

South Western Region Metropolitan Planning Organization
Title VI and Limited English Proficiency 2013 Annual Assessment and
Compliance Summary Report

October 2013

Introduction

The South Western Region is committed to ensuring that all transportation planning, policies, and programs are equitable; and that services, benefits and participation are not limited based on age, race, gender, nation of origin, income or proficiency with English. The South Western Regional Planning Agency (SWRPA) as the transportation planning agency for the South Western Region Metropolitan Planning Organization (SWRMPO), its member municipalities and its transit districts strictly adhere to local, state and federal laws, regulations and executive orders prohibiting discrimination and abide by the guidance 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 all interested members of the community 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 [Title VI of the Civil Rights Act of 1964](#) (Title VI)¹, [US Department of Transportation's Title VI regulations](#) (49 CFR part 21)², [Executive Order # 12898](#) of February 11, 1994³, and [Executive Order #13166](#) of August 11, 2000⁴, 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). The Environmental Justice assessments ensures that disproportionately high burdens are not placed on minority or low-income populations based on policies, programs and activities conducted by the SWRMPO. Additionally, the SWRMPO maintains a Public Participation Plan, which outlines the South Western Region's practices for providing easily accessible and understandable information 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 practices 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. Assessments of the region's compliance with federal regulations dealing with Title VI and LEP have been conducted annually since in 2011. Annual Title VI and LEP assessments are posted on [SWRPA's website](#), along with the region's Strategy for Addressing Equity of Services and Compliance with Limited English Proficiency.

Title VI Compliance⁵

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 in both English and Spanish.

CTDOT has provided A Title VI brochure, which is available at the SWRPA offices, SWRMPO meetings and other public forums. A poster stating the South Western Region's compliance with Title VI, the public's rights under Title VI and information on how to file a complaint has also been developed for use at public meetings.

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 for all transportation planning programs. The first Title VI policy statement and complaint procedure was issued on June 1, 2005, and then revised on January 12, 2007 and January 13, 2010. Since 2010 the region's title VI policy and complaint procedures have been reviewed annually and revised or reaffirmed as necessary. In August 2013 a new complaint form was also developed and posted the SWRPA website.

The current policy, complaint procedure, and Title VI Complaint form 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.

The Southwestern Region maintains a separate complaint log for Title VI related matters, which includes a copy of the Title VI complaint procedures, blank complaint forms and Title VI Notice. The Title VI complaint log is designed to track alleged discrimination on the basis of race, color, or national origin, including:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the SWRMPO or SWRPA.

The Title VI log lists the date a complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response. Each complaint investigation or law suit is assigned an ID used to keep a record of corresponding materials and complaint forms.

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 has committed to make translation services available for persons upon request.

According to the 2007-2011 American Community Survey 5-Year Estimates, 9,414 households in the Region, or 6.9%, have no member 14 years or over that speaks English only or speaks a language other than English at home and speaks English 'very well.'⁶ In other words, these households include all members 14 years or older who have at least some difficulty with English. Among these households in the Region, 55% spoke Spanish, 37% spoke another 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. With Spanish identified as primary language other than English spoken in the region, SWRPA has made a commitment to translate the executive summaries of all major planning documents into Spanish. 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 and is available at SWRPA's website, http://www.swrpa.org/Uploads/SWRPA_LRTP_2040_exec_spanish.pdf. Media releases and public notices are distributed to local Spanish and Creole newspapers.

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.

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.

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.

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.
- Continue to provide the executive summary for major planning documents online in Spanish, such as was done for the 2011 LRTP.

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 LRTP's and TIP's. 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 mapped all 2012-2015 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 the 2012-2015 TIP, recently completed corridor studies, commuter lot parking, and rail station parking. These provide basic project information and links to other pages available to all interested individuals.
- The *South Western Environmental Justice Annual Assessment 2013* (August 2013) analyzes the impacts of the *South Western Region 2011-204 LRTP* and *2012-2015 TIP* projects on communities of concern. Demographic profiles developed based on the U.S. Census Bureau, *2010 Redistricting Data Summary File, 2007-2011 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.¹⁻⁴
- 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
- A Title VI complaint form has been posted to the SWRPA website and is included as part of the 2013 Title VI and LEP Policy

South Western Region Future Year Goals:

- Post Title VI notice in the SWRPA offices and on the website
- Update the Title VI poster to include how to request information in another language in all languages spoken by LEP populations the meet the Safe Harbor threshold as defined in FTA Circular 4702.1B dated October 1, 2012
- Translate and display the Title VI poster in Spanish

- Translate and post the revised Title VI Complaint Procedure in Spanish
- Investigate the use of social media to share project information and as a method to receive comments.
- Continue to 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.)
- 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.
- Provide a list of acronyms and glossary of transportation terms for the SWRPA website.
- Formally update the 2009 Public Participation Plan following the formal merger with the Housatonic Valley Council of Elected Officials (HVCEO) and the designation of MPO boundaries by CTDOT.

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. SWRPA regularly assists with the demographic analysis and mapping.

References

- ¹ Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d).
<http://www.justice.gov/crt/cor/coord/titlevistat.php>
- ² 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>
- ³ Executive Order #12898 of February 11, 1994, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.”
[http://www.fta.dot.gov/documents/getdoc\(1\).pdf](http://www.fta.dot.gov/documents/getdoc(1).pdf)
- ⁴ 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>
- ⁵ 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
- ⁶ U.S. Census Bureau, *2007-2011 American Community Survey 5-Year Estimates*.
<http://www.census.gov/acs/www/>