

**Title VI and Limited English Proficiency Annual Assessment and Compliance Summary  
Report  
South Western Region Metropolitan Planning Organization  
May 2010**

**Introduction**

The South Western Region Metropolitan Planning Organization (SWRMPO) is a forum for cooperative transportation decision-making. The SWRMPO is committed to ensuring that no person is excluded from participation in or denied the benefits of transportation projects in the region as provided by Title VI of the Civil Rights Act of 1964 (Title VI), as amended, and Executive Order #12898 of February 11, 1994. The SWRMPO is the federally mandated organization responsible for the transportation policy development, planning, and programming, which guide how state and federal transportation funds are used in Connecticut's South Western Region. The SWRMPO is comprised of the Chief Elected Officials of the region's eight municipalities: Darien, Greenwich, New Canaan, Norwalk, Stamford, Weston, Westport and Wilton; and the Directors of the Stamford, Norwalk, and Westport Transit Districts. The chairman of the South Western Regional Planning Agency (SWRPA) also participates as a non-voting member.

**SWRMPO Title VI and LEP Objectives**

The SWRMPO works to ensure that all transportation planning, policies, and programs are equitable. Title VI and Limited English Proficiency (LEP) policies are affirmed through:

- Promoting the full and fair participation of all affected populations in transportation decision making;
- Preventing the denial, reduction or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- Ensuring that the level and quality of transportation service is provided without regard to race, color or national origin;
- Identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority, linguistically isolated, and low-income populations; and
- Ensuring meaningful access to programs and activities by LEP persons.

**SWRMPO Activities that Support Title VI and LEP**

The SWRMPO's planning process seeks to engage communities of concern in the planning process and to ensure fair treatment of all citizens with respect to the distribution of benefits and burdens arising from transportation projects, programs and policies in the region. In compliance with the [Title VI of the Civil Rights Act of 1964](#) (Title VI)<sup>1</sup>, [US Department of Transportation's Title VI regulations](#) (49 CFR part 21)<sup>2</sup>, [Executive Order # 12898](#) of February 11, 1994<sup>3</sup>, and [Executive Order #13166](#) of August 11, 2000<sup>4</sup>, SWRPA regularly reviews the policies and practices of the SWRMPO and the agency. SWRPA annually assesses the region's transportation planning program for compliance with applicable regulations to assure that the distribution of benefits and burdens is evenly distributed across the demographic area served. SWRPA also prepares an Environmental Justice assessment annually and with each major revision to the region's Long Range Transportation Plan (LRTP), and the Transportation Improvement Program (TIP). Additionally, the SWRMPO maintains a Public Participation Plan, which ensures that information is easily accessible and understandable to all members of the community.

Beginning in 2003 SWRPA and the SWRMPO have reviewed the transportation planning program and have incorporated a variety of policies and practice to enhance compliance with Title VI and LEP regulation. Following the 2005 certification review, a number of policies and practices were implemented to ensure equitable distribution of information and services including the analysis of the region's demographic profiles at the block group level. An assessment of the region's compliance with federal regulations was conducted in 2010, with the commitment to complete an annual assessment and compliance report for Title VI and LEP.

To expand availability of information and opportunities for all citizens in the region to be involved in the transportation planning process, SWRPA's website has been updated and all legal notices, media releases, meeting notices, agendas, minutes, project information, presentations, reports and summaries; and all major planning documents are posted online. A translation link was also added to the website.

## **Title VI Compliance<sup>5</sup>**

### Title VI Complaint Procedures

As the transportation planning agency for the SWRMPO, SWRPA maintains an official policy for handling inquires and complaints related to compliance with Title VI and the Americans with Disabilities Act (ADA) for all transportation planning programs. The complaint procedure is reviewed annually and revised as needed. The first Title VI policy statement and complaint procedure was issued on June 1, 2005, and revised January 12, 2007. In January 2010 the policy and complaint procedure were reviewed and updated. The 2010 policy and complaint procedure were reviewed in April 2011 as part of this assessment. It was determined that no changes were necessary at this time.

The current policy and complaint procedure issued January 15, 2010 are posted on the SWRPA website <http://www.swrpa.org/Default.aspx?About=239>.

### Title VI Investigations, Complaints or Lawsuits

To date no complaints, investigations or lawsuits have been filed since SWRPA's Complaint procedure was issued in 2005.

### Access to Services by Persons with Limited English Proficiency

In compliance with the Title VI, Executive Order #13166, and as recommended by the *2009 Public Participation Plan for the South Western Metropolitan Planning Organization* SWRPA is working to make translation services available for persons with limited English proficiency. According to the 2009 American Community Survey, 9,549 households in the Region, or 7.1%, are considered to be linguistically isolated.<sup>6</sup> Among all linguistically isolated households in the Region, 54% spoke Spanish, 38% spoke other Indo-European languages, 8% spoke Asian and Pacific Island languages and < 1% spoke other languages.

A link was added on the SWRPA home page to translate the website into Spanish and a number of other languages, making information accessible to those with limited English proficiency. As part of the *2009 Public Participation Plan for the South Western Metropolitan Planning Organization* a commitment was made to translate the executive summary of the 2011- 2040 Long Range Transportation Plan (2011 LRTP) into Spanish. Work is currently underway to have the executive summary of the 2011 LRTP translated, following approval of the plan by USDOT.

As part of the regular public involvement practices the SWRMPO, develops project specific public involvement plans to help tailor outreach efforts to the needs of individual communities. For projects affecting an area with a population identified as having households with limited English proficiency,

public involvement plans will include specific strategies to provide informational materials and notices in both English and Spanish (or the appropriate non-English language). Additionally, the demographic profile of project study areas will be evaluated when developing the project scope of work and the demand for interpreters will be considered.

#### Notification of Beneficiaries of Their Rights Under Title VI

The Title VI transportation policy and complaint procedure is posted on the SWRPA website, with contact information to request special accommodations for assistance or translation services or to file a complaint, <http://www.swrpa.org/Default.aspx?About=239>. All meetings are held in ADA compliant facilities and whenever possible in locations accessible by public transportation. A statement with contact information to request translation services or other special accommodations is also included in SWRMPO meeting notices and agendas; and will be provided in Spanish during FY2011.

#### Inclusive Public Participation

The South Western Region public involvement process seeks to involve all members of the community and to ensure that all interested and affected individuals have access to pertinent project information. A customized outreach program is developed for the TIP, LRTP, major construction projects, and planning studies. The core of the outreach program includes media releases and legal notices of meetings, identification of stakeholders through the chief elected officials, planners, and community organizations, to post all pertinent materials online and increase the use of visualization techniques. It is SWRPA's practice to document all activities, to record all input, prepare responses, and to summarize all outreach activities.

The *2009 Public Participation Plan for the South Western Metropolitan Planning Organization* identifies a number of recommendations aimed at involving communities of concern in the transportation decision-making process and enhancing access to information for individuals, including those with limited English proficiency (LEP). Public involvement practices are evaluated annually and modified as needed.

##### ➤ Standard/ Ongoing Public Participation Practices:

- Continue to identify and update methods to involve the public and communities of concern, to enhance comprehension and accessibility to transportation planning programs and information.
- Promote the use of visualization techniques for meetings and post relevant graphics on the SWRMPO website.
- Continue to develop contact lists building on other program contacts such as Locally Coordinated Human Services Transportation Planning (LOCHSTP), housing, emergency management, local community and faith based organizations, etc. Identify contacts for those traditionally underserved and add them to the database.
- Consider recommendations from the *South Western Region Environmental Justice Annual Assessment* and subsequent reports, and include recommendations in Public Participation Plan updates and future projects and studies.
- Engage all members of the community by expanding working relationships with members of the traditionally underserved community and their leaders, including faith and community based organizations, elderly groups, disabled advocacy groups, etc. Consider meeting with them on topics of concern in their neighborhood/ community.
- Post notices in locations such as buses, transit facilities, and local bulletin boards at community facilities, faith based organizations, and municipal offices and web sites. Also, investigate new formats such as posters or more eye-catching notices.

- Assess SWRMPO activities for anticipated significant effects on LEP populations, and communities of concern. Where appropriate, translate notices into Spanish.
  - Ensure project specific public involvement through individual public involvement plans, a project web page, media releases to keep the public up to date, and the ongoing use of visualization techniques, as appropriate.
  - Customize public outreach and public involvement based on the populations and stakeholders affected by individual studies and projects.
  - Continue to hold SWRMPO and other meetings at ADA compliant facilities and in locations accessible by public transit.
  - Post meeting notices, project information, comments and general information on the SWRMPO on the SWRPA website.
  - Offer a guide to metropolitan transportation planning and the MPO in English and Spanish
  - Include a Spanish translation link from SWRPA's main webpage so that Spanish speakers can navigate the website.
- Public Participation Practices to be implemented in FY2010/FY2011:
- Explore the use of diverse media outlets to engage the public including the use of Spanish language media and radio, local access television, public service announcements, radio, mass media, and other local publications.
  - Partner with local community groups and organizations to co-host input meetings and workshops on transportation issues, opportunities, projects and programs.
  - Expand notice practices to increase effectiveness including creative noticing methods (i.e. bill stuffers, project brochures, information booths etc.)
  - Provide the executive summary for major planning documents (2011 LRTP) online in Spanish.
  - Offer a guide to public participation, a transportation glossary and a list of commonly used acronyms in English and Spanish.
  - Further assess the needs of communities of concern, LEP, low-income and minority populations and make accommodations as appropriate, including translation services as needed.
- Future Year Goals:
- Investigate the use of social media to share project information and as a method to receive comments
  - Evaluate and update the SWRMPO public participation plan

### **Additional South Western Region Practices**

A number of additional practices are also employed by SWRPA and the SWRMPO to ensure equitable services, practices and programs throughout the region.

- SWRPA has prepared demographic profiles of the region annually since 2001. The demographic assessment provides figures and tables that identify minority populations, income, poverty status, households receiving public assistance, bus to work, zero vehicle households, and households with limited English proficiency. Communities of concern are identified in both graphic and tabular formats for census block groups using Geographic Information Systems (GIS) and the most recent Decennial Census data. Demographic assessments are used in the preparation of the South Western

Regions LRTPs, and TIPs. Unfortunately the updated demographic profiles for the region have been completed at the Census tract level, based on limited available data by census block group.

- The planning process seeks to identify the needs of communities of concern, LEP, low-income and minority populations through demographic analyses, as described above, and through working with community and neighborhood groups, community and senior centers, and various organizations that represent social service and community agencies, environmental interests, chambers of commerce and business organizations, United Way, YMCAs, the League of Women Voters and faith-based organizations.
- SWRPA has geolocated all 2010-2013 TIP projects, and assessed the locations against the EJ demographic analysis. For each major TIP update demographic maps of the region that include transportation projects are prepared, which allow for continual examination of the distribution of benefits and burdens of transportation investments to the maximum extent possible based on project information provided by CTDOT.
- Interactive online maps have been launched for 2010-2013 TIP, Current Corridor studies and rail station parking, which provide basic project information available to all interested individuals.
- The *South Western Environmental Justice Annual Assessment 2011* (May 2011) analyzes the impacts of the *South Western Region 2011-2013 LRTP and 2010-2013 TIP* 2010-2013 projects on communities of concern. Demographic profiles developed based on the U.S. Census Bureau, *2010 Redistricting Data Summary File, 2005-2009 American Community Survey 5-Year Estimates* data were used to identify the geographic distribution of communities of concern. Communities of concern were designated if all four of the following criteria were met: percent of minority population, per capita income, percent of households receiving public assistance income, and percent of persons below the poverty level. Where imbalances exist, further analysis and outreach to stakeholders and impacted parties will be undertaken, and solutions will be developed. Although previous years analyses were conducted at the block group level, due to changes in data provided by the US Census Bureau, analysis was only able to be conducted at the census tract level
- SWRPA provides the region's transit operators with technical assistance through mapping; geographic analysis; Title VI, LEP and EJ assessments; and demographic analysis within the service areas. SWRPA prepared service area and demographic maps and assisted with assessments to support the Norwalk Transit District's Title VI and LEP reporting requirements for 2010. SWRPA has provided similar support to the Norwalk Transit District for previous submittals and reports.
- SWRPA regularly works with CT Transit, the Norwalk Transit District, member municipalities, the WorkPlace, and LOCHSTP on various committees and projects dealing with access to jobs.
- A staff committee has been formed to evaluate nationwide best practices being employed to engage vulnerable populations in the planning process and methods used to assess Environmental Justice. Title VI, LEP and EJ policies, practices and project impacts have also been included for discussion as a regular agenda item for the Region's Transportation Technical Advisory Group (TTAG) and as part of the Region's Quarterly Planners Meetings.
- SWRPA annually assesses the planning program for compliance with Environmental Justice, LEP and Title VI regulations.<sup>1-4</sup>
- SWRPA annually reviews the public participation plan to evaluate the effectiveness of implemented measures. New practices and techniques are also reviewed to continue to enhance public involvement and access to information.

- A summary of activities supporting Environmental Justice, and LEP compliance are included in quarterly reports to the US Department of Transportation and the Connecticut Department of Transportation.
- Included as part of SWRMPO meeting agendas is contact information to arrange for interpreter services and special accommodations in both English and Spanish.
- The SWRMPO has posted all Title VI, LEP and Environmental Justice policies and assessments online

**Title VI and LEP Activities of Others**

- Title VI and LEP reviews are regularly conducted by the Connecticut Department of Transportation for rail services and for CT Transit Stamford.
- The Norwalk Transit District regularly conducts Title VI and LEP reviews and prepares a Title VI plan. In 2010 demographic analysis and mapping were prepared by SWRPA

## References

- <sup>1</sup> Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d).  
<http://www.justice.gov/crt/cor/coord/titlevistat.php>
- <sup>2</sup> United States Department of Transportation Regulations. June 18, 1970. “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation- Effectuation of Title VI of the Civil Rights Act of 1964.” 49 CFR Part 21. <http://www.fhwa.dot.gov/hep/49cfr21.htm>
- <sup>3</sup> Executive Order #12898 of February 11, 1994, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.”  
<http://www.dotcr.ost.dot.gov/documents/ycr/eo12898.pdf>
- <sup>4</sup> Executive Order #13166 of August 11, 2000, “Improving Access to Services for Persons with Limited English Proficiency” <http://www.justice.gov/crt/cor/Pubs/eolep.pdf>
- <sup>5</sup> United States Department of Transportation. May 13, 2007. “Title VI and Title Vi-Dependent Guidelines for Federal Transit Administration Recipients.” Federal Transit Administration Circular 4702.1A. [http://www.fta.dot.gov/civilrights/civil\\_rights\\_5088.html](http://www.fta.dot.gov/civilrights/civil_rights_5088.html)
- <sup>6</sup> U.S. Census Bureau, *2005-2009 American Community Survey 5-Year Estimates*.  
<http://www.census.gov/acs/www/>