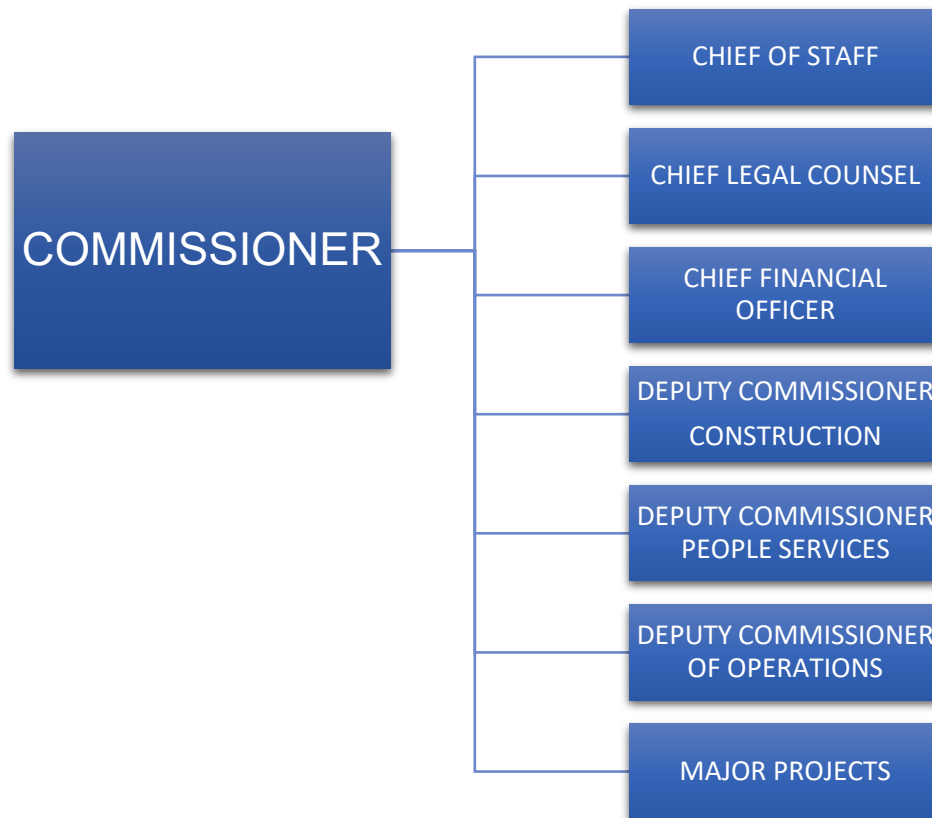
To Ensure and Promote Accessibility and Non-discrimination

- INDOT is responsible as a public state agency that receives state and federal funding to ensure that all its programs and facilities are accessible. It is INDOT's responsibility to continually self-evaluate its programs to identify barriers and allocate funding and resources to remove those barriers. INDOT provides training to all its staff sufficient to ensure that issues can be identified and appropriately addressed. INDOT maintains an internal "ADA liaison network" to more quickly address accessibility concerns. INDOT maintains this transition plan and has a grievance procedure to ensure that members of the public can participate in identifying and prioritizing barriers to remove and to improve the accessibility of transportation in the state of Indiana.
- INDOT is also responsible for overseeing its subrecipients' (local public agencies) compliance with accessibility and nondiscrimination requirements. Our subrecipient monitoring program is outlined in our Title VI Implementation plan, which can be found here <http://www.in.gov/indot/3584.htm>. INDOT ensures that communities, as well as Rural and Metropolitan Planning Organizations, seeking state or federal funding for local projects are in compliance with the accessibility requirements. While INDOT monitors communities to ensure they have an ADA Coordinator and an ADA Transition Plan, INDOT's jurisdiction to

address barrier removal at the local level is typically limited to the scope of the projects funding through INDOT. The responsibility of the local government ADA Coordinator, however, is broader and extends to the scope of the communities' operations and programs.

Organization of the Agency

INDOT's Executive Leadership Team is comprised of:



- **Chief of Staff** – Directs strategic communications, legislative communications and innovative project delivery.
- **Chief Legal Counsel** – Oversees Regulatory Compliance, Prequalification, Legal services, Litigation, Contract Administration, and Permitting.
- **Chief Financial Officer** – Oversees agency and project finance, internal affairs, and business information technology services.
- **Deputy Commissioner of Construction & Materials Management**
- **Deputy Commissioner of Operations** – Oversees the District Deputy Commissioners in Seymour, Vincennes, Greenfield, Crawfordsville, LaPorte and Fort Wayne districts, project delivery, facilities, safety and maintenance.

Organization of Accessibility Program Management

INDOT's Commissioner commissions the agency's ADA Coordinator and delegates the authority to ensure the agency's compliance to the Coordinator. The ADA Coordinator has direct access to the Commissioner as needed. Barbara Malone, JD, currently serves as the agency's ADA Coordinator. The ADA Coordinator has direct access to INDOT's Chief Counsel (who reports directly to the Commissioner). INDOT's Chief Counsel is Heather Kennedy at hkennedy@indot.in.gov.

Contact the ADA Coordinator at accessforall@indot.in.gov, (317) 232-3019.

Responsibilities of INDOT's ADA Coordinator

- Developing and implementing the agency's ADA Transition Plan;
- Reviewing and recommending changes and additions to agency policies related to accessibility and nondiscrimination;
- Investigating complaints related to accessibility and allegations of discrimination on the basis of disability;
- Participating in design, construction, maintenance and inspection of INDOT facilities as a member of the ADA Technical Advisory Committee (see below) to ensure accessibility standards are met;
- Disseminating information to the public and obtaining public participation related to accessibility needs; and
- Monitoring subrecipients for compliance with the ADA and other accessibility requirements.

INDOT's Compliance does not stop with our ADA Coordinator. The following roles and operations at INDOT support the ADA Program:

- INDOT's Regulatory Compliance Program Director
- INDOT's Title VI Program Manager
- INDOT's ADA Technical Advisory Committee (TAC)
- INDOT's ADA Liaison Peer Group
- INDOT Technical Services Directors

INDOT's Title VI Program Manager

INDOT's Title VI Program Manager ensures that INDOT, as well as its subrecipients are in compliance with the nondiscrimination requirement of Title VI. Subrecipients cannot discriminate on the basis of disability. Therefore, INDOT's Title VI Program Manager provides a vital role in ensuring our Indiana Communities are in compliance with the ADA by monitoring to ensure they have ADA Transition plans and providing technical assistance to support their good faith efforts to comply.

INDOT's Title VI Program Manager is Kimberly Ray: Accessforall@indot.in.gov (317) 232-0924

INDOT's ADA Technical Advisory Committee (TAC)

INDOT's ADA Technical Advisory Committee (TAC) is responsible for reviewing standards, policies and issues related to the design of accessible facilities. This committee is composed of staff from INDOT's Legal, Design, Standards and Construction divisions. The TAC receives inquiries that may be as simple as a question from a project manager, designer or consultant. Inquiries may extend to the scope and nature of the improvement required at a particular location. The TAC also receives and responds to technical infeasibility requests when it is deemed likely that achieving full compliance with accessibility requirements at a given location is not possible and will not ever become possible (such as with the acquisition of additional right of way, etc.).

The TAC's role is to review inquiries and infeasibility requests and to determine whether the proposed design meets the requirements of infeasibility, and if the proposed design will result in the construction of a facility that is as compliant as it can be. The TAC considers information obtained from the public via the ADA coordinator and field conditions when it recommends design changes. In addition, the TAC conducts field inspections and audits to ensure what is actually constructed meets the protocols established in the design plan sheets. The TAC also assists the ADA Coordinator with grievances and complaint investigations.

In 2017 the TAC adopted its charter, which may be found in the Appendices.

INDOT Technical Services

Between 2015-2018 INDOT conducted internal reviews and held ongoing discussions related to ownership of our ADA asset inventory and management of the ADA budget and prioritization of projects to remove barriers. In 2017 INDOT began migrating its ADA inventory over to its "Roads & Highways" system where the asset database can be more readily integrated into GPS, made available for in-the-field updates and more easily integrated into project scoping, planning and development. INDOT also determined in 2017 that the Technical Services Division of INDOT would become the "owner" of the ADA assets. The ADA Coordinator will work closely with the Statewide Technical Services Director to ensure that business processes are established in a manner consistent with the agency's ADA program requirements and goals.

In addition, each INDOT district has a Technical Services Director who will be responsible for managing that districts ADA inventory and developing projects based upon local needs. These individuals serve as the ADA Liaisons for each INDOT district and will participate in addressing grievance as required.

District Technical Services Directors

DISTRICTS

Crawfordsville	Bill Smith	bsmith@indot.in.gov
Greenfield	Valerie Cockrum	vcockrum@indot.in.gov
Fort Wayne	Jason Kaiser	jkaiser@indot.in.gov
LaPorte	Sarah Ford	sford@indot.in.gov
Seymour	Rebecca Packer	rpacker@indot.in.gov

Vincennes

Christopher Gentry

cgentry@indot.in.gov

ADA Liaison Peer Group

Driven out of concern about how to best utilize the ADA dedicated budgets for removing barriers, in 2020, the ADA Peer Group was formed by district engineers. They join the TAC meetings on occasion. Current members of the Peer Group:

DISTRICTS

Crawfordsville	Menna Noureldin, PE	mnoureldin@indot.in.gov
Greenfield	Nathan Sturdevant	nsturdevant@indot.in.gov
Fort Wayne	Dirk Schmidt	dschmidt@indot.in.gov
LaPorte	Steve Vanes	svanes@indot.in.gov
Seymour	Matt Rhoads	mrhoads@indot.in.gov
Vincennes	Mickey Tosti	mtotsi@indot.in.gov

Additionally, the Peer Group is responsible for the increased improvement in ADA compliance. They have charted the projects and dollar for the years of 2017 through 2020. A summary of the projects for those years is attached in the Appendix F.

Accessibility & Nondiscrimination Policies in Practice at INDOT

This section covers INDOT's policies and personnel dedicated to achieving our nondiscrimination and accessibility objectives. The discussions in this section include:

INDOT's Nondiscrimination Policies

Overview of INDOT's Nondiscrimination Policies:

INDOT maintains its Section 504 nondiscrimination Policy as part of its ADA Transition Plan, but INDOT's Title VI Nondiscrimination Policies (included in its Title VI Implementation) also pertain to and relate to accessibility requirements. For example, INDOT's duty to monitor subrecipients of federal funds stems from its Title VI Assurances of Nondiscrimination. As part of its subrecipient monitoring practices, INDOT ensures subrecipients do not discriminate on the basis of disability and, if applicable, maintain their own ADA Transition Plan. These subrecipient monitoring practices are not described in detail in this ADA Transition Plan, but may instead be found as part of our Title VI Implementation Plan here <http://www.in.gov/indot/3584.htm>. Specific progress related to these practices is outlined in our annual goals and accomplishments report found at the same website address.

INDOT's Section 504 Nondiscrimination Policy:

INDOT maintains and publishes its Notice of nondiscrimination under the ADA and Section 504. INDOT's ADA Coordinator updates the Notice of nondiscrimination under the ADA and Section 504 as necessary to reflect a change in the Commissioner and/or ADA Coordinator. INDOT's notice of nondiscrimination is available on its website at http://www.in.gov/indot/files/DBE_NondiscriminationNotice.pdf.

Furthermore, INDOT provides a copy of its notice of nondiscrimination to all new hires. INDOT also distributes copies of the nondiscrimination notice at recruitment fairs, to scholarship applicants, and to anyone who requests a copy.



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N925
Indianapolis, Indiana 46204

PHONE: (317) 232-3019
FAX: (317) 232-1499

Eric Holcomb, Governor
Joe McGuinness,
Commissioner

NOTICE OF NONDISCRIMINATION UNDER THE AMERICANS WITH DISABILITIES ACT AND SECTION 504 OF THE REHABILITATION ACT OF 1973

Pursuant to Title II of the Americans with Disabilities Act as amended (ADA) of 1990 (42 U.S.C. §§12101 et seq.) and Section 504 of the Rehabilitation Act of 1973, as amended (Section 504) (29 U.S.C. §794) and implementing regulations found in 28 CFR 35 and 49 CFR 27, the Indiana Department of Transportation (INDOT) does not discriminate against qualified individuals with disabilities in its policies, or in the admission of, access to, treatment of or employment in its programs, services or activities.

Upon request, INDOT will use its best efforts to provide appropriate auxiliary aids and services to facilitate effective communication for qualified persons with disabilities so that they have an equal opportunity to obtain the same result, to gain the same benefit or to reach the same level of achievement as provided to others. These efforts may include providing qualified sign language interpreters, Brailled documents, and other products and services to make communications accessible to individuals with speech, hearing and vision impairments.

Upon request, INDOT will make reasonable modifications to policies and programs to ensure that qualified individuals with disabilities have an equal opportunity to enjoy its programs and activities. INDOT is not required to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

INDOT will not place a surcharge on qualified individuals with disabilities to cover the cost of providing auxiliary aids, services or reasonable modifications of policies.

Inquires or complaints regarding Section 504 or the ADA should be directed to Barbara Malone, Title VI/ADA Program Director, , 100 N. Senate N925, Indianapolis, IN 46204, (317)232-3019, bamalone@indot.in.gov. INDOT will investigate all complaints in accordance with INDOT's Title VI compliant process, which is also used for ADA complaints, and promptly take any remedial action deemed necessary to provide an equitable resolution to overcome the effects of a substantiated violation.



Joe McGuinness
INDOT Commissioner

9/1/2017

Date

Subrecipient Compliance Monitoring

INDOT monitors subrecipients of federal funds and state funds / grant recipients for compliance with accessibility requirements. The requirements vary depending on the recipient's organizational type and structure and the size of the organization. For ALL recipients / subrecipients of state and federal funds, INDOT includes nondiscrimination and accessibility compliance language in the contract with these agencies and organizations. The first level of compliance is always certification. If the recipient is a contractor or consultant, certification begins during the prequalification process to be able to do business with INDOT. If the recipient is a local public agency (LPA) as many cities and towns are, or a local metropolitan planning organization (MPO), Rural Planning Organization (RPO), or a transit, airport or other transportation authority, certification is part of the application for funding.

Once any recipient / subrecipient of funds is awarded a grant or a project, the contract language requires the organization to comply with the accessibility requirements and gives INDOT the ability to monitor that recipient's compliance with these requirements. INDOT's monitoring processes are described in detail in its Title VI Implementation Plan and specific actions and activities are described in our annual Goals & Accomplishments Report. Both of these documents can be found at <http://www.in.gov/indot/3584.htm>.

Indiana Communities and Transportation Authorities:

INDOT monitors Indiana local public agencies (LPAs), Metropolitan Planning Organizations (MPOs), Rural Planning Organizations (RPOs) and Transit authorities for compliance with the ADA in the following respects:

For Indiana LPAs, MPOs, RPOs, and Transportation Authorities:

- Whether the agency / organization has and maintains an ADA Transition Plan, if required;
- Identification and publication to the public of the current ADA Coordinator's contact information;
- The nature and substance of the training the organization has received and whether it is provided to the staff;
- The grievance procedures maintained, and grievances received by the agency / organization;
- Standards used to ensure accessible programs and designs;
- Nondiscrimination and accessibility policies maintained by the organization;
- How the organization / agency monitors its own subrecipients to ensure accessible programs and facilities result;
- Specific to the funding provided by INDOT for the projects requested, whether the resulting program or facility is fully accessible as required by law.

Contractors / Consultants and Other Contractual Accessibility Requirements;

Has the entity received sufficient training / certifications to ensure that their work product results in the required level of accessible outcomes (programs / facilities); and

Does the entity have a history of complaints or noncompliant work products?

INDOT's Grievance Procedure and Complaint Investigations & Jurisdiction

Internal Complaints of Discrimination

Internally, at INDOT, any employee grievances related to accessibility, including requests for reasonable accommodation, are handled by INDOT's Human Resources division. These grievances are confidential, and INDOT's ADA Coordinator does not participate in these requests, grievances or accommodations. It is INDOT's policy and practices to comply with all employer accessibility requirements and to ensure discrimination does not result in our employment practices from the hiring process through the span of an employee's tenure within our organization. Indiana's State Personnel Department provides Human Resources services to INDOT and ensures that complaints of discrimination are investigated and requests for reasonable accommodation are processed properly. A Diagram of the Reasonable Accommodation Process for INDOT employees is included in the Appendices.

External Complaints of Discrimination

INDOT's external complaint form and a brief description of the complaint procedures are available online at <http://www.in.gov/indot/3583.htm> and are available in print from our ADA Coordinator and INDOT offices. This form is also available in Spanish and German, and a document translation request form is available to ensure that it can be provided in alternative formats (such as braille) and languages as needed. Copies of this complaint form (in English and in Spanish) are attached to this Transition Plan and included in the Appendices.

INDOT's complaint process includes due process protections for the complainant and the respondent and provides for prompt and equitable resolution of complaints. Grievances received and processed by INDOT include not only those raising issues with INDOT's own assets and programs, but also those of its subrecipients. INDOT may receive and process accessibility complaints related to cities, towns, and other organizations who receive funds from INDOT. This can be particularly helpful if the complainant has attempted to resolve an issue at the local level and was unable to resolve an issue surrounding discrimination.

Under its complaint policy, INDOT will promptly investigate all properly submitted complaints of alleged discrimination, including discrimination on the basis of disability. INDOT will also attempt to resolve such complaints and take corrective action upon a finding of a substantiated complaint. INDOT will submit its final investigative report to FHWA within sixty (60) calendar days of receiving a complaint.

INDOT's ADA Coordinator will make a determination to accept, reject or refer to the appropriate federal/state agency a complaint within ten (10) calendar days of its receipt. INDOT will determine whether the person or entity purportedly engaged in the alleged discriminatory act is an INDOT sub-recipient (the legal entity to which a sub-award is made and which is accountable to INDOT for the use of the funds provided). If the complaint does not specifically mention that the alleged discriminatory actor is an INDOT sub-recipient, INDOT may presume so in deciding whether to accept the complaint for further processing.

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 and its related statutes, regulations and directives, the ADA and Section 504. These procedures do not affect the right of the Complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant. In other words, while INDOT can often remedy barrier removal and ensure policies are put into place to prevent prospective discrimination, INDOT's jurisdiction is limited and is not likely to result in punitive action. The complainant is not

prevented from pursuing other legal remedies as a result of filing a complaint with INDOT; it is important for complainants to understand what INDOT can and cannot do to remedy issues related to grievances.

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

The ADA Coordinator will refer all Title VI discrimination complaints against INDOT to the FHWA or the appropriate Federal agency but will investigate grievances related to barrier removal as it is best situated to provide efficient resolution of these grievances.

Who May File a Complaint?

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

Timeliness of Complaints:

For a complaint against INDOT or a sub-recipient to be considered timely, it must be filed within one hundred eighty (180) calendar days after the alleged discriminatory incident has occurred. INDOT may waive the 180-day time limit for good cause at its discretion. For a grievance related to a barrier to accessibility on an INDOT controlled or funded facility, this time limit does not apply.

The file date of a complaint is the date the complaint is received by INDOT. INDOT will determine on a case-by-case basis whether to waive the time limit for good cause. Good cause for a waiver shall include the following instances:

Lack of Knowledge:

INDOT may waive the time limit in situations where the person on whose behalf the complaint was filed did not know of and could not have reasonably known of the violation during the 180-day time limit. The complaint must be filed within sixty calendar (60) days of complainant becoming knowledgeable of the violation.

Incapacitation:

INDOT may also waive the time limit in situations where the person on whose behalf the complaint was filed was incapacitated because of illness or other incapacitating circumstances. The Complainant must provide independent documentation of the purported incapacitation. The complaint must be filed within sixty (60) calendar days after the period of incapacity ends.

Location/Availability of Complaint Forms:

INDOT will make complaint forms available online via the INDOT website at <http://www.in.gov/indot/3583.htm>, in all district offices and as part of this ADA Transition Plan in the Appendices. Additionally, persons may contact the ADA Coordinator to request a copy of the complaint form via email, facsimile or United States mail. INDOT's ADA Coordinator shall provide copies of its complaint form in alternative formats upon request.

How to File a Complaint:

A complainant may file his or her complaint by mail, facsimile, or email. Any person with a disability may request to file his or her complaint using an alternative format. INDOT will acknowledge complaints received by fax or email and will process them once INDOT establishes the identity of the Complainant. Complainants must mail (or email) a signed complaint form to INDOT to begin the complaint process. INDOT does not require a Complainant to use the INDOT complaint form for submitting his or her complaint but does require the complaint be written and signed and will assist persons with a disability as necessary in meeting this request.

Title VI Complaints

Title VI Complaints should be directed to INDOT's ADA Coordinator.

Elements of a Complete Complaint:

A complete complaint is:

- Written and signed;
- Filed within one hundred eighty (180) calendar days of the alleged discriminatory act(s) (if applicable) and includes at minimum the following information:
- The full name and address of the Complainant;
- The full name and address of the Respondent (the individual, agency, department or program that allegedly discriminated against Complainant); and
- A description of the alleged discriminatory act(s) that violated Title VI (i.e., an act of intentional discrimination or one that has the effect of discriminating on the basis of race, color, national origin, sex, age or disability) and the date of occurrence.

Keep in mind that it is important that the complaint "tell the story" and provide sufficient facts and data organized chronologically with specific persons, dates, and locations for INDOT to efficiently and effectively investigate and address the issues.

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

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

The ADA Coordinator shall notify the Complainant in writing if his or her complaint is incomplete and allot fifteen (15) calendar days for the Complainant to respond and provide the supplemental information needed to complete the complaint.

Processing Complaints:

The ADA Coordinator will process all accessibility complaints. Title VI Nondiscrimination Complaints may be referred to the Title VI Coordinator for investigation. INDOT's current Title VI Coordinator is Kimberly Ray, Title VI Program Manager, (317) 232-0924, accessforall@indot.in.gov

The ADA Coordinator is responsible for:

- **Maintaining a log** of all accessibility / ADA complaints;
- **Acknowledging receipt** of the complaint;
- **Providing written notice** of the complaint to the FHWA within ten (10) working days of receipt of the complaint.
- **Forwarding a notice** to the Respondent or INDOT district informing them of the allegations,
- **Requesting a position** statement and providing the name and telephone number of the INDOT staff person assigned to investigate the complaint.
- **Informing the Complainant** that he or she has a right: (1) to have a witness or representative present during any interviews and (2) to submit any documentation he or she perceives as relevant to proving the allegations contained in the complaint.
- **Providing the Respondent an opportunity to respond** to all aspects of the Complainant's allegations (if applicable).
- **Managing the investigation** by determining whether witnesses will be contacted and interviewed and what type of site visit is required.
- **Concluding the investigation** by contacting the Complainant at the conclusion of the investigation to provide the Complainant an opportunity to provide additional information before INDOT prepares its final report to be forwarded to FHWA (for complaints of discrimination that cannot be remedied by merely reconstructing a facility.)
- **Writing a confidential investigative report (IR)** and forwarding a copy of the same to the FHWA.
- **Drafting the Letter of Findings (LOF)** to be provided to all parties within sixty (60) calendar days of the date the complaint was received unless impracticable or infeasible in which case a letter clearly describing why an LOF is impracticable or infeasible at this time and providing a detailed status report will be provided until such time as the LOF can be completed.

- **The Investigative Report (IR):**

The IR shall not be disclosed to the Complainant or Respondent. The IR shall include the following:

- A summary of the written complaint;
- A brief description of the standard of review/methodology used to investigate the complaint;
- Summarized statements taken from witnesses (if applicable) or summarized finding by the TAC;
- Findings of fact and an analysis of the evidence gathered. The analysis should address each allegation in the complaint and Respondent's position;
- A determination, based on the preponderance of evidence presented, of whether the complaint is substantiated or unsubstantiated; and
- Proposed corrective action for substantiated cases.

The Letter of Findings (LOF):

The LOF will include the following:

- A summary of the written complaint;
- A brief description of the standard of review/methodology used to investigate the complaint;
- Findings of fact and an analysis of the evidence gathered. The analysis should address each allegation in the complaint and Respondent's position;
- A determination, based on the preponderance of evidence presented, of whether the complaint is substantiated or unsubstantiated; and
- Proposed corrective action for substantiated cases.

Corrective Action:

If INDOT recommends corrective action, INDOT's ADA Coordinator will give the Respondent or INDOT District / Program Area thirty (30) calendar days to inform INDOT of the actions to be taken to achieve compliance. The ADA Coordinator, with the assistance of the TAC, shall monitor the Respondents' / Divisions' corrective action to ensure compliance.

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

If the Respondent has not consented to or defined the recommended corrective action within the 30-day period allowed, INDOT may find the Respondent to be in noncompliance with accessibility requirements. Noncompliance of a respondent not corrected by informal means as described above may be subject to sanctions as per 49 CFR § 21.13.

Pre-Investigative/Administrative Closures:

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

Complaints that fail to state a claim or provide any substantial or coherent claim;

Complaints that are outside the scope of INDOT's Title VI jurisdiction;

Untimely complaints filed more than one hundred eighty (180) calendar days after the alleged discriminatory acts;

Complaints voluntarily withdrawn by the Complainant;

Complaints in which the investigation has been impaired by INDOT's inability to locate the Complainant;

Complaints that are a continuation of a pattern of previously filed complaints involving the same or similar allegations against the same recipient or other recipients that repeatedly have been found factually or legally unsubstantiated by INDOT;

Complaints containing the same allegations and issues that have been addressed in a recently closed complaint or compliance review conducted by INDOT;

Complaints containing allegations that are foreclosed by previous decisions by the Federal courts, Department of Justice or INDOT policy determinations;

Complaints filed for complainants or parties who refuse to cooperate with the investigation and whose lack of cooperation substantially impairs the completion of the investigation. In such circumstances, the Complainant should be contacted and advised that their lack of cooperation has hindered the investigation. Furthermore, the Complainant must be advised that continued failure to cooperate may result in an administrative closure of the complaint without further investigation;

Complaints transferred to another agency for investigation; and

Complaints where the death of a Complainant makes it impossible to investigate the allegations fully or the death of the Complainant forecloses the possibility of relief because the complaint involved potential relief solely for the Complainant or injured party.

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

Confidentiality:

In accordance with DOT Order 1000.12, which can be found online at

<https://www.fhwa.dot.gov/civilrights/programs/order100012.cfm>, the Complainant's identity shall be kept confidential except to the extent necessary for carrying out an investigation. If an investigator determines that it is necessary to disclose the Complainant's identity to the Respondent or a third party, the investigator must first obtain Complainant's written permission. Furthermore, Complainant's written consent must be obtained before a copy of the complaint may be provided to Respondent or a third party.

Records:

INDOT's ADA Coordinator shall confidentially maintain all records of an investigation for three years from the date of last action on a complaint. Records are maintained in an electronic format.

Additional Complaint Filing Options:

A complaint may also be filed with one of the following offices:

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

Indiana Civil Rights Commission
100 N. Senate Ave., Room N300
Indianapolis, IN 46204
Toll Free: 1 (800) 628-2909
Phone: (317) 232-2600
Fax: (317) 232-6560
Hearing Impaired: 1 (800) 743-3336

Federal Highway Administration
Indiana Division
Kenneth Woodruff
Civil Rights Program Manager
Kenneth.woodruff@dot.gov
575 N. Pennsylvania St., Room 254
Indianapolis, IN 46204
Phone: (317) 226-0522

INDOT'S SELF-INVENTORY & REMEDIATION SCHEDULE

This section covers the programs and facilities evaluated by INDOT on an ongoing basis and identifies current budgets, schedules and proposed solutions to address barriers identified. This portion of INDOT's Transition Plan is kept "live" and will be updated on a continual basis as projects are scheduled, and completed, and as public input is received and solutions developed and put into practice. Annual reports will be produced and included in the appendices of this plan, as well as posted on the website. Between 2015 and this 2018 update to our Transition Plan, INDOT has been developing and is now implementing a comprehensive ADA Asset Management Program. This program is defined and described below.

History of INDOT's Self-Evaluation

INDOT's Self-inventory

INDOT completed the field evaluations of its public rights-of-way in January 2013. These were entered into our Work Management System, (WMS) in 2014 with errata and invalid data cleaned up and new construction data entered by early 2015. INDOT is now migrating these assets into its Roads & Highways Assets database which will permit live, in the field data entry, updates and reporting.

Development of a GIS layer for INDOT ADA assets

A Geographic Information System (GIS) layer was initially created to help fix the location information related to the assets, but the ADA Coordinator quickly recognized the utility of having this layer available to compare to current and future projects and to be able to see areas either not reflected in the data or areas with a high density of ADA assets in need of improvement. The new Roads & Highways database will be integrated into GIS to provide real-time updates to data points in every quadrant of INDOT-controlled intersections.

Development of a Weighted ADA Asset Database and Derivative Prioritization Schedules

The weighted asset database was developed with public input and is a tool that indicates intersections in most need of improvement, which also provides a cost estimate for those improvements and assist INDOT in scoping, planning, budgeting, and constructing ADA-compliant assets. This database is a "living database" which is constantly being updated as needed and on both ends as assets are identified (added to the list) and improved (removed from the list).

From this database, INDOT produces its Roadway ADA Asset Improvement schedule (which includes an estimated timeframe and cost for **all** Roadway Assets needing improvement over the next 20 years), and Prioritized Project Schedule (which includes more detail about current and upcoming projects, but only include the next few years' worth of projects) in compliance with Title 28 CFR 35.150(d). These schedules are incorporated into INDOT's transition plan and are included in the Appendices.

Assets identified in the prioritization schedule as part of an existing project will be addressed when the project is constructed. Assets identified as part of a group of assets targeted for improvement during a particular year are assets each district has identified for improvement as standalone ADA projects. The scope of these projects will be further defined once these areas are inspected and surveyed, and the projects are scoped and developed. As such, each district intends to begin addressing them during the year indicated, but factors such as environmental requirements and real estate acquisition may cause the resulting project to not be immediately constructed. Such factors are part of the required processes for INDOT to conduct business and standard business practices will be followed.

Assets identified in the Roadway ADA Asset Improvement Schedule which are not already part of a current or developing project are assigned targeted start dates by the use of a budget forecasting model

that considers the estimated cost of improvement of assets in the weighted database from top (most in need of improvement) to bottom (least in need of improvement) and the available annual budget and forecasts when those assets will be improved.

INDOT reserves the right to adjust any and all of its asset improvement schedules based upon new information received, projects developed that may address assets sooner than anticipated, changes in the scope of existing projects, complaints, and other factors that INDOT believes should cause a change in the schedule. The underlying weighted asset database will be maintained to reflect the current state of INDOT's ADA asset inventory and the Prioritization Schedules will be updated with each Transition Plan update or as otherwise deemed necessary by the agency or its Program Manager.

Adoption of an annual ADA budget

INDOT committed in 2015 to spend a minimum of \$5,000,000.00 each year on ADA improvements with \$2,000,000.00 being used to create standalone ADA projects targeting the top tier of assets requiring improvement after considering proximity to public facilities, such as school and hospitals, taking into account population considerations, and determining whether it makes sense to group a certain number of geographically proximate locations to resolve economy of scale issues in improving ADA assets. This budget is based upon a twenty (20) year improvement scope for ADA assets. It is anticipated that during the first few years of operation, additional assets may be recognized and added to the database resulting in a bell curve increase in assets identified for improvement that should taper off after the first several transition plan reporting years.

Self-evaluation of INDOT's Programs

INDOT relies heavily on its Title VI Liaisons identified in our Title VI Implementation Plan and Annual Goals and Accomplishments Report to identify risks for discrimination in their program area. Each program area is evaluated on a quarterly basis for risks, which are then identified and made part of our annual report. A copy of the most recent plans can be found here <http://www.in.gov/indot/3584.htm>. In addition, starting in 2018, the Technical Services Directors became the owners of the ADA asset inventory and project planning in their respective districts and will collaborate with INDOT's ADA Coordinator to develop remediation projects and to address complaints received.

INDOT'S ADA ASSET MANAGEMENT PROGRAM

Starting in 2018, INDOT's asset inventory is stored and reflected as a GIS layer. Tying our inventory to a map while retaining the granular details, such as the precise measurement of a curb ramp slope and width, provides INDOT the best opportunity to identify and address barriers to accessibility. It allows us to identify and evaluate needs and issues in real time and to evaluate the success of our barrier removal efforts over time. If there is a challenge related to a specific asset, making it technically infeasible to fully remedy the issue, all the information related to that determination can be stored and viewed by INDOT staff together with the asset itself. This transition plan cycle (2018-2021) will provide us with a basis of data that will help INDOT determine the overall effectiveness of its ADA program.

As a result of our 2015 transition plan, INDOT was able to identify barriers and prioritize them for removal / remediation during the 2015-2018 transition plan cycle. However, given the static nature of the WMS database in which they were housed (due to the cumbersome nature of updating the data) there was not a method for program and project planner to work from real time reports to see progress and changes as they occurred. In addition, other asset information such as whether the Technical Advisory Committee had provided input was stored elsewhere and not able to be stored with the asset itself. While this

provided a basis for INDOT to address barriers to accessibility in the short term (3-year plan cycle) it is a barrier to long-range planning which requires up to date readily available asset information reports.

Now that the data has been migrated, INDOT is building out a range of business reports that will be useful to project managers, planners, compliance staff and the public. Samples of these reports will be incorporated into this transition plan as part of its appendices as they are developed.

Budget & Prioritization Schedule for Barrier Removal

INDOT retains its two-part budget model for this plan cycle and will be using reports generated from the improved database to determine over this plan cycle whether the budget is sufficient. INDOT's budget commits to spend at least \$5 million on remediating ADA assets, at least \$2 million as part of a dedicated ADA program fund and at least \$3 million of assets addressed as part of other regularly scheduled INDOT projects.

District-Level ADA Remediation

Two million dollars (\$2,000,000) divided by six INDOT districts gives each district a \$333,333 annual ADA specific spending target. Additionally, \$3,000,000 divided between the six INDOT districts gives each district an additional \$500,000 ADA spending target as part of regularly scheduled projects. However, the budget is calculated to give the agency flexibility in adjusting the spending according to need and distributing the funds accordingly to each district. Other challenges, such as acquiring right-of-way or engineering expertise, and utilities coordination, may result in funds shifting between districts each year. Additionally, some districts cover significant urban areas, such as the Greenfield district (Indianapolis) and the LaPorte district (Gary, Hammond) while others, like Vincennes, may have fewer sidewalk intersections in its geographic area.

The spending indicated below includes actual pay items only and does not account for the significant additional amount INDOT would have spent designing these facilities to be accessible.

The following link shows the location of the ADA projects scheduled to be done within the 2021-2023 plan cycle.

<https://www.in.gov/indot/files/Copy%20of%202021-2023%20All%20Districts%20ADA%20Projects.xlsx>

Traffic Signal Modernization Schedule

Additionally, the link below will illustrate the district-by-district proposed upgrades of accessibility projects and / or other regularly scheduled projects likely to have a pedestrian component during the current plan cycle (2021-2023). This information will be updated annually.

<https://www.in.gov/indot/files/Traffic%20Signal%20Modernization%202021%20-%202023%20%20%20210702.xlsx>

See also INDOT's revised Accessible Pedestrian Signal Policy as of August 2020.

Public Involvement for 2021 Transition Plan Update:

Because of the COVID-19 pandemic, 2020 will be a year that our state, our country and the world will never forget. We at INDOT cannot underscore how much our operations changed during the year. Out of concern for the transmission of the COVID-19 virus, public gatherings were specifically banned or limited by the government. Therefore, public meetings were limited and constrained; and hence, use of virtual public meetings and outreach over the internet was expanded and continues.

INDOT continues to recognize that not all residents have internet access. INDOT is committed to placing print copies of its plan its offices and facilities and has made copies available during its public meetings and statewide outreach opportunities. Libraries where the plan has been placed in the past have indicated that the plan is not requested or viewed. INDOT will work with the SILC (Statewide Independent Living Commission) and the Governor's Council for People with Disabilities (GCPD) to determine other more effective places to provide in-person access to our ADA Transition Plan. As always, paper copies of this plan may be requested from INDOT by contacting the ADA Coordinator.

INDOT works closely with other state agencies, including Family and Social Services Administration (FSSA) – Division of Disability and Rehabilitative Services (DDRS), to procure services for visually and hearing-impaired persons. This partnership extends to the procurement of service providers such as Bosma Enterprises. The services provided by DDRS and service providers allow INDOT to provide stakeholder access to project information as well as enhancing opportunities to participate in the transportation decision-making process.

ADA statement that is included in public notices for meetings/hearings:

In accordance with the Americans with Disabilities Act, persons with disabilities requiring assistance and/or accommodation related to accessibility to project documents and participation at the public meeting venue, are encouraged to contact **Customer Service** 1-855-INDOT4U (855-463-6848). Persons representing an ADA population where services may be needed with respect to the participation of ADA stakeholders are encouraged to contact the ADA Coordinator with regards to coordinating visual, audio and other enhancement services. We respectfully request advance notice should ADA related services be required.

INDOT will send out press releases notifying the public of the availability of its ADA Transition Plan for public inspection and comment. The Communications Department includes information regarding the availability of INDOT's ADA Transition Plan for public inspection and comment on INDOT social media websites.

Interpreters and Translation

All needs from translation to sign language services are obtained by the district and/or the project manager on each project.

https://www.in.gov/indot/files/20210223_INDOT_PPIP_Draft_Interactive.pdf

Telecommunications

INDOT does not currently provide TDD/TTY (TeleTypewriter) phone services for its public services that use telephones; however, INDOT does provide TDD/TTY phone service for its employees who request a reasonable accommodation during their employment. INDOT provides dial in translation services any time there is a need for an interpreter.

Reworking Community-Based Public Outreach

In June 2012, INDOT chartered an external community-based statewide ADA Community Advisory Working Group (CAWG) composed of the Title VI/ADA Program Manager and individuals with disabilities, disability advocates and those who provide services to persons with disabilities.

In 2018, INDOT recognized that this work group was not inclusive of a number of disabled communities, organizations and/or disabled persons throughout Indiana because of its insular membership and board; and that a wider selection of persons and groups having an interest in advocating for the interest of the disabled as it related to ADA-accessibility was needed. In addition, the structure of the CAWG, which limited membership to terms, unintentionally disenfranchised engaged board members whose terms expired and were not eligible for renewal while at the same time engaging new members who, even after training, were uncertain what their role was since the CAWG meetings were themselves limited in focus to INDOT's targeted ADA activities.

INDOT has determined a better approach is for INDOT's ADA coordinator to collaborate with all former CAWG members and regular meeting attendees, as well as other statewide entities such as INSILC and the Governor's Counsel for People with Disabilities to disseminate information related to INDOT's comprehensive public outreach (vs. simply our ADA transition plan) and solicit input from and on behalf of people with disabilities as well as to provide feedback and information from the disabled community to INDOT's project managers and others engaging the public on improvements and best practices. Our three-year targets for these activities include:

- Identifying 10 (or more) advocacy/ representative agencies in each of INDOT's six districts and including them in our public outreach Listserv as well as maintaining a separate email list to enable to ADA coordinator to seek direct input from people with disabilities as needed.
- Collaborating with at least one other agency or entity to provide annual training to INDOT's public outreach-involved staff and consultants on best practices and means to engage people with disabilities. This includes recording this training such that is readily available to new staff and partners in public outreach.
- Developing, in partnership with agencies and entities who serve people with disabilities, an outreach campaign to register people with disabilities for our listserv and to provide information about our ADA transition plan and public outreach activities.
- To track and monitor public participation by people with disabilities and agencies / entities who advocate or provide direct services on their behalf to determine a baseline and to then demonstrate constant growth in this area over time.

Summary of Public Comments & Input: (Ongoing beginning spring 2021)

The publication of the draft of the update of INDOT's ADA Transition Plan through INDOT's listserv brought several comments; e.g. where to find more information about the Plan; criticism about seeking the public's involvement, particularly from stakeholders and disabled persons. Those comments are well-taken. INDOT as a whole has changed the manner and method of public outreach. Public involvement and outreach has been redirected from the agency's Central Office in Indianapolis to the six district level offices throughout the state. INDOT continues to evaluate that shift in producing the most effective means of reaching and engaging the public.

INDOT agrees it will post the Transition Plan and any updates document in PDF, HTML and WORD formats online.

INDOT will produce an annual report as an appendix to this transition plan each year that includes this information. INDOT will develop and make available a flyer to serve that purpose.

INDOT thanks the individuals, advocates and organizations who have provided input and comments related to the development of its transition plan to date and encourages anyone interested to provide feedback as we continue to develop and revise our plan.

Accessibility Training for INDOT Staff and Funds Recipients:

INDOT provides in person and online training opportunities to our new hires and updates its training of current employees every two (2) years. In 2016 and 2017, INDOT provided many live-in person ADA technical training opportunities to our staff, consultants, and contractors. Training was provided during Purdue University's Road School both years, during construction conferences in each of the six INDOT districts and at other times in each district concurrently with the basic training for all employees. INDOT recently launched online training for all employees on its Title VI and ADA requirements and required every INDOT employee to complete the online starting in spring 2021. Feedback received during these training sessions has facilitated regular updates to the INDOT Design Manual and Standard Specifications to clarify the requirements to ensure accessible design.

INDOT also provides training to our subrecipients of federal funds. This training occurs live in each district, online on a monthly basis for contractors and consultants, and through our partners at Purdue, the Indiana ADA Coordinator's Association, and Accelerate Indiana Municipalities (AIM). INDOT has developed subrecipient technical assistance tools, templates, and guides for each of our Indiana communities to use as a starting point when addressing accessibility needs in each of their communities. INDOT also requires subrecipients to certify that their community has an ADA Coordinator who has received training when they apply for project funding and that they provide ADA training to staff in their community.

INDOT's Complete Streets Guideline and Policy:

This INDOT policy is designed to guide planners, designers, and engineers as they implement complete streets initiatives. These strategies should be identified as early as possible in the planning process and definitely not later than stage 1 design. The main objective of our complete streets policy is to design and build roads that safely and comfortably accommodate all users of the roadway, including motorists, cyclists, pedestrians, transit, and freight, benefiting people of all ages and abilities, and meeting the goals

and requirements of the ADA. A copy of this policy can be found online at [http://www.in.gov/indot/files/AM CompleteStreetsGuideline.pdf](http://www.in.gov/indot/files/AM_CompleteStreetsGuideline.pdf).

Compliance Reviews of Transit Providers

INDOT developed “The Indiana DOT Compliance Review Field Guide,” which serves as a basis for determining ongoing compliance of transit providers with all regulatory requirements, including the ADA. If a provider is a direct funds recipient via FTA, the FTA conducts triennial compliance reviews of each provider directly and INDOT reviews these to determine the provider’s level of compliance. Our field guide provides:

Requirements:

Under Department of Transportation (DOT) Americans with Disabilities Act of 1990 (ADA) regulations, public and private transportation providers are required to operate services in a way that does not discriminate against persons with disabilities. The regulations include general nondiscrimination provisions that apply to all types of agencies and services. There are also provisions that apply just to certain types of agencies and services. For example, public fixed route operators are required to make on-board stop announcements to keep riders oriented to their location. They are also required to have a system in place at stops served by multiple routes that allows riders to identify the bus they need to catch, or drivers to identify which riders are waiting to catch their bus.

Public fixed route operators also must provide ADA complementary paratransit service to individuals who cannot use the fixed route due to their disability. Commuter bus service is exempted from this requirement¹⁴.

Section 5311 recipients that provide financial support for intercity bus in the form of vouchers or operating subsidies, are addressed by 49 CFR part 37.37(a), which states that a private entity does not become subject to requirements applicable to a public entity simply “because it receives an operating subsidy from, is regulated by, or is granted a franchise or permit to operate by a public entity.” However, when a public entity enters into a contract or other arrangement or relationship (including grants or subgrants) with a private entity to operate fixed route or demand-responsive service, the public entity shall ensure that the ADA obligations are met, including any ADA complementary paratransit requirements (49 CFR part 37.23). The nature of the arrangement between the public entity and the private intercity operator would determine whether 49 CFR part 37.37 or 49 CFR part 37.23 applies.

¹⁴ As defined in 49 CFR part 37.3, commuter bus service is “characterized by service predominantly in one direction during peak periods, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying suburbs. Commuter bus service may also include other service, characterized by a limited route structure, limited stops, and a coordinated relationship to another mode of transportation.” Similarly, intercity bus service may resemble commuter bus service in that there is no attempt to comprehensively cover a service area, it has a limited route structure, limited origins and destinations, and limited purposes of travel, and therefore, the obligation to provide ADA complementary paratransit may not apply. However, other relevant requirements of 49 CFR parts 27, 37, and 38 do apply to intercity bus service.

No entity shall discriminate against an individual with a disability in connection with the provision of transportation service. Except for very specific circumstances, service policies cannot keep individuals with disabilities from benefiting equally from the transportation services provided. Possible exceptions are if providing the service would fundamentally change the nature of the service provided (e.g., exclusive ride versus shared-ride), or if providing the service would present a “direct threat” (i.e., a safety threat to **others**, not the person with the disability). Examine all public information related to the transportation services provided, including Rider Guides, operating policies and procedures, service bulletins, employee training materials, etc., for any policies or requirements that could discriminate against or limit service to persons with disabilities.

Denying Service

Policies can only call for a denial of service if the situation or behavior is illegal, violent, or seriously disruptive. To be illegal, there must be an established law prohibiting the behavior, not just a common standard of appropriate behavior. Seriously disruptive behaviors must be significant, not just annoying or unpleasant.

Following are examples of common policies that a subrecipient may put in place that discriminate against persons with disabilities.

Does the subrecipient ...

- Have policies that impose any special charges for individuals with disabilities, including wheelchair users?
- Deny service to any individual because its insurance company conditions coverage or rates?
- Require that wheelchairs have working brakes, be “in good working condition,” or place any other restrictions on mobility devices? (Exception: situation that poses a “direct threat to others.”)
- Have policies that suggest a denial of service for rude behavior, swearing, or other behaviors that do not rise to illegal or seriously disruptive?
- **Require** individuals with disabilities to use designated priority seats?
- Require persons traveling in securement areas to wear seat belts or shoulder straps when all other passengers do not have the same requirement?
- Require wheelchair users to wear a body belt when traveling up and down on the lift?
- Have a policy that prohibits respirators or portable oxygen supplies¹⁵
- Have any other policy that could discriminate against persons with disabilities?

Attendant Policies:

Individuals with disabilities should be allowed to travel with attendants. Attendants cannot be required, though, except if service could otherwise be refused for illegal, violent, or seriously disruptive behavior.

¹⁵ Exception: items that are prohibited under applicable Department of Transportation rules on the transportation of hazardous materials—49 CFR subtitle B, chapter 1, subchapter C.

Compliance Responsibilities Vary by Service Classification:

Compliance responsibilities will vary depending upon the type of entity providing the service. The regulations recognize three types of entities as follows:

Public entities	Governmental entities or special authorities created by legislation, i.e., city, town, county, and state.
Private transportation entities	Private companies whose primary purpose is transportation: Taxi Van or bus Intercity bus Non-profit transportation agencies
Private entities	Organizations whose purpose is not transportation and provide transportation as support service; e.g.

Compliance responsibilities will also vary depending on the type of transportation service provided by the subrecipient. Several types of service that are particularly relevant to these reviews are:

Type of system		Relevance to persons with disabilities
Fixed-route by public or private entities	Entity operates a vehicle along a prescribed route according to a fixed schedule	Must be able to identify the right vehicle to ride, board safely and be able to identify destination stop Complementary transit service must be provided.
Commuter bus service	Extended length fixed-route, but runs in one direction during peak hours, limited stops with multi-ride tickets and may include coordination with another mode of transportation; e.g. rail	
Demand response (private or public entities)	Not a fixed route or schedule; ADA paratransit service	If own accessible and non-accessible vehicles, must provide equivalent service.
Route/Point Deviation or	No prescribed routes or if allow for on-request deviations off	Deviations made for certain persons including the disabled, is really a fixed route system

Flex bus systems	prescribed routes are actually demand response system	
ADA Paratransit		
Demand responsive system	Any system of transporting individuals, including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including but not limited to specified public transportation service, which is not a fixed-route system	Demand response systems must provide equivalency of service if they purchase both accessible and non-accessible vehicles.
Route Deviation, Point Deviation, or Flex-Bus systems	No prescribed routes, or which allow for on-request deviations off prescribed routes, are considered types of demand responsive systems if the on-request, off-route deviations are available to all riders.	If off-route deviations are made only for certain individuals, such as persons with disabilities, these types of services are considered fixed route.
ADA complementary paratransit	Demand responsive service that is required of public entities that provide non-commuter fixed-route service. All provides must provide for maintenance of their equipment, proper training and employee supervision to ensure that accessible service is maintained. Facilities must also be accessible	

General Approach to Transit Review¹⁶

INDOT's Transit Office conducts periodic compliance reviews of its federally funded subrecipients. In this approach, INDOT uses the services of a technical assistance consultant to conduct compliance reviews of **all** subrecipients in the Section 5311 and Section 5310 programs, undertaking approximately 25 reviews per year.

- In addition, INDOT is collaborating with fixed transit providers and their respective MPOs identify barriers to accessibility. The review process for these fixed-route transit providers includes the following: Requesting / requiring communities with fixed-route transit operations to provide inventories of bus stops, shelters and a prioritization schedules outlining when and how improvements will be made to the in their ADA transition plan;
- Reviewing the Accessibility policies and plans of the transit operators;

A principal tenet of the INDOT approach to the Compliance Review Program is the provision of technical assistance. The consultant team will be required to assist each subrecipient under review to understand the requirements of any particular circular, rule, regulation or law, to provide copies of relevant regulatory citations and technical assistance materials, and to render additional assistance in subrecipient remedy of findings, as necessary.

The review process will consist of nine structured steps, from formal communication by INDOT announcing a scheduled Compliance Review to the issuance of the final report and action plan by the review consultant. Steps in the process will include:

- Initial communication from INDOT announcing the review, requesting materials, site visit schedule, etc.
- Response period for system under review and INDOT to provide desk review materials to the review consultant.
- Consultant desk review.
- Site visit for on-site data collection, files inspection, etc.
- Preparation of the draft compliance report.
- INDOT review of the draft report.
- Issuance of draft report to subrecipient.
- Subrecipient review and response.
- Preparation of the final report and subrecipient action plan.

¹⁶ The review process for all other transit providers (section 5311 and 5310) will emulate FTA's Triennial Review and State Review Process. The process consists of both a desk review and an on-site visit by the review team and INDOT. Following each site visit, the consultant review team will issue a report outlining the areas reviewed, compliance deficiencies, actions necessary by the subrecipient to remedy the deficiency, and the timeframe for corrective action.

The document checked as part of the review related to Civil Rights and Accessibility Program Areas include:

Yes	No	Document/Reference in Indiana Program Manual
Civil Rights		
<input type="checkbox"/>	<input type="checkbox"/>	Copy of standard Title VI Assurance (Submission of Standard Assurance, p. VIII-1)
<input type="checkbox"/>	<input type="checkbox"/>	Description(s) of any lawsuits or complaints alleging discrimination in service delivery filed within last year along with statement of resolution/outcome (Nondiscrimination, p. VIII-1)
<input type="checkbox"/>	<input type="checkbox"/>	Summary of all civil rights compliance activities conducted in the last three years (Nondiscrimination, p. VIII-1)
<input type="checkbox"/>	<input type="checkbox"/>	Analyses of environmental or social impacts, including minority communities, arising from construction project (except those that qualify as categorical exclusion) (Nondiscrimination, p. VIII-1)
<input type="checkbox"/>	<input type="checkbox"/>	Copy of EEO program (If the subrecipient receive more than \$1,000,000 in Federal assistance or employ more than 50 employees) (Equal Employment Opportunity, p. VIII-2)
<input type="checkbox"/>	<input type="checkbox"/>	Copy of DBE Program and Goals (If the subrecipient receive more than \$250,000 (exclusive of vehicle purchases) in Section 5311 funds (and Section 5307 and Section 5310 funds, if applicable)) (Disadvantaged Business Enterprise, p. VIII-2)
<input type="checkbox"/>	<input type="checkbox"/>	Copies of most recently developed annual DBE goals (if applicable) (Disadvantaged Business Enterprise, p. VIII-2)
<input type="checkbox"/>	<input type="checkbox"/>	DBE reports to INDOT (if applicable) (Disadvantaged Business Enterprise, p. VIII-2)
Americans with Disabilities Act (ADA)		
<input type="checkbox"/>	<input type="checkbox"/>	Copies of any complaints filed against the subrecipient alleging discrimination on the basis of disability in service delivery (filed within last year) along with statement of resolution/outcome (Americans with Disabilities Act, p. VIII-3)
<input type="checkbox"/>	<input type="checkbox"/>	Written records of service denials and the basis for those denials (Americans with Disabilities Act, p. VIII-3)
<input type="checkbox"/>	<input type="checkbox"/>	Copy and description of fare structure employed by the subrecipient (Americans with Disabilities Act, p. VIII-3)
<input type="checkbox"/>	<input type="checkbox"/>	Copy of system information distributed or available to the public (Americans with Disabilities Act, p. VIII-3)
<input type="checkbox"/>	<input type="checkbox"/>	Copies of the complementary paratransit plan and annual updates (with INDOT/FTA approval letters), if applicable (Americans with Disabilities Act, p. VIII-3)

In addition, the Annual Certifications and Assurances, which must be signed by every FTA funds recipient (via INDOT), include nondiscrimination and accessibility assurances. The compliance review also seeks to ensure that the recipient has adequate staff and control measures in place to ensure that properly trained staff operate its programs and vehicles, and that there is adequate staff for safety and to ensure compliance with the state and federal program requirements. INDOT reviews the percentage of contract ridership versus the general public; how many rides have been rescheduled or missed; how fares are determined; whether there have been complaints or grievances; and seeks to ensure funds are spent properly and beneficiaries receive the service they should properly receive. For more information, feel free to request a copy of the "Indiana DOT Compliance Review Field Guide" and / or nondiscrimination and accessibility assurances" for transit providers from INDOT.

INDOT received more requests for funding than there exists federal funding available and funding had not increased to meet increasing demands. Funding occurs on a competitive basis and applicants must

ensure they can meet accessibility requirements before they are awarded funding. To request copies of our funding / grant applications or guidelines, please contact INDOT.

5310 Compliance Reviews Conducted:

Due to the impact of the pandemic in 2020, no compliance reviews were conducted. Thirteen (13) compliance reviews were conducted in 2019. Of those reviews all were found to be in compliance. No subrecipients were identified as having substantial deficiencies in meeting accessibility requirements.

As a result of our compliance reviews and technical assistance, no deficiencies were addressed. If necessary, INDOT would provide the appropriate level of technical assistance to its providers who may have outstanding deficiencies to ensure they demonstrate good faith efforts to remove barriers to accessibility to remain eligible for funding. INDOT has not denied or withheld funding from any providers as a result of the providers not being able to meet or maintain accessibility requirements. Anyone who has a concern related to accessibility of a service provider's programs or facilities may file a grievance with the provider, INDOT or directly with the FTA.

INDOT Facilities Division 2021 Transition Plan Update

INDOT's ADA Coordinator meets at least annually with its facilities director or designee to discuss facilities being retired, constructed or altered and to ensure these modifications are consistent with all accessibility requirements. The Facilities division is currently evaluating the barriers identified by INDOT's ADA coordinator and developing a remediation schedule for all INDOT facilities.

- Pigeon Creek Welcome Center, located along southbound I-69 in Steuben County, is complete and operating. The new building and site have addressed all ADA concerns. A parking lot reconstruction project is currently underway and a review of the facility will be done by the ADA Coordinator and the facilities' director.
- The Kankakee Welcome Center reconstruction project was bid last in late March 2021 and construction is anticipated to start this summer.
- All the district office entrance push buttons are operable and accessible.
- The Evansville subdistrict facility is currently under construction and is to be completed during the summer of 2021.
- Materials & Testing Building Phase 3 in Indianapolis is to be constructed next fiscal year,
- In the Fort Wayne District, the Waterloo and LaGrange units are to be constructed fiscal year 2022. The LaGrange unit is replacing Brimfield and Shipshewana unit and will be constructed in FY 2022 as well. The Bluffton subdistrict is to be renovated 2022.

Estimates are underway to determine the cost of removing barriers to accessibility in order to develop a more comprehensive prioritization schedule.

INDOT replaced the Flat Creek Rest Area Building with the Auburn Rest Area Building. In 2013, opened a new Aurora subdistrict building and Fort Wayne District Administrative Office. An overview of the facilities recently constructed (and constructed to meet ADA specifications) is provided below. A more comprehensive analysis of rest areas is included in the Appendices.

District Buildings Overview

The ADA Coordinator conducted a self-evaluation of its rest areas and four of its district buildings in 2014-15. The Rest Area study is included in Appendix D. The districts evaluated included the Greenfield, Crawfordsville, Vincennes, and Seymour. It should be noted that INDOT's LaPorte District facility is constructed in the same layout as the Crawfordsville, Vincennes, and Seymour districts buildings and that the Fort Wayne District office was recently reconstructed to standard. An analysis of the districts visited and measured demonstrated that parking requirements were generally met in regard to the number of spaces and number, size, and position of accessible parking spaces. In all cases curb ramps were provided from the accessible parking spaces to the sidewalk and the sidewalks were generally appropriate in slope and width.

Each district office maintains an accessible entrance, though some pushbuttons have been disabled in order to create a secure entrance whereby front office staff must press a button to allow any person entry to the building. This system is being evaluated to determine if accessibility can be improved while security is maintained. The width of the entrances, transition through the door jambs and height and type of the buttons and handles all fall within specifications. There is sufficient area to navigate within the entrance and through the hallways of all district offices. Elevators are likewise compliant, containing properly placed signage that includes Braille and is placed at the appropriate height. Buttons for elevator operation also meet the requirements; the size of the entry to the elevator and size of the elevator car is sufficient in each instance. The elevator doors, when activated, operate (open and close) within the specified parameters. Drinking fountains are generally accessible, unobstructed and operable. Restrooms are generally accessible. In at least one location, a single restroom was not accessible, but an accessible restroom was located in an equally convenient location. Additional signage would indicate the location of the accessible restroom. Door width and handles to enter the restrooms were appropriate. In some cases, the restroom signs were not located on the proper side of the door, but in most cases, this was due to a corner entrance and thus out of necessity. The counter height of the sinks, navigable area and depth, access to soap dispensers and hand dryers as well as mirrors was sufficient.

In many instances, the coat hooks were hung too high on the doors of the accessible restrooms and some stall closures could be replaced with more accessible mechanisms. The toilets themselves were properly placed in appropriately sized stalls and the handrails were generally unobstructed and hung at the correct height or very, very close to the correct height. As such no major improvements are recommended to district facilities. INDOT will continue to assess its other facilities as updates or replacements are scheduled and make minor adjustments to its existing district facilities to improve accessibility and work to ensure security provisions do not unnecessarily inhibit accessibility.

INDOT 2018 Accessible Technology Update

INDOT reviewed its website accessibility in 2018. INDOT does provide accessibility resources and tools and makes every attempt to post material in an accessible format, but as we work to streamline our customer service, we will evaluate where barriers exist and work to establish protocols for improving our public facing website accessibility. We welcome public involvement in this process.

Each visitor using the INDOT website has the right to obtain information and services independently, conveniently and in an alternate format upon request.

In accordance with Indiana Code 4-13.1-3, all state information, technology, equipment, software and systems used by the public or state employees complies with the accessibility standards of Section 50 of the Federal Rehabilitation Act of 1973 (Section 508).

With the guidance of the state's Assistive Technology Standards Group (ATSG) INDOT continues to work towards its commitment to ensure equal access to individuals with disabilities. INDOT's Communications Division, continually monitors the website content and makes modifications to remove accessibility barriers.

INDOT's website, which follows the standards set by the State of Indiana website IN.gov, includes a free screen reader and translation tool that requires a simple and secure download. Browse aloud by text HELP allows visually impaired users and foreign language speakers to use the IN.gov website without difficulty by reading aloud the users' page content, including HTML, PDF and Word files. Users can choose the language, pronunciations and voice that will read the website.

INDOT's Customer Service Call Center

In 2018, INDOT launched its customer service call center. As a result, there will be a single telephone number to dial for all of INDOT, which replaced hundreds of direct-dial lines for employees. This improved accessibility for all people to INDOT programs but certainly reduce the amount of navigation through our website or contact lists for persons with disabilities. The customer service center will also monitor resolution of the issues that the customer service intake center received to ensure that resolution is achieved in a timely manner. Our ADA Coordinator will work closely with the INDOT call center to ensure that disability discrimination does not occur.

INDOT's customer service call center number is 1-855-INDOT4U (855-463-6848).

**FHWA STATE TRANSPORTATION AGENCY
(STA) REQUIREMENTS CHECKLIST:**

State Transportation Agency (STA) Responsibilities			
A. General Requirements (Subpart A and B):	Yes	No	?
1. Does the STA have a 504/ADA coordinator? (28 CFR 35.107(a) & 49 CFR 27.13(a))	<input type="checkbox"/>		
2. Does the STA have an internal grievance procedure that allows for quick and prompt solutions for any complaints based on alleged noncompliance with 504/ADA? (Note: "Grievance procedure" refers to a process for external complaints) (28 CFR 35.107(b) & 49 CFR 27.13(b))	<input type="checkbox"/>		
3. Does the STA keep on file for at least one year all complaints of noncompliance with ADA and 504 received? (49 CFR 27.121(b))	<input type="checkbox"/>		
4. Has the STA drafted and disseminated to participants, applicants, employees, unions, and contractors/consultants a nondiscrimination policy statement that states that the STA does not discriminate on the basis of disability in admission or access to, or treatment or employment in its programs or activities? (28 CFR 35.106 & 49 CFR 27.15)	<input type="checkbox"/>		
5. Does the nondiscrimination policy statement also identify the name, title, office address and office telephone number of the 504/ADA Coordinator? (28 CFR 35.107(a) & 49 CFR 27.15(a) and (b))	<input type="checkbox"/>		
6. Has the STA conducted a self-evaluation of its current services, policies, and practices, and the effects thereof, to determine necessary modifications to achieve program accessibility? (28 CFR 35.105 & 49 CFR 27.11(c)(2)(i-v))	<input type="checkbox"/>		
7. If so, did the STA provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation process by submitting comments? (28 CFR 35.105(b) & 49 CFR 27.11(c)(2))	<input type="checkbox"/>		
8. Has the recipient established a system for periodically reviewing and updating the evaluation? (49 CFR 27.11 (c)(2)(v))	<input type="checkbox"/>		
9. Does the STA maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities? (Note: includes STA buildings and public rights-of-way facilities such as sidewalks, curb ramps and accessible pedestrians signal) (28 CFR 35.133)	<input type="checkbox"/>		
10. Does the STA monitor sub-recipients who receive STA assistance (local governments, contractors, consultants) to ensure compliance with Title II ADA and 504 with respect to STA funded (both Federal and State) projects and programs that the sub-recipients implement? (28 CFR 35.130 (b)(1)(v) & 49 CFR 27.7 (V))	<input type="checkbox"/>		

11. Does the STA provide a written assurance to the FHWA that it will not discriminate on the basis of disability in the provision of its programs, services, activities, and facilities, and that it will be in compliance with Section 504 and all of its requirements? (Note: this can be included in the Title VI assurance to FHWA) (49 CFR 27.9)	<input type="checkbox"/>		
B. Program and Facility Accessibility (Subpart D)	Yes	No	?
Title II ADA Transition Plan Requirements			
1. Has the STA developed and implemented a transition plan that outlines which structural modifications must be made to those programs and services that are not accessible? (28 CFR 35.150(d) & 49 CFR 27.11)	<input type="checkbox"/>		
2. Has the STA also developed a curb ramp installation schedule as part of the transition plan for pedestrian facilities it owns, operates and/or maintains? (28 CFR 35.150(d)(2))	<input type="checkbox"/>		
3. If so, did the STA provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the transition plan process by submitting comments? (28 CFR 35.150(d)(1) & 49 CFR 27.11) (c)(2))	<input type="checkbox"/>		
4. Is the transition plan available for public inspection? (28 CFR 35.150(d)(1) & 49 CFR 27.11)	<input type="checkbox"/>		
5. Has the STA modified any policies or practices that do not meet Section 504 according to a schedule or sequence that includes milestones or measures of achievement? (49 CFR 27.11 (c)(2)(iii))	<input type="checkbox"/>		
6. Has the STA taken appropriate remedial steps to eliminate the effects of any discrimination that resulted from previous policies and practices? (49 CFR 27.11) (c)(2)(iv)	<input type="checkbox"/>		
7. Does the STA have a process to analyze an existing program, service, or benefit for determinations of "undue" financial or administrative burdens, or fundamental alteration to the program, service or benefit that comports with the criteria for making such determinations in 28 CFR 35.150 (a)(3) and 28 CFR 35.164? (Note: A process to conduct undue burden determinations is not required but is a best practice. However, the documentation of an undue burden determination by an STA is required by these regulations)	<input type="checkbox"/>		
8. Does the STA build new facilities and alter existing ones (both pedestrian ROW and STA buildings) in accordance with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Appendix A of 49 CFR 37? (28 CFR 35.151 (c) and 49 CFR 27.3 (b))	<input type="checkbox"/>		
9. Does the STA have a process and procedure for the installation of accessible features on the pedestrian rights-of-way (curb ramps, accessible pedestrian signals, etc.)?	<input type="checkbox"/>		

10. Does the STA provide accessible highway rest areas and pedestrian underpasses, overpasses and ramps that are newly constructed or altered with Federal aid? (49 CFR 27.75)	<input type="checkbox"/>		
11. Does the STA have a process for making technical infeasibility determinations for new construction and alterations that comports with the criteria in ADAAG 4.1.1 (5) and 4.1.6(J)?	<input type="checkbox"/>		
12. Does the STA install curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway, when streets, roads, highways, or crosswalks are newly constructed or altered, or when the crosswalk is constructed with Federal aid? (28 CFR 35.151 (e)(1)(2) and 49 CFR 27.75 (a)(2))	<input type="checkbox"/>		
13. Is the STA installing detectable warnings in the form of truncated domes in curb ramps when roadways with pedestrian facilities are altered? (ADAAG 4.29 and FHWA policy guidance (May 2002))	<input type="checkbox"/>		
C. Communications (Subpart E)	Yes	No	?
1. Does the STA provide auxiliary aids (sign language interpreters, readers, Braille, large print text) upon request, to STA program participants with disabilities? (28 CFR 35.160 (b)(1) and 49 CFR 27.7(c))	<input type="checkbox"/>		
2. Does the STA notify the public and other interested parties that auxiliary aids will be provided, upon request (e.g., via public meeting announcement)? (28 CFR 35.160 (a), 28 CFR 35.163 (a), and 49 CFR 27.7(c))	<input type="checkbox"/>		
3. Is the STA website and its contents accessible to individuals with hearing or visual impairments? (28 CFR 35.160 (a), 28 CFR 35.163 (a), and 49 CFR 27.7(c))	<input type="checkbox"/>		
4. Can hearing impaired individuals contact the STA via TTD/TTY phone line or an equally effective telecommunications system such as a relay service? (28 CFR 35.161 and 49 CFR 27.7(c))	<input type="checkbox"/>		

GLOSSARY OF TERMS

ADA Coordinator	An individual responsible for overseeing and coordinating the administrative requirements of a public entity's ADA compliance efforts and responding to complaints filed by the public.
ADA Transition Plan	<p>An adopted list of the physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities; a detailed outline of the methods the public entity will use to remove the barriers identified and make the facilities accessible; the schedule for taking the necessary steps to achieve compliance. If the period for achieving compliance is longer than one year, the plan should identify the interim steps that the public entity will take during each year of the transition period. The plan includes the name of the official responsible for the plan's implementation.</p> <p>INDOT's transportation system plan that identifies accessibility needs, and identifies the process to integrate accessibility improvements, and ensures all transportation facilities, services, programs, and activities are accessible to all individuals.</p>
Accessible	A facility that provides access to people with disabilities using the design requirements of the 2010 Standards. (PROWAG R106.5)
Accessible Pedestrian Signal (APS)	A device that communicates information about the WALK phase in audible and vibrotactile formats. (PROWAG R105.5)
Alteration	A change to a facility in the public right of way that affects or could affect access, circulation or use of the facility. An alteration must not decrease or have the effect of decreasing the accessibility of a facility or an accessible connection to an adjacent building or site.
Americans with Disabilities Act (ADA)	The Americans with Disabilities Act of 1990, as amended sets design guidelines for accessibility to public facilities, including sidewalks and trails by individuals with disabilities.
Americans with Disabilities Act Accessibility Guidelines (ADAAG)	The ADAAG contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the ADA.
Assurances	A statement of guarantee given in consideration of and for receiving federal aid.
Auxiliary Aids and Services	(1) Qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including

real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;

(2) Qualified readers; taped texts; audio recordings; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision;

(3) Acquisition or modification of equipment or devices; and

(4) Other similar services and actions. (28 CFR §35.104)

Blended Curb or Transition	A curb ramp shallower than 1:20 (5%), where the sidewalk is blended into or is flush with the street.
Building	Any structure used or intended for supporting or sheltering any use or occupancy. (PROWAG R106.5)
Circulation Path	An exterior or interior way of passage provided for pedestrian travel including, walks, hallways, courtyards, elevators, platform lifts, ramps, stairways, and landings.
Complainant	The person filing a written complaint.
Complete Complaint	A signed written statement that contains the complainant's name and address and describes the alleged discriminatory act in sufficient detail to inform INDOT of the nature and date of the alleged violation of Title VI of the Civil Rights Act of 1964, Vocational Rehabilitation Act or the Americans with Disabilities Act. The complaint must be signed by the complainant or an authorized representative of the complainant.
Compliance	The satisfactory condition existing when a recipient has effectively complied with the current ADA standards.
Cross Slope	The slope that is perpendicular to the direction of accessible pedestrian travel. (PROWAG R105.5)
Crosswalk	The part of a roadway at an intersection that is included within the extensions of the lateral lines of the sidewalks on opposite sides of the roadway, measured from the curb line or, in the absence of curbs, from the edges of the roadway or, in the absence of a sidewalk on one side of the roadway, the part of the roadway included within the extension of the lateral lines of the sidewalk at right angles to the centerline.
Curb Line	A line at the face of the curb that marks the transition from the roadway to a sidewalk or planting strip between the sidewalk and the gutter or roadway.

Curb Ramp	A short ramp cutting through a curb or built up to it. (PROWAG R106.5)
Detectable Warning Surface (DWS)	A surface feature built in or applied to walking surfaces or other elements to advise of an upcoming change from a pedestrian to a vehicular way. (PROWAG R405.5)
Element	An architectural or mechanical component of a facility, space, site or public right-of-way.
Entrance	Any access point to a building or facility used for entering including entry door or gate and hardware. (PROWAG R106.5)
Facility	(1) All or any portion of structures, improvements, elements and pedestrian or vehicular routes located on a site or a public right-of-way. (2) All or any portion of buildings, structures, vehicles, equipment, roads, walks, parking lots, or other real or personal property or interest in such property. (49 CFR §27.5)
Federal Financial Assistance	Any grant, loan, contract (other than a procurement contract or a contract of insurance or guaranty), or any other arrangement by which the Department provides or otherwise makes available assistance in the form of: Funds; Services of federal personnel; or Real or personal property or any interest in, or use of such property, including: Transfers or leases of such property for less than fair market value or for reduced consideration; and Proceeds from a subsequent transfer or lease of such property if the federal share of its fair market value is not returned to the federal government. (49 CFR §27.5)
Flush Transition	See Blended Transition
Grade Break	The meeting line of two adjacent surfaces of different slope (grade).
Geographic Information System (GIS)	A geographic information system (GIS) allows the ability to visualize, question, analyze, interpret, and understand data to reveal relationships, patterns, and trends.
Island	Curbed or painted area outside the vehicular path that is provided to separate and direct traffic movement, which also may serve as a refuge for pedestrians.
Marked Crosswalk	Any portion of a roadway at an intersection or elsewhere that is distinctly indicated for pedestrian crossing by lines or other markings on the surface.
Metropolitan Planning	Each urbanized area in the United States with a population of 50,000 or more is required by the federal government to have a metropolitan planning organization

Organization (MPO)	(MPO). MPOs are responsible for the continuing, cooperative, and comprehensive transportation planning process for their urbanized area.
Maintenance of Traffic (MOT) Plan for pedestrians	Plan to ensure pedestrian safety and access during planning, design, and construction phases for a project and to maintain Americans with Disabilities Act of 1990 (ADA) compliance, and provide positive guidance to avoid pedestrian confusion throughout each phase.
Parallel Curb Ramp:	A system of two sloped ramps that run parallel to the curb line from a common lower landing that is approximately level with the street.
Pedestrian Access Route:	A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility. (PROWAG R105.5)
Perpendicular Curb Ramp	A curb ramp with a main slope running perpendicular to the curb line and with one or more flared side slopes.
Prioritization schedule	A listing or ranking of physical barriers to accessibility by establishing realistic and time-sensitive methods for elimination of those barriers within a certain time frame.
Projects	Any construction or maintenance project that disturbs the pavement by at least $\frac{3}{4}$ of an inch.
Public Right of Way:	Land or property owned by a public entity and usually acquired for or devoted to transportation or pedestrian purposes. Denotes land, property, or interest therein, usually in a strip, acquired for or devoted to transportation purposes.
Public Use	Interior or exterior, rooms, space or elements that are made available to the public.
Ramp:	A walking surface that has a running slope steeper than 5%.
Running Slope:	The slope that is parallel to the direction of travel expressed as a ratio of rise to run in the public right of way. This is usually called grade and is expressed as a percentage.
Section 504:	Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination in any program or activity receiving federal financial assistance.
Sidewalk:	That portion of a public right of way between the curb line or lateral line of a roadway and the adjacent property line that is improved for use by pedestrians.
Street Furniture:	Elements in the public right-of-way intended for use by pedestrians.
Sub-recipient	An entity or person that indirectly (usually through a grant or contract) receives federal financial assistance to implement a program or activity, which obligates them to comply with the Section 504 and its implementing regulations. Subrecipients include, but are not limited to, metropolitan planning organizations, local public agencies, and colleges/universities.

Technically Infeasible

An alteration that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load bearing member that is an essential part of the structural frame or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full strict compliance with the minimum requirements of the 2010 ADA Standards.

Vibrotactile

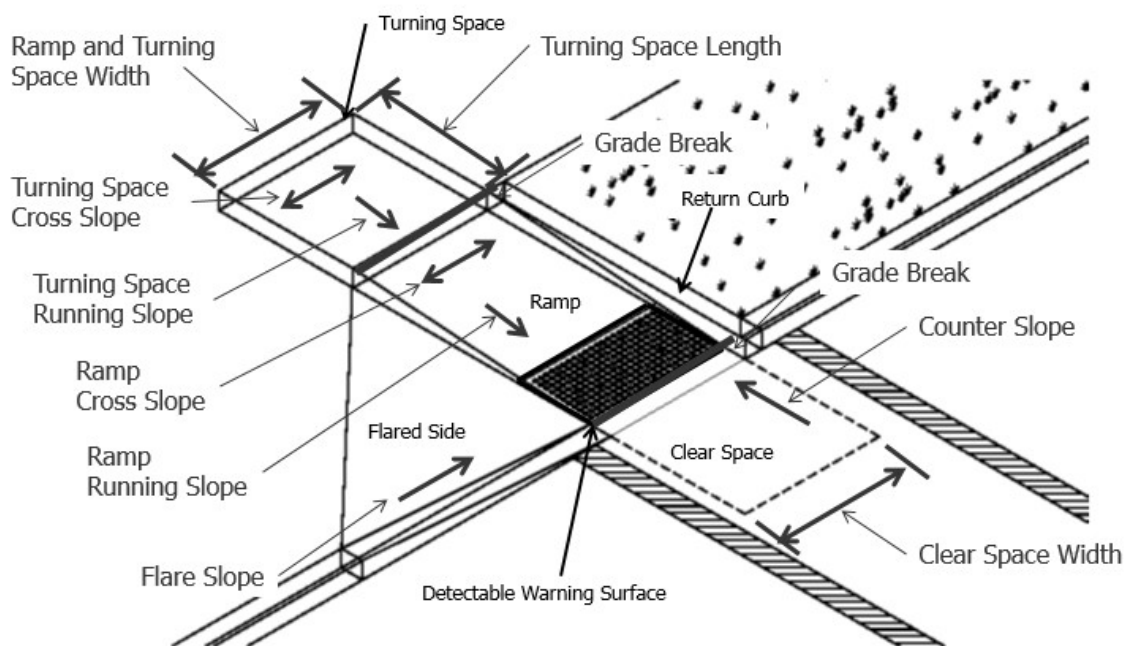
A vibrating surface, located on the accessible pedestrian signal button that communicates information through touch. (PROWAG R105.5)

APPENDICES

- A Example of Curb Ramp Design Elements
- B APS Policy, Study Report Form & APS Request Form
- C District Expenditures for ADA Asset Improvement 2018-2020
- D INDOT's Reasonable Accommodation Process
- E INDOT's Complaint Form (English and Espanol)
- F Document Translation Request Form
- G Bus Stop and Transit Accessibility Oversight and Self-Evaluation

APPENDIX A CURB RAMP ELEMENTS FROM INDOT'S DESIGN STANDARDS

INDOT has adopted and implemented design standards consistent with the Public Right-of-way Accessibility Guidelines (PROWAG). Even though the PROWAG has not become law, it has been adopted by and recommended as “best practices” by the Federal Highway Administration (FHWA). INDOT, upon recommendation of the FHWA, has developed and implemented these standards which can be found here <http://www.in.gov/dot/div/contracts/standards/>. While INDOT's field evaluations commenced prior to the adoption of these design standards, they were conducted with the PROWAG in mind. Data collected and entered into INDOT's asset management system was collected and entered as an actual measurement (inches, degrees of slope, etc.) enabling INDOT to readily determine whether these assets are compliant with the PROWAG-based design standards or not.



Turning Space must be level with both running and cross slopes $< 2\%$, meaning these slopes should be designed at $< 1.5\%$ to ensure a compliant result.

Running slope of a ramp may not exceed 8.33% and should be designed to less than 8% to ensure a compliant result.

Return Curbs cannot be utilized where there is a paved / walkable surface adjacent to the ramp that would result in a tripping hazard being created by the returned curb. Instead, a flared side, not to exceed 10% flare slope, should be installed.

Detectable warnings surface (DWS) is placed at the base of a ramp to indicate to a pedestrian that they are about to cross a street. These warnings must be $24"$ ($2'$) deep in the direction of travel and must cover the entire ramp, unless brick pavers are used, in which case there may be a $2"$ border on either side of the detectable warnings to secure the bricks.

APPENDIX B
Installation of Accessible Pedestrian Signals (APS) and Pushbuttons

The ADA Technical Advisory Committee (TAC) revised its policy regarding the installation of accessible pedestrian signals and vibro-tactile devices in the fall of 2020:

<https://www.in.gov/dot/div/contracts/standards/memos/2020/20-20%20APS%20Studies.pdf>

APPENDIX C
DISTRICT EXPENDITURES FOR ADA ASSET IMPROVEMENT(2018-2020)

<https://www.in.gov/indot/files/All%20District%20ADA%20Bid%20Items.xlsx%202018-2021.xlsx>

APPENDIX D REASONABLE ACCOMMODATIONS FOR STATE EMPLOYEES

This checklist and process chart are made available to state agencies by Indiana's State Personnel Department (SPD) to put into practice during reasonable accommodation considerations:

Reasonable Accommodation and Interactive Process Checklist

The reasonable accommodation and interactive process must be documented and handled confidentially.

Supervisor becomes aware of the employee's disability and/or need of an accommodation either:

- Because the employee has requested an accommodation.
- The disability is obvious.
- The supervisor has learned of the need through observation or a third party.
- Supervisor consulted with Human Resources (HR).
- HR and/or supervisor initiates a confidential interactive discussion with the employee in a timely manner to:
 - Identifies job-related limitation(s).

Asks for ideas on what the agency can provide to enable the employee to perform the essential functions of their position.

HR and/or supervisor ask employee for reasonable medical documentation of the condition and limitations related to the requested accommodation(s) from medical provider unless limitations are obvious or already known.

If information provided is unclear, HR specifies what further information is needed or what needs to be clarified and allows the employee a reasonable amount of time to provide the additional information.

HR works with supervisor and the employee to identify effective reasonable accommodations, which will enable the employee to perform the essential functions of their position and/or enjoy the same access to benefits and privileges of employment as their non-disabled employees.

HR and supervisor should consider the preferences of the employee but have the right to implement an accommodation that is effective in allowing the employee to perform the essential functions of their position.

HR and supervisor can't force an employee to use an accommodation, but the supervisor can enforce performance expectations.

HR or supervisor takes the necessary steps to develop a written plan or obtain assistive technology and implement the agreed upon accommodation(s).

HR can delegate the tasks required to obtain the identified accommodation, but this should not require disclosure of the medical documentation and/or condition.

If reassignment to a vacant position is considered as a possible accommodation, HR may ask the employee to provide information about his/her education qualifications and work experience that may help HR to find an alternative position for the employee.

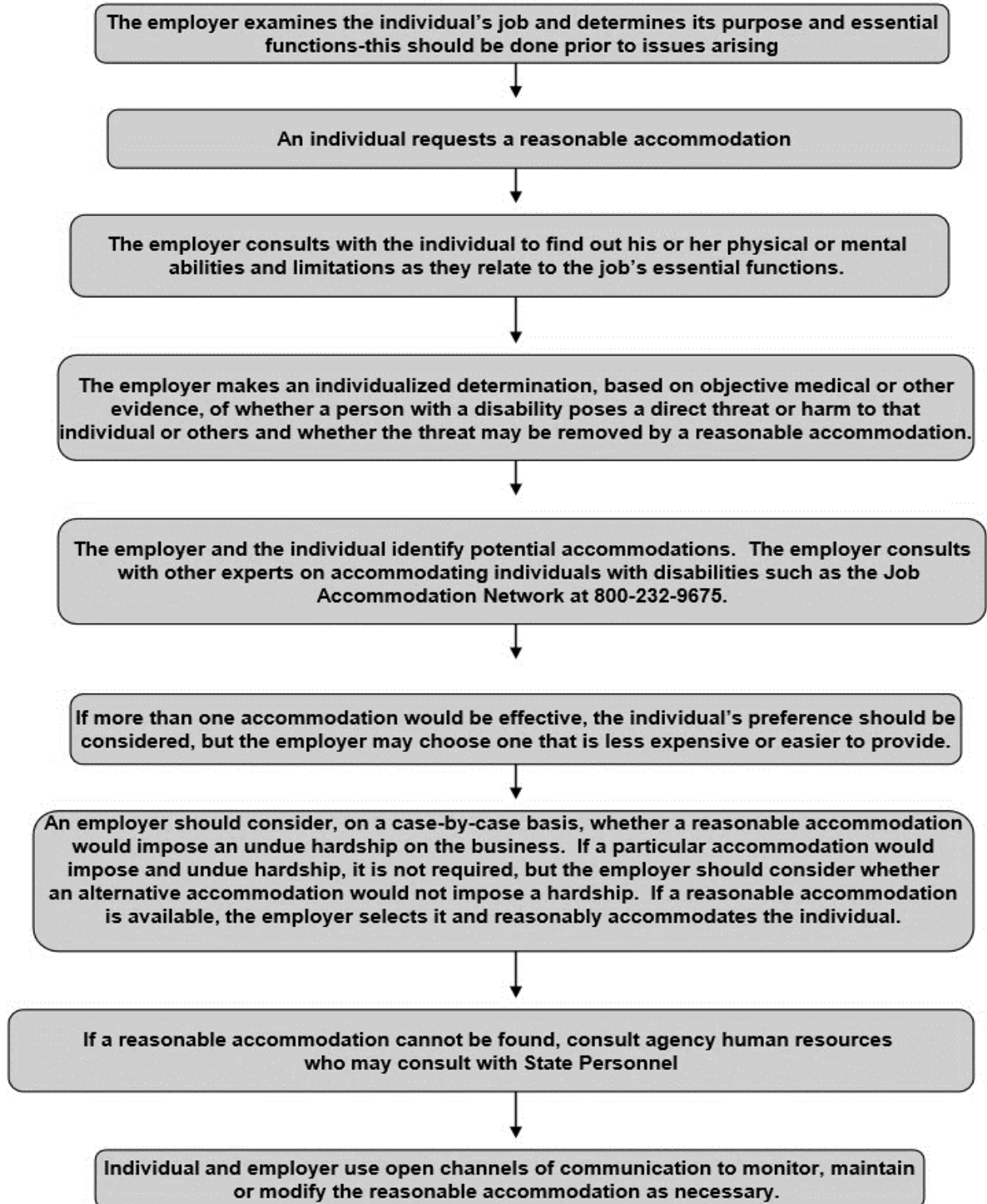
If reassignment to a vacant position is considered as a reasonable accommodation, the employee is moved to that position. If the employee is required to compete for the vacant position, then it is not considered a reasonable accommodation.

Periodically revisit to the accommodation and make adjustments accordingly to ensure the accommodation is effective.

- Training needs?
- Replacement/repair needs?

Document discussions and decisions and maintain records in employee's confidential medical file.

Reasonable Accommodation Process



APPENDIX E
INDOT'S EXTERNAL COMPLAINT FORM
[ENGLISH AND ESPANOL]

This form is available online at:

<http://www.in.gov/indot/files/External%20Complaint%20Policy%20and%20Form.pdf>



EXTERNAL COMPLAINT OF DISCRIMINATION

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

Barbara Malone, ADA/Title VI Program Manager
INDIANA DEPARTMENT OF TRANSPORTATION
ECONOMIC OPPORTUNITY DIVISION
100 N Senate Ave. Room 755B
Indianapolis, IN 46204
Telephone number : (317) 234-6142
Fax number : (317) 233-0891
E-mail address: AccessForAll@INDOT.in.gov
www.in.gov/dot/

INSTRUCTIONS:

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

You are not required to use this form. You may write a letter with the same information, sign it and return it to the address printed above.

All items in bold must be completed for your complaint to be investigated. Failure to provide complete information may impair the investigation of your complaint.

Title VI of the Civil Rights Act of 1964, as amended and its related statutes and regulations (Title VI) prohibit discrimination on the basis of race, color and national origin in connection with programs or activities receiving federal financial assistance from the United States Department of Transportation, Federal Highway Administration and/or Federal Transit Administration. These prohibitions extend to INDOT as a direct recipient of federal financial assistance and to its sub-recipients, consultants, and contractors, whether federally funded or not. INDOT's non-discrimination policy also prohibits discrimination based on age, gender and income status.

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

Upon request, assistance will be provided if you are an individual with a disability or have limited English proficiency. Complaints may also be filed using alternative formats, such as computer disk, audiotape or Braille. For TTY customers, dial 711 to reach the Indiana Relay Service.

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

INDOT and its sub-recipients, consultants, and contractors are prohibited from retaliating against any individual because he or she opposed an unlawful policy or practice, filed charges, testified, or participated in any complaint action under Title VI or other nondiscrimination authorities.

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

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

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

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

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

PERSON / AGENCY YOU BELIEVE DISCRIMINATED AGAINST YOU

Name (first, middle, and last)	Title
--------------------------------	-------

Name of company

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

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

When was the last alleged discriminatory act? (month, day, year) _____

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

The alleged discrimination was based on:
 Race Color Gender National Origin Disability Age Retaliation

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

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

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

Name of witness 1 (first, middle, and last)	Title	
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -

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

.....

Name of witness 2 (first, middle, and last)	Title	
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -

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

.....

Name of witness 3 (first, middle, and last)	Title	
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -

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

.....

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

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

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

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

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

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

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

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



QUEJA DE DISCRIMINACIÓN EXTERNO

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

Barbara Malone, Title VI / ADA Program Manager
INDIANA INDOT Legal Division
100 N Senate RM N750
Indianapolis, IN 46204
Telephone number : (317) 232-3019
E-mail address: BaMalone@indot.in.gov
www.in.gov/dot/

INSTRUCCIONES:

El propósito de esta forma es para ayudar a cualquier persona quien está interesada en someter una queja de la discriminación con el Departamento del Transporte de Indiana (INDOT). Si la queja está contra INDOT, el Administrador del Programa del Título VI/ADA de INDOT lo remitirá a la agencia federal apropiada para la investigación.

A Ud. no le requieren utilizar esta forma. Usted puede escribir una carta con la misma información, firmarla y volverla a la dirección impresa arriba.

Todos los artículos en negrilla se deben rellenar para que su queja sea investigada. La falta de proporcionar la información completa puede deteriorar la investigación de su queja.

El Título VI de la Ley de las Derechas Civiles de 1964, como enmendado y sus estatutos relacionados y las regulaciones (Título VI) prohíben la discriminación en base de la raza, color, origen nacional, sexo, edad, discapacidad/estado de la desventaja o de la renta con respecto a los programas o las actividades que reciben ayuda financiera federal del Departamento del Transporte de los Estados Unidos, administración federal de la carretera y/o la Administración Federal del Tránsito. Estas prohibiciones extienden a INDOT como recipiente directo de la ayuda financiera federal y a sus secundario-recipientes, consultores, y contratistas, si están financiadas federalmente o no.

INDOT también se requiere para poner en práctica medidas de asegurarse de que las personas con habilidad limitada de hablar inglés y las personas con discapacidades tienen acceso significativo a los servicios, las ventajas, e información de todos sus programas y actividades bajo Orden Ejecutiva 13166 y la Ley de los Americanos con Discapacidades de 1990, como enmendado.

A petición, la ayuda será proporcionada si usted es un individuo con una discapacidad o tiene habilidad limitado de hablar inglés. Las quejas también se pueden estar sometidas usando formatos alternativos, tales como disco de la computadora, cinta magnética para audio o Braille. Para los clientes del equipo telescritor, marque 711 para alcanzar el Servicio del Transmisor de Indiana (Indiana Relay Service).

Usted también tiene la derecha de someter una queja con otras agencias estatales o federales que proporcionan ayuda financiera federal a INDOT. Además, usted tiene una derecha de buscar consejos privados.

INDOT y sus secundario-recipientes, consultores, y contratistas están prohibidos de represalias contra cualquier individuo porque él o ella opuso una política o una práctica ilegal, sometió las cargas, atestiguadas, o participó en cualquier acción de la queja según el Título VI u otro autoridades de no discriminación.

Haga por favor una copia de su impreso de la queja para sus archivos personales. Envíe el impreso original de la queja junto con cualquier copia de los documentos o de los expedientes relevantes a su queja a la dirección arriba. No envíe la versión original de sus documentos acreditativos, ya que no serán vueltos.

Las quejas de la discriminación se deben estar sometido en menos de 180 días de la fecha del acto discriminatorio alegado. Si el acto alegado de la discriminación ocurrió hace más de 180 días, explique por favor su retrasa en someter esta queja.

**** Su queja no pueda procesarse sin su firma.**

INFORMACIÓN DE RECLAMANTE		
Nombre <i>(primero, segundo, y apellido)</i>		
Dirección <i>(número y calle, ciudad, estado, y código de ZIP)</i>		
Número de teléfono en el hogar () -	Número de teléfono en el trabajo () -	Número de teléfono celular () -

Nombre de reclamante	Fecha <i>(mes, día, año)</i>
----------------------	------------------------------

PERSON / AGENCY YOU BELIEVE DISCRIMINATED AGAINST YOU		
Nombre <i>(primero, segundo, y apellido)</i>	Título	
Nombre de compañía		
Dirección <i>(número y calle, ciudad, estado, y código de ZIP)</i>		
Número de teléfono en el hogar () -	Número de teléfono en el trabajo () -	Número de teléfono celular () -

¿Cuándo fue el último acto discriminatorio alegado? *(mes, día, año)* _____

Las quejas de la discriminación se deben estar sometido en menos de 180 días de la fecha del acto discriminatorio alegado. Si el acto alegado de la discriminación ocurrió hace más de 180 días, explique por favor su retrasa en someter esta queja.

La discriminación alegada estaba basado en:

- Raza
 Color
 Edad
 Género
 Origen Nacional
 Discapacidad
 Ascendencia
 Represalia
 Afiliación Religiosa

Describe los actos alegados de discriminación. *(Si es necesario, usa páginas adicionales.)*

Nombre de reclamante	Fecha (mes, día, año)
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Provea los nombres de individuos con información adicional con respecto a su queja:

Nombre de testigo 1 (primero, segundo, y apellido)	Título
--	--------

Nombre de compañía

Dirección (número y calle, ciudad, estado, y código de ZIP)

Número de teléfono en el hogar () -	Número de teléfono en el trabajo () -	Número de teléfono celular () -
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Incluya una descripción breve de la información pertinente que puede proporcionar el testigo para apoyar su queja de discriminación.

Nombre de testigo 2 (primero, segundo, y apellido)	Título
--	--------

Nombre de compañía

Dirección (número y calle, ciudad, estado, y código de ZIP)

Número de teléfono en el hogar () -	Número de teléfono en el trabajo () -	Número de teléfono celular () -
---	---	-------------------------------------

Incluya una descripción breve de la información pertinente que puede proporcionar el testigo para apoyar su queja de discriminación.

Nombre de testigo 3 (primero, segundo, y apellido)	Título
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Nombre de compañía

Dirección (número y calle, ciudad, estado, y código de ZIP)

Número de teléfono en el hogar () -	Número de teléfono en el trabajo () -	Número de teléfono celular () -
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Incluya una descripción breve de la información pertinente que puede proporcionar el testigo para apoyar su queja de discriminación.	
¿Como quisiera Ud. esté resuelta su queja?	
Nombre de reclamante	Fecha (mes, día, año)

¿Había sometido una queja que alega la misma discriminación con otra agencia estatal o federal? <input type="checkbox"/> Sí <input type="checkbox"/> No	
Si sí, por favor proporcione la información siguiente a cada agencia:	
Nombre de agencia	Fecha de queja sometido (mes, día, año)
Número de caso asignado a su queja	Estado actual de su queja
¿Cómo aprendió Ud. de su derecha de someter una queja de discriminación con INDOT?	
Firma	Fecha firmado (mes, día, año)

APPENDIX F DOCUMENT TRANSLATION REQUEST FORM



INDIANA DEPARTMENT OF TRANSPORTATION

FORMULARIO DE SOLICITUD DE TRADUCCIÓN DE DOCUMENTO

USO DEL FORMULARIO: Este formulario debe usarse para solicitar la traducción de documentos/registros del Departamento de Transporte de Indiana (INDOT). El plazo para la realización de la traducción variará según la longitud del documento que se solicite. El INDOT aceptará las solicitudes de traducción razonables y la traducción de nuestros documentos importantes.

TRANSMISIÓN: Complete este formulario y envíelo por correo o correo electrónico a:
 Kimberly Ray, MBA, Manager, Title VI Program
 100 North Senate Avenue, Room N758
 Indianapolis, Indiana 46204
 Telefono: (317) 238-4718
 Correo electrónico: kray@indot.in.gov

Fecha:	Nombre de la persona que solicita la traducción:	Dirección de correo electrónico:	Número de teléfono:
Condado:	Dirección:	Ciudad/estado:	Código postal:
¿A qué idioma solicita la traducción?: (Incluya el dialecto/la región específicos, si corresponde).			
Identifique los documentos cuya traducción solicita al INDOT: <i>Use el reverso de este formulario si se requiere información adicional.</i>			
USO DE INDOT ÚNICAMENTE:	Fecha de recepción de la solicitud:	Recibida por:	
Páginas/costo:	Fecha proporcionada:	Recepción para registro por Coordinador de Título VI: (firmar)	

APPENDIX G BUS STOP & TRANSIT ACCESSIBILITY OVERSIGHT & SELF-EVALUATION

In March 2018, INDOT reached out to the Metropolitan Planning Organizations (MPOs) across the State of Indiana to inquire about the existence and data integrity related to self-evaluations of bus stops by municipalities with fixed-route transit systems across the State. FHWA requires INDOT to obtain this information and to reflect bus stop accessibility in its ADA transition plan. Initial discussion revealed that often the town or municipality or even private property owner owns the real estate and right-of-way where bus stops are located, and therefore, control the sidewalks and travel route to the bus stop. Transit operators may have installed bus stop signs, shelters, benches, and tertiary features such as waste receptacles. It appears the municipality's role in maintaining the facilities varies from municipality to municipality. Often the city remains responsible for maintaining the route to the stop and concrete pads at the bus stop while the operator maintains the shelters and signage.

INDOT is collaborating with the MPOs to determine how these arrangements are assigned for each transit provider and to determine if self-inventories exist and what work the cities, town and operators are doing to conduct prioritized removal of barriers to accessibility. Once this information is obtained, INDOT will spend 18 months collaborating with MPOs to ensure there is an inventory (self-evaluation) of bus stops and prioritization schedule for each fixed-route transit operator with bus stops across the state of Indiana. As that information is gathered and developed, it will be summarized here with information provided for the reader to locate specific information for locations local to and of interest to them.

Below is the list of transit providers who provided INDOT with inventories of the their bus stops and shelters:

Name of Provider	City/MPO
CitiLink	Fort Wayne
CityBus	Lafayette
South Bend Public Transit System	South Bend
Kokomo Transit	Kokomo
City of Anderson Transit System	Anderson
Bloomington Public Transit	Bloomington
Indianapolis Public Transit	Indianapolis
Metropolitan Evansville Transit System	Evansville
Columbus Transit	Columbus
Muncie Indiana Transit System	Muncie