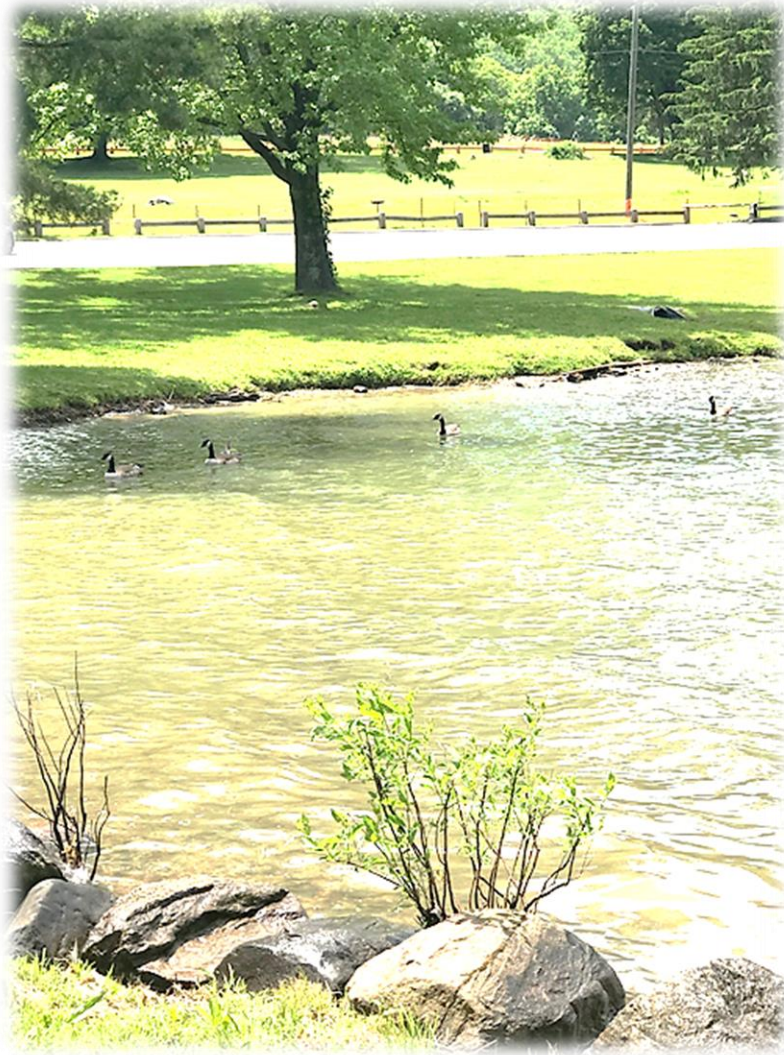


Title VI Compliance, Limited English Proficiency & Environmental Justice Plan

Including the Language Assistance Plan



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INTRODUCTION

This document, henceforth referred to as the ‘Plan’, covers the following:

- Title VI Compliance
- Limited English Proficiency (LEP)
- Environmental Justice (EJ)

A requirement for receipt of federal transportation planning and project funds in urban areas is the continuing operation therein of a regional Metropolitan Planning Organization (MPO). The purpose of this document is to provide Title VI compliance, Environmental Justice, and Limited English Proficiency procedures for the two MPOs within the boundary of the Western CT Council of Governments (WestCOG). As WestCOG administers funds for the two MPOs and serves as their host agency, that Council itself is subject to these compliance procedures.

The State of Connecticut’s defined boundary for the Western Connecticut Planning Region served by WestCOG encompasses eighteen municipalities. Since 1981 there have been two federally structured MPOs operating within this geography.

MPOs have formal roles in the federal transportation planning process along with the Connecticut Department of Transportation and the U.S. Department of Transportation. Federal law (Code of Federal Regulations 23 United States Code §134 - Metropolitan Transportation Planning) defines the structure of MPOs nationwide.

The South Western Region MPO (SWRMPO) encompasses eight municipalities: Darien, Greenwich, New Canaan, Norwalk, Stamford, Weston, Westport, and Wilton.

The Housatonic Valley MPO (HVMPO) encompasses ten municipalities: Bethel, Bridgewater, Brookfield, Danbury, New Fairfield, New Milford, Newtown, Redding, Ridgefield, and Sherman.

Taken together the combined area of the two MPOs precisely matches the eighteen-town area of WestCOG. Both MPOs maintain agreements with WestCOG for it to serve as their host agency for staffing and administrative matters, one of which is the maintenance and implementation of this Plan.

Note that the objectives and administrative practices for Title VI, Environmental Justice, and Limited English Proficiency have interrelated goals and practices. Thus, to maximize the effect of each, and to ensure effective administration, these key public access policies are integrated together into this plan.

Additionally, the Language Assistance Plan (LAP) is a subset of the Limited English Proficiency portion of this document. The [Public Involvement Plan](#), which outlines the strategies used to engage and involve the public in the planning process, can be found separately.

Throughout this document, WestCOG assumes the responsibility for the planning and compliance for itself and for the two MPOs within its Region. To ensure compliance and full public participation, all three organizations jointly agreed to the policies and procedures herein.

1. TITLE VI COMPLIANCE PLAN

1A. OVERVIEW AND POLICY

Title VI, that is “Title Six,” or more specifically 42 United States Code Section 2000d, was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.

As WestCOG, SWRMPO and HVMPO all receive federal transportation planning assistance they are required to prepare and adhere to this Title VI Plan. Their joint Title VI Policy Statement is as follows:

“WestCOG, SWRMPO and HVMPO will effectuate the provisions of Title VI of the Civil Rights Act of 1964, as amended (42 USC Section 2000d), 49 CFR Part 21, and 23 CFR Part 200, FTA circular 4702.1.B and other nondiscrimination directives.

WestCOG, SWRMPO and HVMPO prohibit discrimination on the basis of race, color, or national origin and will ensure that no person is excluded from participation in, denied the benefits of, or is otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the United State Department of Transportation.

WestCOG, SWRMPO and HVMPO further assure that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. The three organizations will develop a Title VI discrimination complaint process that is compliant with the Title VI requirements.

The WestCOG Executive Director has the overall responsibility for carrying out the commitments of SWRMPO, HVMPO and WestCOG to the Title VI Program. The Title VI Program is then an organization wide initiative, and all employees share the responsibility for ensuring compliance.

Title VI Program implementation responsibilities have been delegated by the Executive Director to WestCOG’s Title VI Coordinator, who will be responsible for the day-to-day collection, analysis, and reporting of Title VI related data.

The Title VI Coordinator will conduct compliance and program reviews to ensure that SWRMPO, HVMPO and WestCOG are adhering to the procedures outlined in this Plan.”

1B. COMPLAINT PROCEDURE

This procedure is used to manage and evaluate complaints received on the Title VI & Related Programs Discrimination Complaint Form. See Section 1E for the forms in English, Spanish, and Portuguese. The text of the complaint procedure is as follows:

TITLE VI COMPLAINT PROCEDURE

OVERVIEW OF TITLE VI

Title VI (Title 6) of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

The Western Connecticut Council of governments (WestCOG), South Western Region Metropolitan Planning Organization (SWRMPO), and the Housatonic Valley Metropolitan Planning Organization (HVMPO) receive such assistance thru the U.S. DOT.

More specifically, Title VI provides that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Accordingly, it is the policy of WestCOG, SWRMPO and HVMPO that discrimination on the ground of race, color or national origin shall not occur in connection with transportation planning programs or any other organizational activities.

WHO MAY FILE A TITLE VI COMPLAINT?

Any person who believes that he or she has been subjected to discrimination prohibited under Title VI, Executive Order 12898, and/or Executive Order 13166 may file a complaint with SWRMPO's and HVMPO's Title VI Coordinator. Title VI allegations must involve a covered Title VI basis such as race, color, or national origin.

In addition, any person who believes that he or she has been subjected to discrimination due to any reason should file. In addition to Title VI, there are other Nondiscrimination statutes that afford legal protection. These statutes include the following: Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324) (sex), Age Discrimination Act of 1975 (age), and Section 504 of the Rehabilitation Act of 1973/Americans with Disabilities Act of 1990 (disability). Since knowledge of those discriminatory acts is important, it will then be determined whether the complaint falls under Title VI with respect to race, color, or national origin.

The Title VI Coordinator will forward the complaint form to CTDOT upon receipt and maintain the Title VI Complaint Log.

In cases in which the complaint is against one of WestCOG's sub recipients of federal funds, the Title VI Coordinator will forward the complaint form to CTDOT upon receipt and maintain the Title VI Complaint Log.

INFORMATION TO INCLUDE

- A. The complaint may be filed by the affected party or a representative in text communication. The complaint may also be filed on a computer disk, by audio file, or in Braille.
- B. If a complainant cannot themselves write the complaint, they can contact WestCOG staff who will reduce the complaint into writing on their behalf. The complainant must still sign and date the complaint even if another person writes the complaint.
- C. The complaint must be filed within 180 calendar days of the alleged occurrence(s) or when the alleged discrimination became known to the complainant.
- D. All complaints will be accepted. After acceptance the complaint will be reviewed to determine whether or not it is a Title VI complaint.
- E. Include the location and date of the alleged act of discrimination.
- F. Include the date when the complainant became aware of the alleged discrimination.
- G. Note that it is not the responsibility of the complainant to identify the person alleged to have discriminated against the complainant. This is the responsibility of the investigator. The complainant only has to identify where the alleged discrimination took place and an approximate time.
- H. A detailed description of the incident.
- I. Note that the process does not limit the right of the complainant to file complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. And the process does not include punitive damages or compensatory remuneration for the complainant.

HOW TO FILE

For more information on how to prepare a complaint, to receive a copy of the complaint form, or to file a complaint, contact WestCOG's Title VI Coordinator:

Victoria Ricks
Western CT Council of Governments
1 Riverside Road, Sandy Hook, CT 06482
Email vricks@westcog.org
Telephone/Fax 475-323-2056

1C. FHWA INVESTIGATION OF COMPLAINTS

This section details the process WestCOG will utilize to address Title VI complaints, ensuring due process for complainants and respondents.

To maximize internal office coordination and enhance compliance, all WestCOG, SWRMPO and HVMPO Title VI activities are directed to one staff person, Victoria Ricks, phone at 475-323-2056 and email at vricks@westcog.org.

Any complaints received by the Title VI Coordinator will be immediately copied to the CTDOT Title VI Coordinator, CTDOT Office of Contract Compliance, 2800 Berlin Turnpike, Newington, CT 06111. The complaint will then be forwarded to the FHWA Office of Civil Rights, 1200 New Jersey Avenue, SE, 8th Floor E81-105, Washington, DC 20590.

Concerning any aspect of Title VI, note that the public also has the right to file complaints directly with the CTDOT Title VI Coordinator and FHWA Office of Civil Rights

As required by CTDOT, a log format has been created for registering Title VI complaints, investigations, and lawsuits (Figure 1). All complaints will receive a case number and all information pertaining to the case will be logged in.

SWRMPO and HVMPO will make reasonable efforts to obtain swift resolution of complaints. The option of informal mediation between the affected parties and SWRMPO and HVMPO may be utilized for resolution at any stage of the process.

**WESTCOG LOG
OF TITLE VI COMPLAINTS,
INVESTIGATIONS AND LAWSUITS**
Indicating data to be gathered by type of event

	DATE	SUMMARY, INCLUDING BASIS OF COMPLAINT	STATUS	ACTIONS TAKEN
Investigations:				
1.				
2.				
3.				
4.				
Lawsuits:				
1.				
2.				
3.				
4.				
Complaints:				
1.				
2.				
3.				
4.				

Figure 1: WestCOG Log of Title VI Complaints, Investigations and Lawsuits

1D. ADMINISTRATIVE CONSIDERATIONS

Staff Training on Title VI: Periodically the Title VI Coordinator will hold a meeting with staff from all three organizations to review Title VI procedures and address questions on this topic. Such meetings will be noted in SWRMPO and HVMPO Quarterly Transportation Reports.

Technical Assistance to Ensure Compliance: As for citizen's requests for technical assistance, delivery of technical assistance by staff will not encourage, entrench, subsidize, or result in discrimination.

Monitoring Sub Recipients: As for monitoring sub recipients for compliance with Title VI, note that the CTDOT approved contract format for U.S.DOT funding for the three organization's sub recipients includes a section entitled "Nondiscrimination in Contracts." SWRMPO and HVMPO endorse this language which states:

"The consultant agrees and warrants that in the performance of this contract it will not discriminate or permit discrimination against any person or group of persons on the basis of any class or characteristic protected by federal or state law."

The basis for monitoring compliance will be the inclusion within all sub recipient contracts of a specific requirement that the consultant's planning process and activity be conducted in accordance with this Title VI Civil Rights and Public Participation Plan.

Demographic Data Collection and Analysis: Due to its strong state Freedom of Information (FOI) laws, Connecticut has no registration or other requirements for attendees at public meetings held by WestCOG, SWRMPO or HVMPO. Such meeting attendees may not be required to sign in or provide any form of identity. This includes any personal qualities or identifiers such as address, age, race, gender, etc. However, Title VI seeks to track demographics in some way.

WestCOG collects demographic data in the development of the Transportation Improvement Program (TIP), Metropolitan Transportation Plan (MTP), and other planning studies to understand and evaluate if any disparate impacts are expected from the recommendations. Minority and low-income population data has been collected from the Census's American Community Survey for this Plan. The analysis is included in Chapter 3. Environmental Justice and the results are used to evaluate the MPO's recommendations.

Supplementing the 1964 Civil Rights Act is a 1974 landmark case whereby the United States Supreme Court determined that one specific type of national origin discrimination is that based on a person's inability to speak, read, write, or understand English. Limited English Proficiency for the 12 most popular languages and language groups are monitored and information can be found in Chapter 2. Limited English Proficiency and Appendix A of this Plan. WestCOG tracks changing language needs for the HVMPO and SWRMPO regions.

Additionally, on occasion surveys are used to understand public sentiment for specific planning studies. Questions regarding the participant's demographic information are included but are voluntary.

Office Posting: A Title VI posting is on display in the office entrance area. Text shown in 1E.

Diversity in Participation: WestCOG, SWRMPO, and HVMPO will seek to have participation of a diverse set of stakeholders and formal representation on committees and working groups.

Title VI Within Quarterly Reports: This inclusion is a regular feature of quarterly reports and will be continued.

Notices Available on Website: As part of this Plan web posting are maintained. The link for access is <https://westcog.org/reports-audits/public-participation-titlevi/>.

1E. TITLE VI DOCUMENTS

Title VI documents, including the Complaint Procedure Notice, Title VI Complaint Form, and the Title VI Public Notice are available in English and have also been translated into Spanish and Portuguese. The reasoning for the selection of these languages is documented in Chapter 2. Limited English Proficiency.

NOTICE OF COMPLAINT PROCEDURE

ENGLISH: In accordance with Title VI of the Civil Rights Act of 1964, WestCOG operates its programs without regard to race, color, and national origin. WestCOG has an established process in place to deal with complaints of discrimination. For more information about WESTCOG obligations under Title VI, or if you have a complaint, contact V. Ricks at 475-323-2056 or at vricks@westcog.org.

ESPAÑOL: De acuerdo con el Título VI del Acta de Derechos Civiles de 1964, WestCOG ofrece sus servicios a personas de cualquier raza, color o nacionalidad. WestCOG ha establecido un proceso para resolver comentarios relacionados con la discriminación. Para más información sobre las obligaciones de WestCOG bajo el Título VI, o si tiene algún comentario sobre el tema, comuníquese con V. Ricks al 475-323-2056 o en vricks@westcog.org.

PORTUGUÊS: De acordo com o Título VI da Lei dos Direitos Cívicos de 1964, o WestCOG opera seus programas sem preconceito de raça, cor ou nacionalidade. O WestCOG tem um processo reputável em vigor para lidar com denúncias de discriminação. Para obter mais informações sobre as obrigatoriedades da WestCOG sob o Título VI, ou se você tem uma denúncia a fazer, entre em contato com V. Ricks pelo telefone 475-323-2056 ou em vricks@westcog.org.

TITLE VI COMPLAINT FORM

ENGLISH: TITLE VI & RELATED PROGRAMS: DISCRIMINATION COMPLAINT FORM

Submit this form to WestCOG within 180 days of the alleged occurrence or 180 days from when the alleged occurrence became known.

- Complainants Name:
- Street Address:
- City/State/Zip:
- Phone:

Were you discriminated against because of:

- Race
- Color
- National Origin
- Age
- Disability
- Sex

Date(s) of the Incident:

Please provide the location of the alleged discrimination, the name(s) of the individual(s) who allegedly discriminated against you. Please provide the names, addresses and telephone numbers of any witnesses.

Explain as clearly as possible what happened and how you were discriminated against. If more space is needed, please use the back of the form.

Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court?

- Yes
- No

Note that complaints may also be filed with the CT DOT Office of Contract Compliance, Debra Goss, Title VI Coordinator, 2800 Berlin Turnpike, Newington, CT 06111. If yes as to additional filings, check all that apply:

- Federal Agency
- Federal Court
- State Agency
- State Court
- Local Agency

Please provide information about a contact person at the agency/court where the complaint was filed.

- Name
- Address
- City
- State and Zip Code
- Telephone Number

Please sign and date below. You may attach any written materials or other information that you think is relevant to your complaint.

- Signature:
- Date:

Submit this complaint to: Victoria Ricks, Title VI Coordinator, Western CT Council of Governments, 1 Riverside Road, Sandy Hook, CT 06482, vricks@westcog.org, telephone/fax 475-323-2056.

ESPAÑOL: FORMULARIO DE QUEJA POR DISCRIMINACIÓN DE TÍTULO VI Y PROGRAMAS RELACIONADOS

Envíe este formulario a WestCOG dentro de los 180 días del supuesto hecho o 180 días después de haberse conocido el supuesto hecho

- Nombre del denunciante:
- Dirección:
- Ciudad, Estado:
- Teléfono:

Fue discriminado a causa de:

- Raza
- Color
- Origen Nacional
- Edad
- Discapacidad
- Sexo

Fechas(s) del Incidente:

Por favor, proporcione la ubicación donde ocurrió la supuesta discriminación y el nombre de la persona o personas que supuestamente lo discriminaron. Por favor, proporcione los nombres, direcciones y teléfonos de cualquier testigo.

Explique en la forma más clara posible lo que pasó y cómo fue discriminado. Si necesita más espacio por favor utilice el reverso del formulario.

¿Usted ya presentó este reclamo en algún otro estado o agencia federal, estatal o local, o en alguna corte federal o estatal?

- Si
- No

Tome en cuenta que también puede presentar sus reclamos a CT DOT Office of Contract Compliance, Debra Goss, Title VI Coordinator, 2800 Berlin Turnpike, Newington, CT 06111. Si ya presentó reclamos anteriores, marque todo lo que aplique:

- Agencia Federal
- Corte Federal
- Agencia Estatal
- Corte Estatal
- Agencia Local

Por favor proporcione la información de alguna persona de contacto de la agencia/corte donde usted sentó el reclamo:

- Nombre:
- Dirección:
- Ciudad, Estado:
- Teléfono:

Por favor firme y coloque la fecha a continuación. Puede adjuntar cualquier material escrito o cualquier otra información como usted crea relevante para su reclamo.

- Firma:
- Fecha:

Presente este reclamo a: Victoria Ricks, Title VI Coordinator, Western CT Council of Governments, 1 Riverside Road, Sandy Hook, CT 06482, vricks@westcog.org, telephone/fax 475-323-2056.

PORTUGUÊS: FORMULÁRIO DE QUEIXAS PARA A DISCRIMINAÇÃO DO TÍTULO VI E PROGRAMAS RELACIONADOS

Envie este formulário para o WestCOG em até 180 dias após a ocorrência ou 180 dias após a ocorrência ter sido divulgada.

- Nome do/a reclamante:
- Endereço:
- Cidade, Estado:
- Telefone:

Você foi discriminado/a por:

- Raça
- Cor
- Nacionalidade
- Idade
- Deficiência
- Sexo

Data(s) do Ocorrido:

Informe o local do ocorrido e o(s) nome(s) da(s) pessoa(s) que supostamente cometeu/cometeram o ato de discriminação contra você. Informe os nomes, endereços e telefones das testemunhas.

Apresente, da forma mais clara possível, o que aconteceu e como você foi discriminado/a. Se precisar de mais espaço, use o verso do formulário.

Você registrou essa queixa em alguma outra agência federal, estadual ou local ou com algum tribunal federal ou estadual?

- Sim
- Não

Observe que as reclamações também podem ser arquivadas no CT DOT Office of Contract Compliance, aos cuidados de Debra Goss, Title VI Coordinator, 2800 Berlin Turnpike, Newington, CT 06111. Caso já tenha apresentado a reclamação, informe para onde a enviou. Marque todos que se aplicam.

- Agência Federal
- Tribunal Federal
- Agência Estadual
- Tribunal Estadual
- Agência Local

Por favor, preencha as informações da pessoa de contato do órgão/tribunal onde a reclamação foi realizada.

- Nome:
- Endereço:
- Cidade, Estado:
- Telefone:

Por favor, assine e coloque a data abaixo. Você pode anexar informações escritas ou qualquer outra que julgue relevante em sua reclamação.

Assinatura:

Data:

Envie esta reclamação para: Victoria Ricks, Title VI Coordinator, Western CT Council of Governments, 1 Riverside Road, Sandy Hook, CT 06482, vricks@westcog.org, telephone/fax 475-323-2056.

TITLE VI NOTICE TO THE PUBLIC

ENGLISH:

[Your Rights Under Title VI of the Civil Rights Act of 1964](#)

WestCOG, SWRMPO and HVMPO will effectuate the provisions of Title VI of the Civil Rights Act of 1964, as amended (42 USC §2000d), 49 CFR Part 21, and 23 CFR Part 200, FTA circular 4702.1.B and other nondiscrimination directives. WestCOG, SWRMPO and HVMPO prohibit discrimination on the basis of race, color, or national origin and will ensure that no person is excluded from participation in, denied the benefits of, or is otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the United State Department of Transportation.

Any person who believes that he or she has been subjected to discrimination prohibited under Title VI may file a complaint with the Title VI Coordinator of both the HVMPO and SWRMPO. For more information on how to prepare a complaint, to receive a copy of the complaint form, or to file a complaint, contact WestCOG's Title VI Coordinator: Victoria Ricks, Western CT Council of Governments, 1 Riverside Road, Sandy Hook, CT 06482. Email: vricks@westcog.org Telephone/Fax: 475-323-2056. Complaints may also be filed with the Connecticut Department of Transportation or Federal Highway Administration.

Connecticut Department of
Transportation

Attn: Title VI Coordinator
2800 Berlin Turnpike
Newington, CT 06131

Federal Highway Administration

FHWA Civil Rights Office
1200 New Jersey Avenue, SE
8th Floor, E81-105
Washington, DC 20590

For language assistance or other accommodations, contact Western Connecticut Council of Governments at help@westcog.org.

Para asistencia con el idioma y otras adaptaciones, por favor póngase en contacto con WestCOG al help@westcog.org.

Para obter assistência língua ou outras acomodações, entre em contato com WestCOG em help@westcog.org.

Complaint Forms can be found on the WestCOG website: <https://westcog.org/reports-audits/public-participation-titlevi/>

Title VI is the Law



ESPAÑOL:

Sus derechos según el Título VI de la Ley de Derechos Civiles de 1964

WestCOG, SWRMPO y HVMPO aplicarán las disposiciones del Título VI de la Ley de Derechos Civiles de 1964, según enmendada (42 USC §2000d), 49 CFR Parte 21 y 23 CFR Parte 200, FTA circular 4702.1.B y otras directivas contra la discriminación. WestCOG, SWRMPO y HVMPO prohíben la discriminación por motivos de raza, color o origen nacional y se asegurarán de que ninguna persona sea excluida de la participación, se le nieguen los beneficios o se vea sometida a discriminación bajo cualquier programa o actividad que reciba asistencia financiera federal del Departamento de Transporte del Estado de los Estados Unidos.

Cualquier persona que crea que ha sido objeto de discriminación prohibida por el Título VI puede presentar una queja ante el Coordinador del Título VI de SWRMPO y HVMPO. Para obtener más información sobre cómo preparar una queja, recibir una copia del formulario de queja o presentar una queja, comuníquese con el Coordinador del Título VI: Victoria Ricks, Western CT Council of Governments, 1 Riverside Road, Sandy Hook, CT 06482. Correo electrónico: vricks@westcog.org Teléfono /Fax: 475-323-2056. Las quejas también pueden presentarse ante el Connecticut Department of Transportation o la Federal Highway Administration.

Connecticut Department of
Transportation

Attn: Title VI Coordinator
2800 Berlin Turnpike
Newington, CT 06131

Federal Highway Administration

FHWA Civil Rights Office
1200 New Jersey Avenue, SE
8th Floor, E81-105
Washington, DC 20590

For language assistance or other accommodations, contact Western Connecticut Council of Governments at help@westcog.org.

Para asistencia con el idioma y otras adaptaciones, por favor póngase en contacto con WestCOG al help@westcog.org.

Para obter assistência língua ou outras acomodações, entre em contato com WestCOG em help@westcog.org.

Los formularios de queja se encuentran en el sitio web de WestCOG: <https://westcog.org/reports-audits/public-participation-titlevi/>

Título VI es la ley



PORTUGUÊS:

Os direitos sob o título VI da lei dos Direitos Civis de 1964

WestCOG, SWRMPO e HVMPO efetuarão as provisões do Título VI da Lei de Direitos Civis de 1964, emendada (42 USC §2000d), 49 CFR Part 21, e 23 CFR Part 200, FTA circular 4702.1.B e outras diretrizes contra a discriminação. WestCOG, SWRMPO e HVMPO proíbem a discriminação com base em raça, cor ou nacionalidade e garantirão que nenhuma pessoa seja excluída da participação, negada ou sujeita a discriminação sob qualquer programa ou atividade que receba assistência financeira federal. do Departamento de Transportes dos Estados Unidos.

Qualquer pessoa que acredite ter sido sujeita a discriminação proibida pelo Título VI pode apresentar uma queixa ao Coordenador do Título VI da SWRMPO e da HVMPO. Para obter mais informações sobre como preparar uma reclamação, para receber uma cópia do formulário de reclamação ou para registrar uma reclamação, entre em contato com o coordenador do Título VI: Victoria Ricks, Western CT Council of Governments, 1 Riverside Road, Sandy Hook, CT 06482. Email: vricks@westcog.org Telefone /Fax: 475-323-2056. Reclamações também podem ser arquivadas no Connecticut Department of Transportation ou na Federal Highway Administration.

Connecticut Department of
Transportation

Attn: Title VI Coordinator
2800 Berlin Turnpike
Newington, CT 06131

Federal Highway Administration

FHWA Civil Rights Office
1200 New Jersey Avenue, SE
8th Floor, E81-105
Washington, DC 20590

For language assistance or other accommodations, contact Western Connecticut Council of Governments at help@westcog.org.

Para asistencia con el idioma y otras adaptaciones, por favor póngase en contacto con WestCOG al help@westcog.org.

Para obter assistência língua ou outras acomodações, entre em contato com WestCOG em help@westcog.org.

Formulários de reclamação se encontram no site do WestCOG: <https://westcog.org/reports-audits/public-participation-titlevi/>

Título VI é a lei



2. LIMITED ENGLISH PROFICIENCY

Supplementing the 1964 Civil Rights Act is a 1974 landmark case whereby the United States Supreme Court determined that one specific type of national origin discrimination is that based on a person's inability to speak, read, write, or understand English. Therefore, concerns about overcoming what is termed Limited English Proficiency (LEP) have become a subset of Title VI compliance law.

Recipients of federal financial assistance are given an obligation to reduce language barriers that can preclude meaningful access by LEP persons to important benefits, programs, information, and services.

LEP stems from Executive Order 13166 issued in 2000 and entitled "Improving Access to Services for Persons with Limited English Proficiency." It tasked each federal agency to ensure its recipients of financial assistance are providing meaningful access to their LEP beneficiaries. The United States Department of Transportation (USDOT) released "Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient (LEP) Persons" which WestCOG has followed to ensure meaningful access to HVMPO and SWRMPO's transportation program and activities by LEP Persons.

The federal LEP definition refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. The USDOT policy guidance outlines a four-factor analysis that recipients should use to determine the extent of their obligation to provide services for LEP persons. The four-factor analysis has been conducted for HVMPO and SWRMPO to determine the extent of language services herein:

2A. FOUR FACTOR ANALYSIS

Factor One: The Number or Proportion of LEP Persons Served or Encountered in the Eligible Service Population:

An analysis of the data available from the U.S. Census Bureau's American Community Survey (ACS) was conducted to determine the number and proportion of LEP persons in each MPO. The ACS reports the total population by census tract that speak English "less than very well, not very well, or not at all" for the following twelve languages and language groups:

- Spanish
- French, Haitian, or Cajun
- German or other West Germanic Languages
- Russian, Polish, or other Slavic Languages
- Other Indo-European Languages
- Korean
- Chinese (including Mandarin and Cantonese)
- Vietnamese
- Tagalog (including Filipino)
- Other Asian and Pacific Island Languages
- Arabic
- Other and Unspecified Languages

Table 1 and Table 2 show all twelve language and language groups by MPO with the Proportion and Number of the Population that Speaks English.

In 2015, Portuguese speakers who speak English "less than very well, not very well or not at all" made up 1.96% of the total HV Population (2011-2015 ACS 5-year Estimates, Table B16001), the second most common LEP language in the MPO. However, in 2016 the U.S. Census Bureau ceased reporting the detailed 42 languages and started grouping several languages together. Unfortunately, the twelve language and language groups no longer include Portuguese or Polish as an isolated group. Portuguese is grouped into the "Other Indo-European Languages" category and Polish into "Russian, Polish and other Slavic Languages". Based on historic data indicating a relatively high proportion of Portuguese and Polish speaking LEP populations in the region and confirmation from the Connecticut Department of Transportation, for the purposes of LEP identification "Other Indo-European Languages" are assumed to be Portuguese speaking and "Russian, Polish and other Slavic Languages" are assumed to be mostly Polish speaking.

Table 1: HVMPO Language and Language Groups: Speaks English Less than Very Well

Language	Percent Speaks English Less than Very Well (Proportion)	Speaks English Less than Very Well (Number)
Spanish	5.47%	12,084
Other Indo-European Languages	2.83%	6,258
Chinese (including Mandarin and Cantonese)	0.39%	871
Other Asian and Pacific Island Languages	0.28%	611
Russian, Polish, and other Slavic Languages	0.26%	572
French, Haitian, or Cajun	0.18%	400
Arabic	0.10%	225
Vietnamese	0.10%	214
German or other West Germanic Languages	0.04%	94
Other and Unspecified Language	0.02%	49
Korean	0.02%	43
Tagalog (including Filipino)	0.00%	10
Total HVMPO LEP Population	9.70%	21,431
Total HVMPO Population		220,867

Source: 2017-2021 ACS 5-year Estimates, Table C16002.

Table 2: SWRMPO Language and Language Groups: Speaks English Less than Very Well

Language	Percent Speaks English Less than Very Well (Proportion)	Speaks English Less than Very Well (Number)
Spanish	7.95%	29,109
Other Indo-European Languages	1.26%	4,601
Russian, Polish, and other Slavic Languages	0.98%	3,590
Chinese (including Mandarin and Cantonese)	0.68%	2,477
French, Haitian, or Cajun	0.66%	2,402
Other Asian	0.34%	1,231
Tagalog (including Filipino)	0.11%	412
Other and Unspecified Language	0.11%	397
Arabic	0.07%	241
Korean	0.07%	240
German or other West Germanic Languages	0.04%	162
Vietnamese	0.03%	96
Total SWMPO LEP Population	12.28%	44,958
Total SWMPO Population		365,961

Source: 2017-2021 ACS 5-year Estimates, Table C16002.

Factor Two: The Frequency with Which LEP Individuals Come in Contact with the Program, Activity, or Service

Within their quarterly transportation reports, staff record the frequency with which LEP persons encounter SWRMPO and HVMPO programs. Over the past three years, there have been no requests for translation services or interpretation services. During outreach conducted for the 2023-2050 Metropolitan Transportation Plan, staff encountered five individuals that could not speak English during pop-up events in downtown Stamford and Danbury. It is presumed that the individuals spoke Spanish and Spanish outreach materials describing the purpose of the event were distributed. Given the record of requests received, frequency is best categorized as “very limited.” But it is expected that contact with LEP persons can occur at any time via public meetings, outreach events, office visits, or phone calls.

Factor Three: The Nature and Importance of the Program, Activity, or Service Provided by the Program.

SWRMPO and HVMPO use federal and state funding to plan for future transportation projects that can have an impact on the lives of all residents of the two MPO regions. It is important for LEP people to have the opportunity to participate in the planning process of these projects, particularly during public meetings or public comment periods. Additional outreach, in appropriate languages, is needed before the implementation or construction of projects or programs recommended by the MPO.

Factor Four: The Resources Available to the Recipient and Costs.

WestCOG has a variety of resources available to conduct outreach activities. There is more opportunity than in earlier years to maximize flexibility in the distribution of documents utilizing social media, the WestCOG website, email distribution listing, and other digital documents, as well as traditional hard copy posters, flyers, and newspaper notices. WestCOG has sufficient financial resources to provide the LEP services and assistance outlined in the Language Assistance Plan.

2B. LANGUAGE ASSISTANCE PLAN

WestCOG has determined through the four-factor analysis that there is a need for LEP services in Spanish in both MPOs and Portuguese in HVMPO.

VITAL DOCUMENTS

In addition to the Title VI translated materials discussed in Chapter 1. Title IV, the following vital documents are deemed points of entry into the WestCOG federal transportation planning programs:

- Transportation Improvement Program (TIP)
- Metropolitan Transportation Plan (MTP)
- Public Involvement Plan (PIP)

Executive summaries of these vital documents will be posted on the WestCOG website which has been equipped with a web translation tool. This gives members of the public with limited English proficiency the option to translate any part of the website. The WestCOG website currently offers automatic translation into the following languages, as of the publication of this document:

- Arabic
- Chinese (Simplified)
- French
- German
- Italian
- Polish
- Portuguese
- Russian
- Spanish
- English

These documents, especially the TIP, are regularly updated when amendments are made to specific projects. Using a web translation tool allows these updates to be translated quickly, expanding the reach of the transportation planning process.

WestCOG will continue to translate documents and outreach materials in languages where the need exists. Other methods for engaging LEP people in the transportation planning process for these vital documents include:

- Public/Legal Notices in Spanish and Portuguese
- Outreach materials in Spanish and Portuguese

TRANSLATED TEXT TO APPEAR ON AGENDAS, PUBLIC MEETING NOTICES OR OTHER DOCUMENTS

Interpreter and translator services will be provided in Spanish and Portuguese, upon request, for all meetings of WestCOG, SWRMPO and HVMPO. This service is indicated on the WestCOG website and meeting agendas. Other language interpretation and translation requests will be made on a case-by-case basis, depending on resources.

The following statement is included on all regular meeting agendas of the COG and TAG; on outreach materials for public meetings; and other documents to ensure members of the public needing language assistance have an equal opportunity to participate in the public participation process.

ENGLISH: For language assistance or other accommodations, contact Western Connecticut Council of Governments at least five business days prior to the meeting at help@westcog.org.

ENGLISH: For language assistance or other accommodations, contact Western Connecticut Council of Governments at help@westcog.org.

ESPAÑOL: Para asistencia con el idioma y otras adaptaciones, por favor póngase en contacto con WestCOG por lo menos cinco días hábiles antes de la reunión al help@westcog.org.

ESPAÑOL: Para asistencia con el idioma y otras adaptaciones, por favor póngase en contacto con WestCOG al help@westcog.org.

PORTUGUÊS: Para obter assistência língua ou outras acomodações, entre em contato com WestCOG pelo menos cinco dias úteis antes da reunião em help@westcog.org.

PORTUGUÊS: Para obter assistência língua ou outras acomodações, entre em contato com WestCOG em help@westcog.org.

SAFE HARBOR LANGUAGES AND ADDITIONAL LANGUAGE SERVICES

A language falls under the Safe Harbor provision if the language group constitutes 5% or 1000 individuals, whichever is less, and speaks English as federally defined “less than very well”. Safe Harbor languages in HVMPO include: Spanish and Portuguese, and in SWRMPO: Spanish, Portuguese, Polish, Chinese; French, Haitian, or Cajun; and other Asian.

As U. S. DOT funding recipients WestCOG will provide written translations of vital documents for each eligible Safe Harbor language group, upon request. According to the USDOT document “Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons”, appearing in the Federal Register Volume 70, No. 239, translations of other documents, if needed, can be provided orally.

WestCOG has assessed the language access needs for Safe Harbor languages. A series of maps in Appendix A indicate census tracts that have 2.5% or more of the population speaking a Safe Harbor language “less than very well”. These maps will be used on a per project basis for spatially specific planning studies to determine the Safe Harbor populations likely to be affected and tailor outreach measures, as appropriate.

“I Speak” cards with Spanish, Portuguese and other languages are available to help visiting LEP persons indicate which language they require assistance in.

3. ENVIRONMENTAL JUSTICE

3A. BACKGROUND INFORMATION

Attention to Environmental Justice (EJ) was amplified by Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, issued February 11, 1994. It directs each Federal agency to develop a strategy for identifying and addressing high and adverse human health or environmental effects on low-income and minority populations. WestCOG is a recipient of federal funding to provide transportation planning and programming for the HVMPO and SWRMPO regions and therefore is required to identify and prevent discriminatory effects throughout the transportation decision-making process.

Note that Environmental Justice focuses upon a different categorization of population than addressed by Title VI, which was concerned with race, color, or national origin. However, for some individuals and neighborhoods these areas of federal interest overlap.

As guidance, the US DOT outlined three principles to guide Metropolitan Planning Organizations in their EJ evaluations, as follows:

1. Avoid, minimize, or mitigate high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations.
2. Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
3. Prevent the denial of, the reduction in, or the significant delay in, the receipt of benefits by minority and low-income populations.

3B. IDENTIFYING EJ POPULATIONS

WestCOG conducted an analysis to determine areas with concentrated low-income and minority populations. This analysis used the following definitions of minority and low-income:

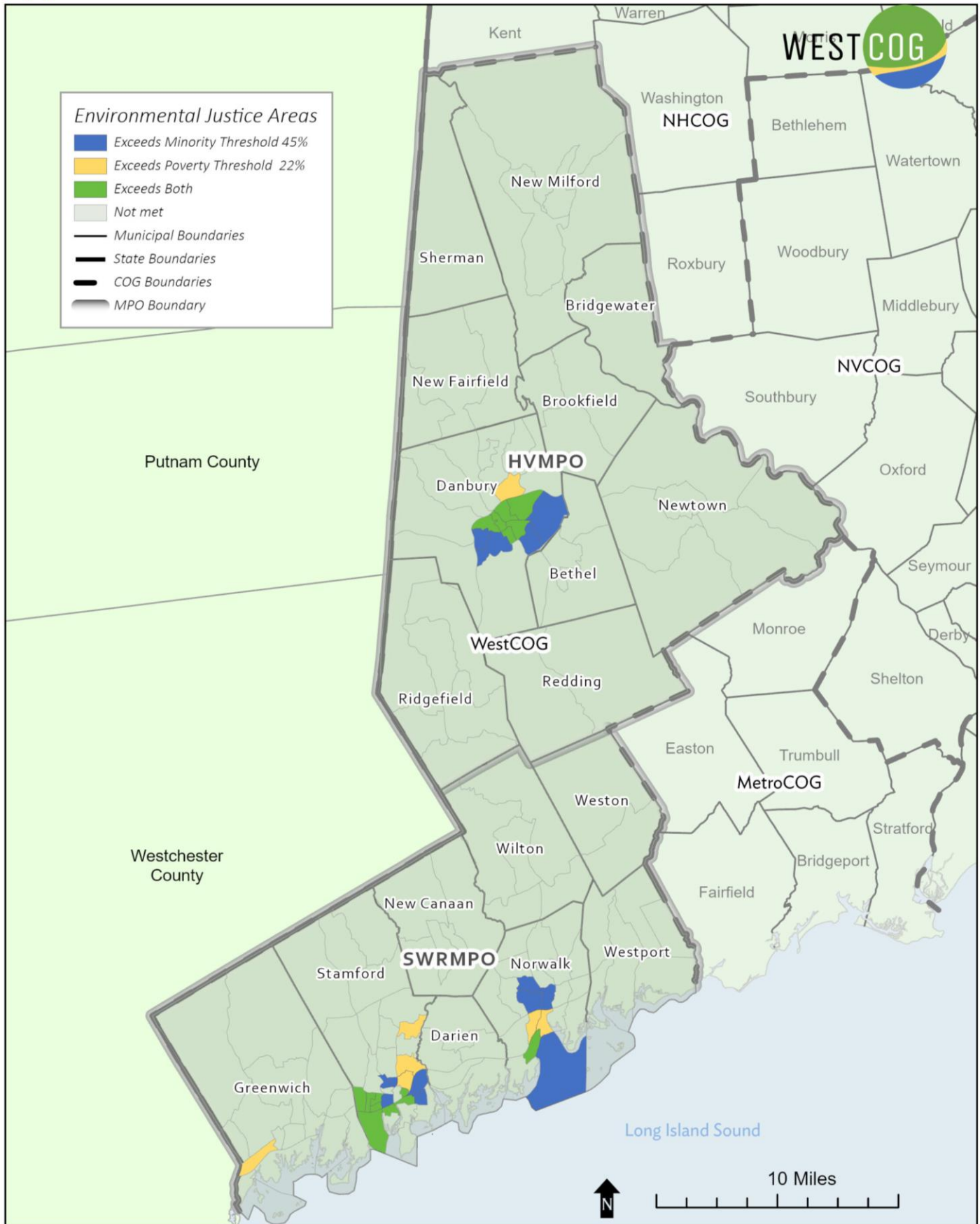
- Minority is defined by USDOT and FHWA EJ Orders as an individual who is Black; Hispanic or Latino; Asian American; American Indian and Alaskan Native; or Native Hawaiian and other Pacific Islander (Data Source: Table S0601; 2017-2021 5-year Estimates; American Community Survey).
- Low-income is defined as a person whose median household income is below 150% of the poverty line, as defined by the U.S. Census Bureau (Data Source: Table C17002; 2017-2021 5-year Estimates; American Community Survey).

EJ populations were identified if one of the following conditions was met:

- 1) The census tract has a percentage of minority populations greater than one standard deviation above the WestCOG average. Threshold - 45% or greater proportion of minority populations.
- 2) The census tract has a percentage of low-income populations greater than one standard deviation above the WestCOG average. Threshold - 22% or greater proportion of low-income populations.

The results for the SWRMPO region are summarized in

Environmental Justice



and for HVMPO in Table 4. Map 1 shows the census tracts that were identified.

3C. ADDRESSING EFFECTS ON EJ POPULATIONS

These locations identified as having concentrations of Environmental Justice populations are evaluated throughout the MPO’s transportation planning process for high and adverse human health or environmental effects. The MPOs are responsible for developing and maintaining the Metropolitan Transportation Plan (MTP) with a 25+-year planning horizon and the Transportation Improvement Program (TIP) with a four-year funding horizon. Together, the documents are the holistic transportation plan for the MPOs that include specific projects and goals. In the development of the TIP and MTP, projects are evaluated to determine the potential benefits and burdens on EJ populations. Projects that have specific locations are mapped to determine if they fall in an EJ census tract. However, this is an evolving field of study with mapping limitations. The vast majority of projects included in the MTP and TIP are statewide or systemwide projects that generally do not have any high or adverse effects and will not affect one group more than another.

SWRMPO and HVMPO will continue to ensure that Environmental Justice effects are evaluated through utilization of FHWA Context Sensitive Solutions and CTDOT Complete Street Policies. Transportation planning studies will evaluate potential impacts to EJ areas through the scope of work specific to the study. Environmental Justice requirements will be met if the population groups of concern in these areas benefit from a transportation project in the same manner as will the general population. Further, no group is singled out for inadvertent receipt of adverse impacts of a proposed project.

Table 3: SWRMPO Environmental Justice Summary Results

EJ Threshold	Number of Census Tracts	Population (number and percentage)
Minority Threshold Only	5	21,219 (5.5%)
Low-Income Threshold Only	8	38,720 (10.1%)
Both Thresholds Met	10	39,262 (10.2%)
Total	23	99,201 (25.8%)

Table 4:HVMPO Environmental Justice Summary Results

EJ Threshold	Number of Census Tracts	Population (number and percentage)
Minority Threshold Only	5	23,635 (10.4%)
Low-Income Threshold Only	0	0 (0%)
Both Thresholds Met	6	23,087 (10.1%)
Total	11	46,722 (20.5%)

Environmental Justice

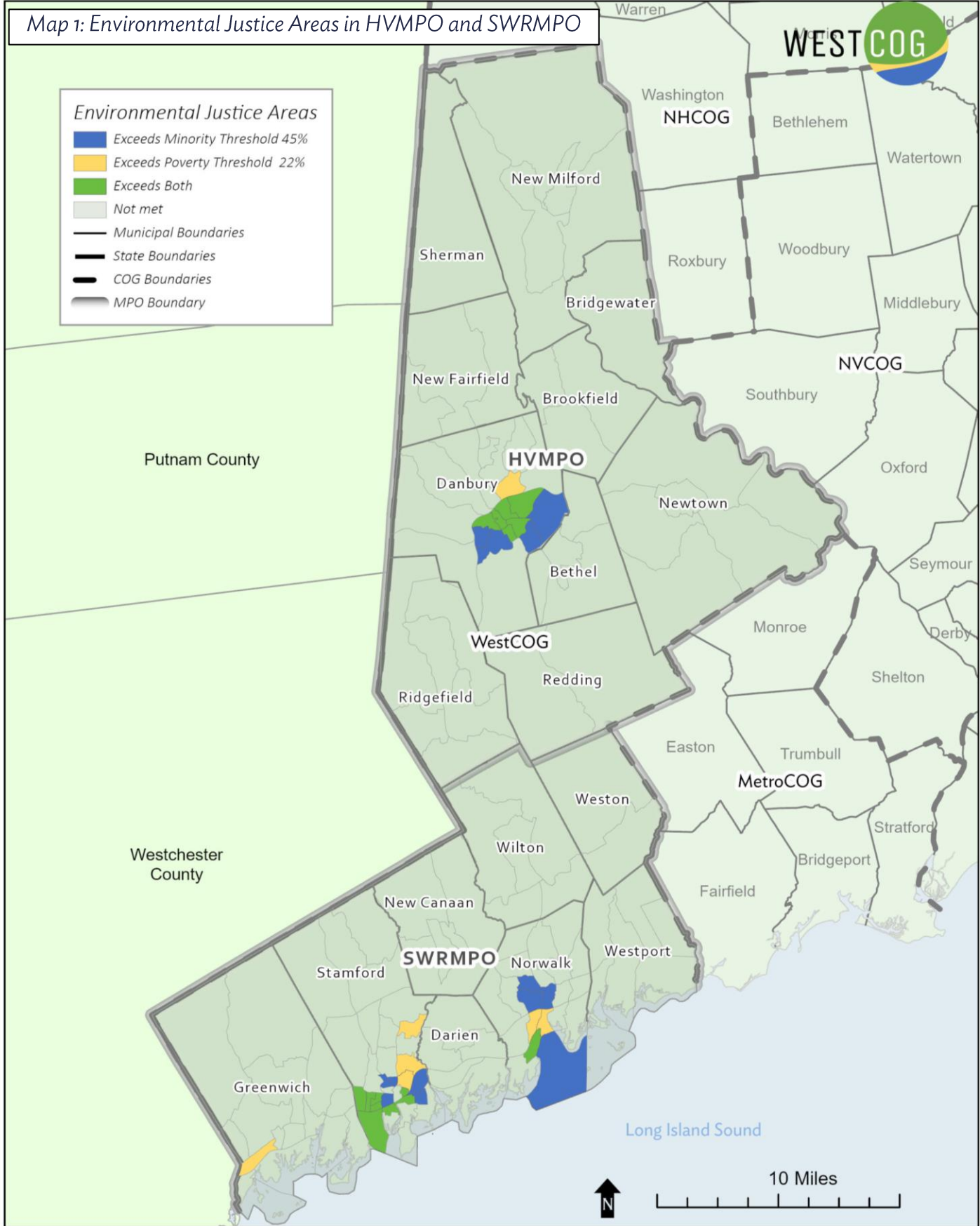
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Map 1: Environmental Justice Areas in HVMPO and SWRMPO



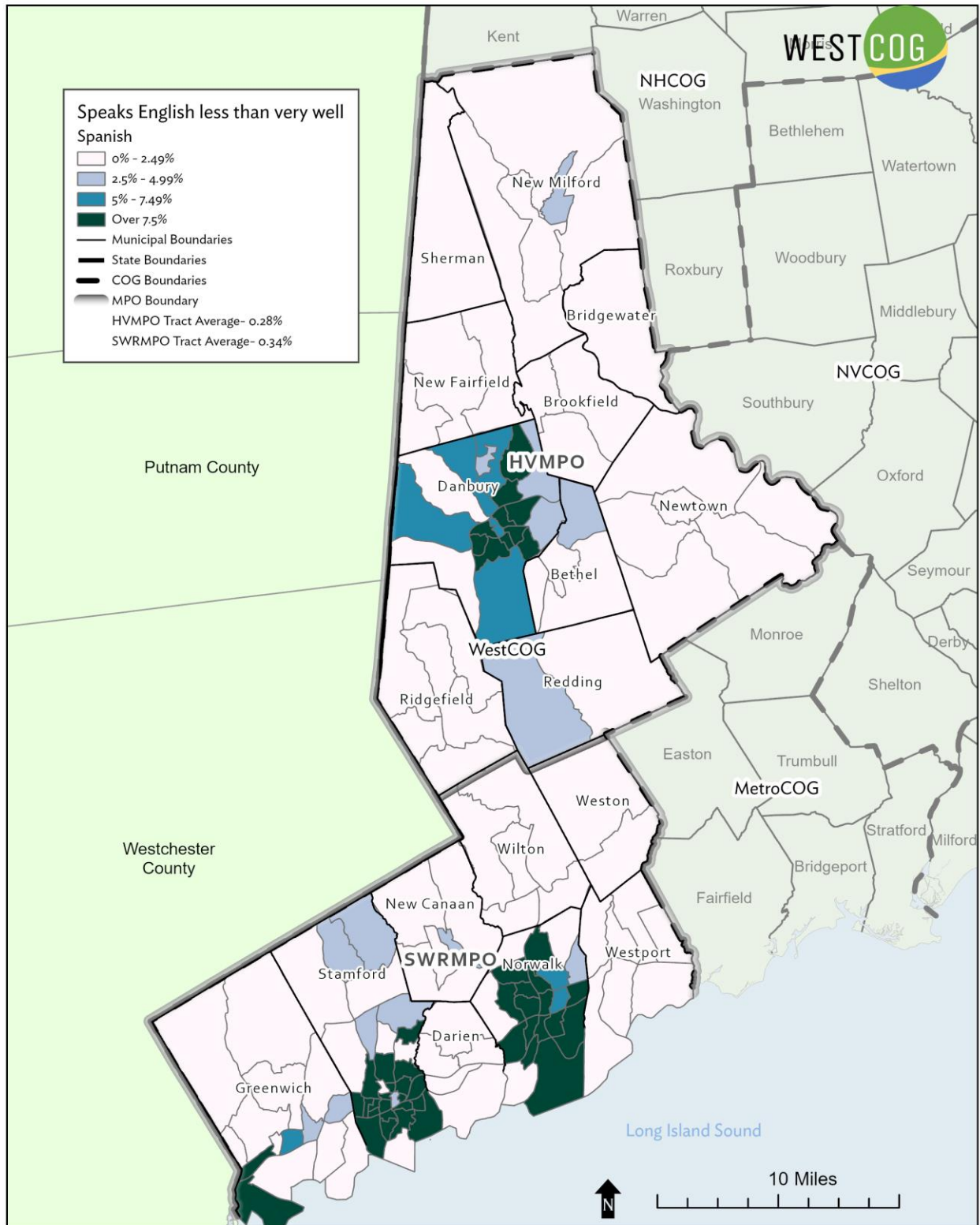
Environmental Justice Areas

- Exceeds Minority Threshold 45%
- Exceeds Poverty Threshold 22%
- Exceeds Both
- Not met
- Municipal Boundaries
- State Boundaries
- COG Boundaries
- MPO Boundary

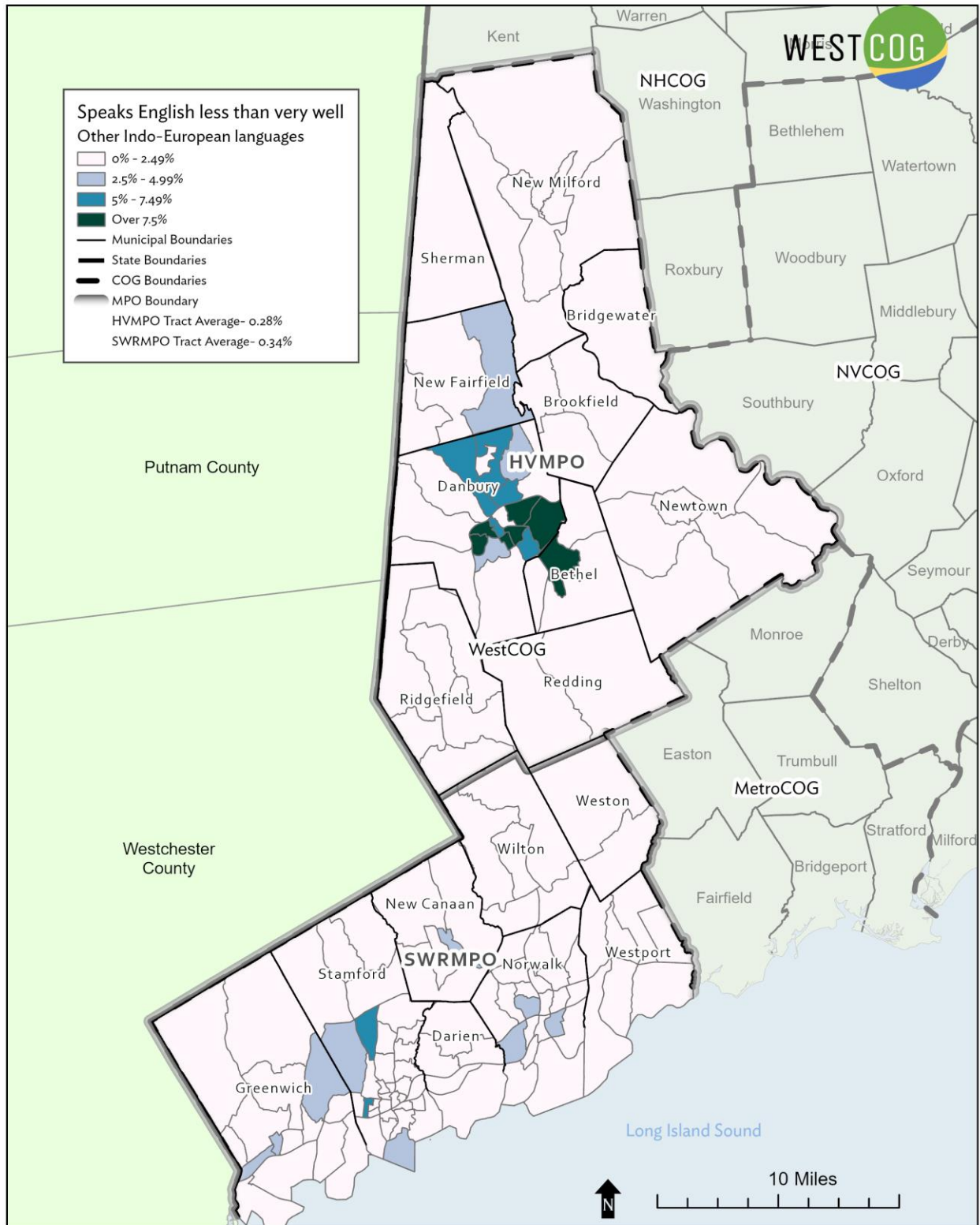


Source: U.S. Census, American Community Survey 2021
ACSDT5Y2021.C17002, ACSST5Y2021.S0601

APPENDIX A

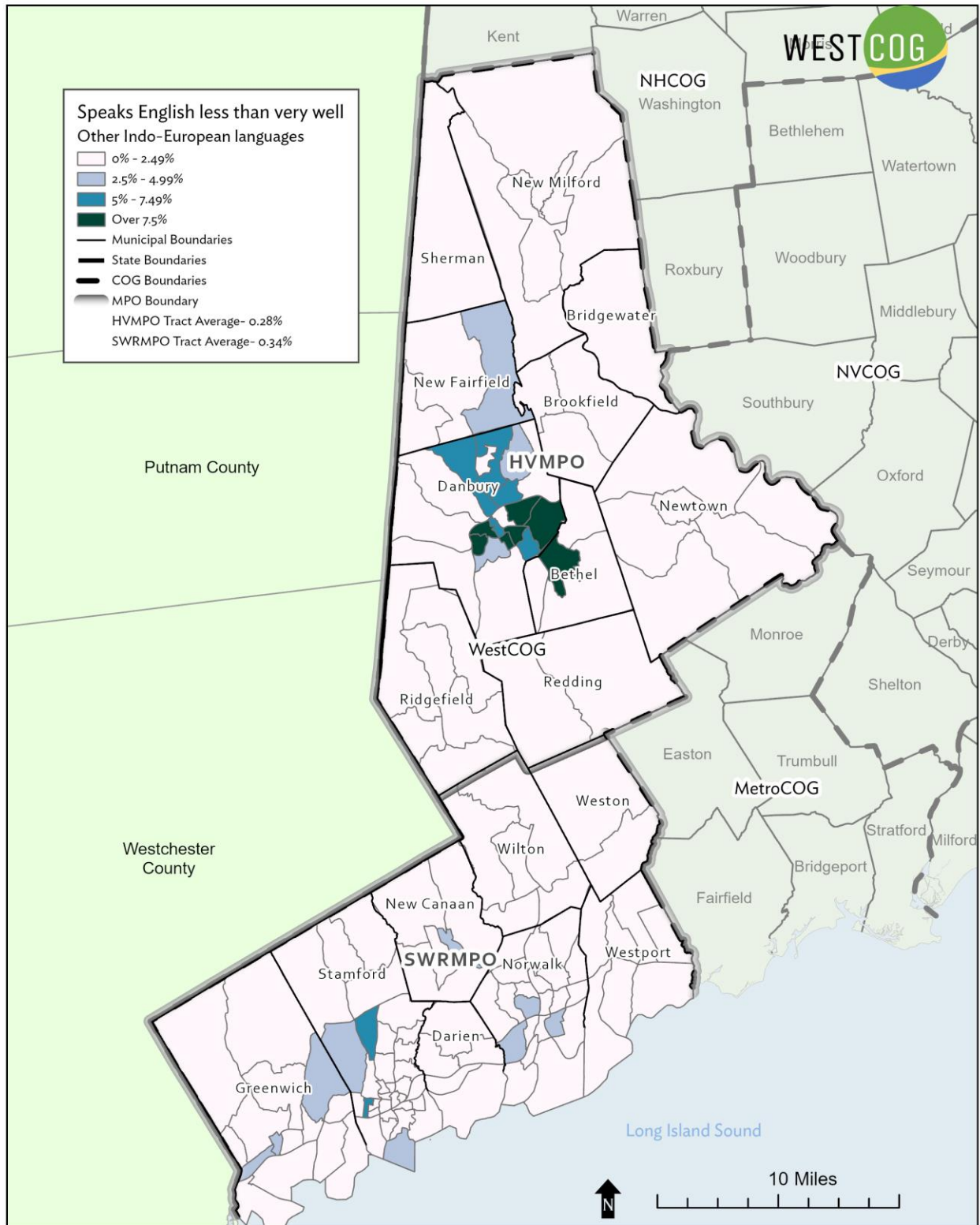


Source: U.S. Census, American Community Survey 2011
ACSDT5Y2011.C16001



Other Indo-European Languages include most languages of Europe and the Indic languages of India. These include the Scandinavian languages such as Swedish and Norwegian; the Romance languages such as Portuguese and Italian; the Indic languages such as Hindi, Gujarati, Punjabi, and Urdu; Celtic languages; Greek; Baltic languages; and Iranian languages.

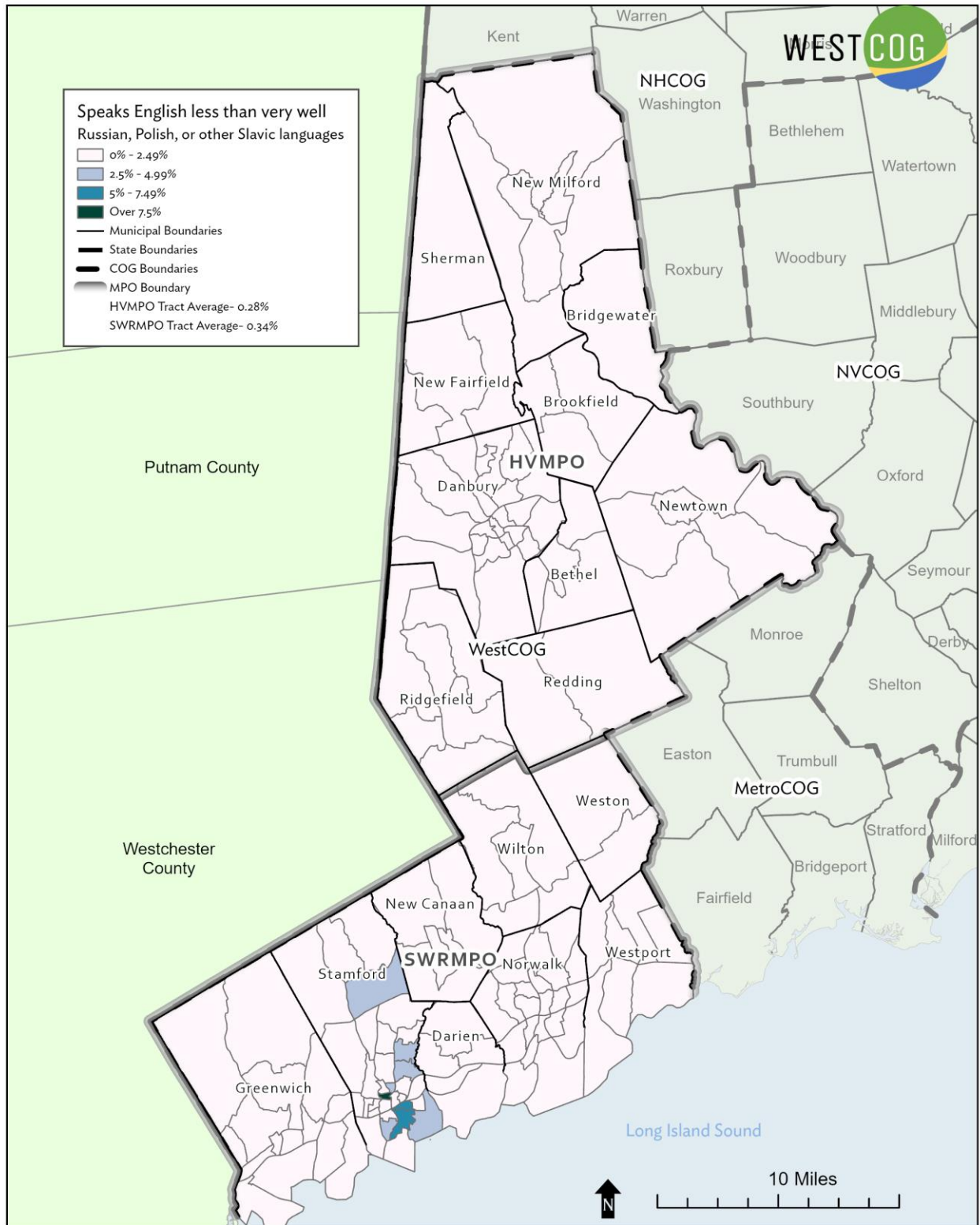
Source: U.S. Census, American Community Survey 2021
ACSDT5Y2021.C16001



Other Indo-European Languages include most languages of Europe and the Indic languages of India. These include the Germanic languages such as German, Yiddish, and Dutch; the Scandinavian languages such as Swedish and Norwegian; the Romance languages such as French, Italian, and Portuguese; the Slavic languages such as Russian, Polish, and Serbo-Croatian; the Indic languages such as Hindi, Gujarati, Punjabi, and Urdu; Celtic languages; Greek; Baltic languages; and Iranian languages.

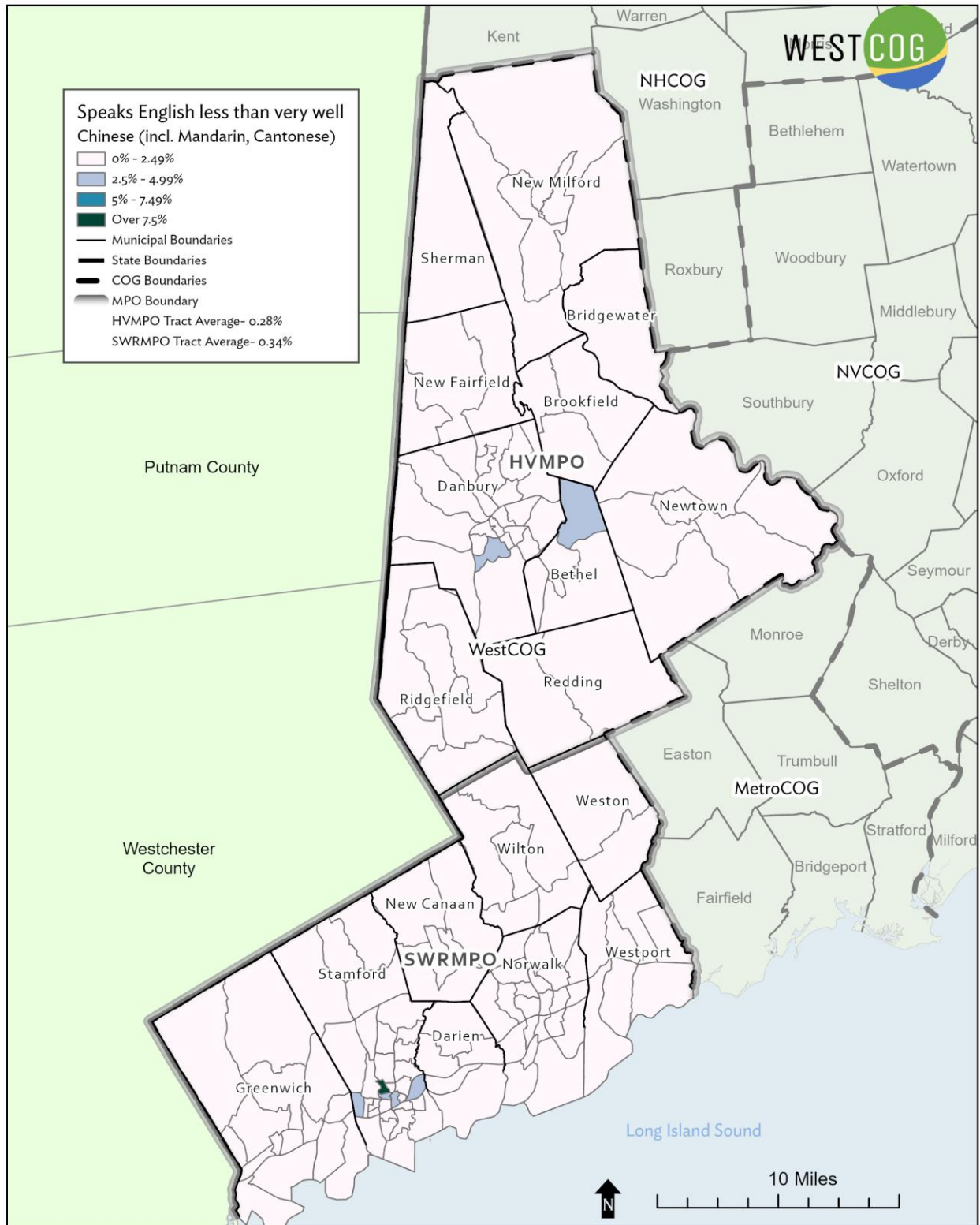
Source: U.S. Census, American Community Survey 2021
ACSST5Y2021.C16001

Russian, Polish or other Slavic languages
Limited English Proficiency Tracts

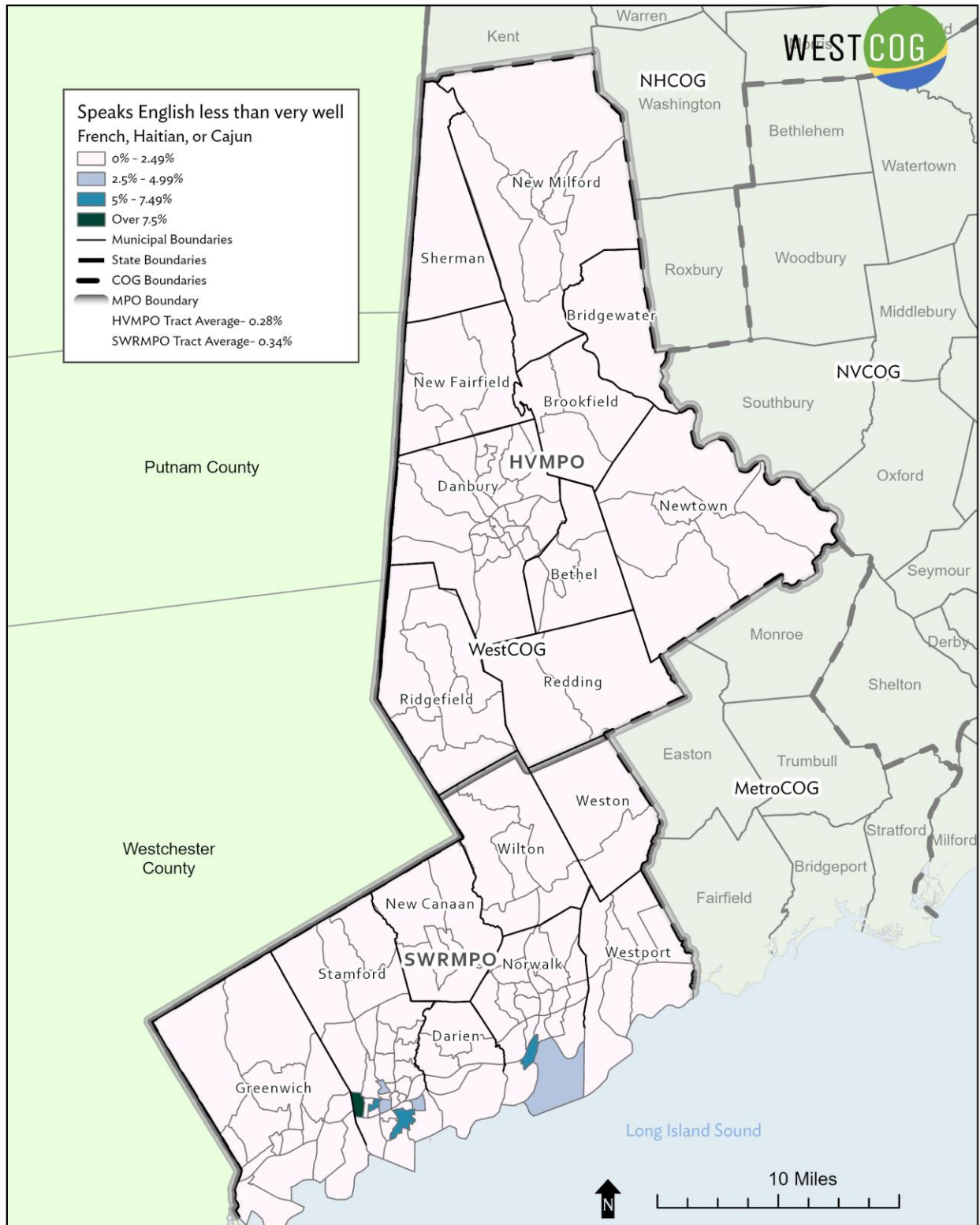


Source: U.S. Census, American Community Survey 2021
ACSDT5Y2021.C16001

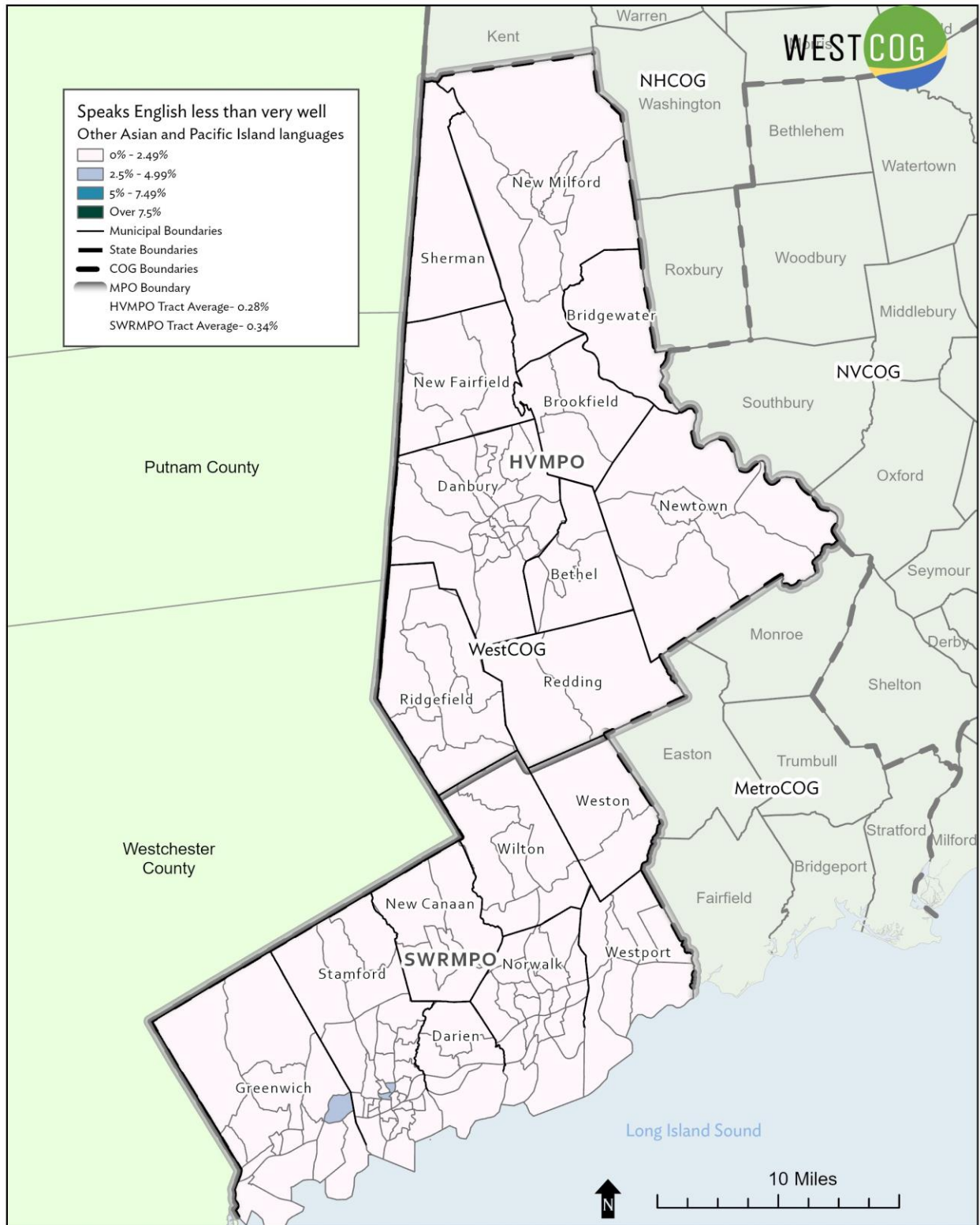
Chinese (incl. Mandarin, Cantonese)
Limited English Proficiency Tracts



Source: U.S. Census, American Community Survey 2021
ACSDT5Y2021.C16001



Source: U.S. Census, American Community Survey 2021
ACSDT5Y2021.C16001



Asian and Pacific Island Languages include; Japanese; Hmong; Khmer; Lao; Thai; the Dravidian languages of India such as Telugu, Tamil, and Malayalam; and other languages of Asia and the Pacific, including the Philippine, Polynesian, and Micronesian languages.

Source: U.S. Census, American Community Survey 2021
ACSDT5Y2021.C16001