FHWA TITLE VI PLAN

Endorsed by NVCOG Board of Directors June 14, 2019
Effective June 14, 2019
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NAUGATUCK VALLEY COUNCIL of GOVERNMENTS
INTRODUCTION

This Title VI Program Plan (the Plan) has been prepared to assist the Naugatuck Valley Council of Governments (NVCOG) in ensuring compliance with Section 601 of Title VI of the Civil Rights Act of 1964, which states:

“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.”

Under the Civil Rights Act of 1964, and as a recipient of federal funding under the programs of the Federal Highway Administration (FHWA) of the U.S. Department of Transportation (USDOT) NVCOG has an obligation to ensure that:

- The benefits of its transportation services are shared equitably throughout its service area;
- The level and quality of its services are sufficient to provide equal access to all users in the area;
- No one is precluded from participating in its service planning process;
- Decisions regarding allocation of federal funds are made without regard to race, color or national origin; and
- A mechanism is in place for the remediation of any discrimination which may occur, even if such discrimination is unintentional

Within its available resources, and with full regard for the delivery of efficient and effective transportation service, NVCOG will continue compliance with the regulations of the FHWA and the spirit of the Civil Rights Act of 1964.

This plan marks the first Title VI Plan for FHWA and is effective as of June 14, 2019. It has been prepared using data from the 2015 and 2017 American Community Survey. Furthermore, NVCOG created separate Title VI documents for FTA and FHWA in order to address the unique transportation needs within the region, however one complaint form was created in order to simplify the Title VI complaints process. This plan applies to all instances of NVCOG’s use of FHWA funding for planning, programming, and design in the nineteen municipalities it serves.
**Our Title VI Notice**

To make the general public aware of NVCOG’s commitment to Title VI Compliance—and to inform people of their ability to file a Title VI Complaint—NVCOG and Valley Transit District have promulgated the following language on the homepage of their websites (www.valleymtransit.org & www.nvcogct.gov), on posters at both facilities, and on all Valley Transit District buses.

**Your Civil Rights**

The Naugatuck Valley Council of Governments (NVCOG) and the Valley Transit District (VTD) are committed to providing non-discriminatory service to ensure that no person is excluded from participation in, or denied the benefits of, or subjected to discrimination in the receipt of its services on the basis of race, color or national origin as protected by Title VI of the Civil Rights Act of 1964 ("Title VI").

To request more information about Title VI, or to submit a written complaint if you believe that you have been subjected to discrimination, you may contact:

Naugatuck Valley Council of Governments  
Office of Civil Rights & Title VI Compliance  
49 Leavenworth Street, 3rd Floor  
Waterbury, CT 06702

In addition to your right to file a complaint with the NVCOG or VTD, you have the right to file a Title VI complaint with:

Title VI Coordinator  
CT Department of Transportation  
2800 Berlin Turnpike  
Newington, CT 06111

U.S. Department of Transportation  
Federal Transit Administration  
Office of Civil Rights  
Kendall Square  
55 Broadway  
Cambridge, MA 02142

Federal Highway Administration  
U.S. Department of Transportation  
Office of Civil Rights  
1200 New Jersey Avenue, SE, Suite E81-105  
Washington, DC 20590

If you need any language assistance or printed materials in another language please contact the Civil Rights Officer at gtlie@nvcogct.org or by phone at 203-757-0535.
## Authority

As a recipient of federal highway funds, NVCOG will strive to fulfill the requirements and the spirit of relevant regulation.

This plan was prepared under the following regulatory framework:

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title VI of the Civil Rights Act</td>
<td>42 U.S.C. § 2000d</td>
</tr>
<tr>
<td>of 1964</td>
<td>49 CFR Part 21</td>
</tr>
<tr>
<td>DOT Implementing Regulations</td>
<td>1973 Federal-aid Highway Act (23 USC 324) (sex)</td>
</tr>
<tr>
<td></td>
<td>23 CFR Part 200</td>
</tr>
<tr>
<td>DOJ Implementing Regulations</td>
<td>28 C.F.R. § 42.401 et seq</td>
</tr>
<tr>
<td></td>
<td>28 C.F.R. § 50</td>
</tr>
<tr>
<td></td>
<td>EO 13166</td>
</tr>
</tbody>
</table>

## Open FHWA Grants

The Naugatuck Valley Council of Governments has four open grants with the FHWA. In addition, NVCOG receives annual operating assistance from the Connecticut Department of Transportation.

<table>
<thead>
<tr>
<th>Project No. DEPA00002024307</th>
<th>Amount</th>
<th>Project Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CT-36-184</td>
<td>$2,350,000</td>
<td>Route 34 Reconstruction Project, in Derby (design)</td>
</tr>
<tr>
<td>CT-124-165</td>
<td>$910,700</td>
<td>Route 67 Spot Improvements Project (design)</td>
</tr>
<tr>
<td>CT-126-174</td>
<td>$600,000</td>
<td>Derby-Shelton Bridge Renovation Project (design)</td>
</tr>
<tr>
<td></td>
<td>$289,285</td>
<td>Watertown-Thomaston NRG Trail Project (design)</td>
</tr>
</tbody>
</table>
In order to best serve our users, NVCOG has prepared the following series of maps illustrating the demographics of the NVCOG service area. The goal is to better understand potential users and to channel investment towards assisting those who need it most.

All following data comes from the American Community Survey 2015 and 2017 5-year estimates. Because these data are estimates from a relatively small sample size, this profile is intended as an indication of facts on the ground, rather than an absolute description of the population. The Council of Governments has made use of existing plans and regional profiles of the service area from other organizations servicing the area to further support our conclusions, and to illustrate any trends surrounding the data.
Minority Population by Block Group

- Less than 10%
- 10.1% - 15%
- 15.1% - 25%
- 25.1% - 50%
- Greater than 50%
### Table 1: ACS 2015 B16001

<table>
<thead>
<tr>
<th>Total Population</th>
<th>who speak Spanish</th>
<th>and speak English less than “very well”</th>
<th>who speak Polish</th>
<th>and speak English less than “very well”</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ansonia</td>
<td>18,078</td>
<td>2,508</td>
<td>705</td>
<td>165</td>
</tr>
<tr>
<td>Beacon Falls</td>
<td>5,965</td>
<td>126</td>
<td>65</td>
<td>137</td>
</tr>
<tr>
<td>Bethlehem</td>
<td>3,429</td>
<td>15</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td>Bristol</td>
<td>57,732</td>
<td>4,289</td>
<td>1,297</td>
<td>1,091</td>
</tr>
<tr>
<td>Cheshire</td>
<td>28,122</td>
<td>1,633</td>
<td>658</td>
<td>198</td>
</tr>
<tr>
<td>Derby</td>
<td>12,004</td>
<td>1,796</td>
<td>604</td>
<td>478</td>
</tr>
<tr>
<td>Middlebury</td>
<td>7,323</td>
<td>162</td>
<td>26</td>
<td>64</td>
</tr>
<tr>
<td>Naugatuck</td>
<td>29,560</td>
<td>2,051</td>
<td>610</td>
<td>194</td>
</tr>
<tr>
<td>Oxford</td>
<td>12,229</td>
<td>385</td>
<td>58</td>
<td>49</td>
</tr>
<tr>
<td>Plymouth</td>
<td>11,408</td>
<td>279</td>
<td>98</td>
<td>112</td>
</tr>
<tr>
<td>Prospect</td>
<td>9,291</td>
<td>112</td>
<td>53</td>
<td>27</td>
</tr>
<tr>
<td>Seymour</td>
<td>15,688</td>
<td>770</td>
<td>178</td>
<td>465</td>
</tr>
<tr>
<td>Shelton</td>
<td>39,155</td>
<td>1,879</td>
<td>565</td>
<td>882</td>
</tr>
<tr>
<td>Southbury</td>
<td>18,753</td>
<td>482</td>
<td>143</td>
<td>62</td>
</tr>
<tr>
<td>Thomaston</td>
<td>7,465</td>
<td>86</td>
<td>0</td>
<td>11</td>
</tr>
<tr>
<td>Waterbury</td>
<td>101,664</td>
<td>26,534</td>
<td>9,948</td>
<td>342</td>
</tr>
<tr>
<td>Watertown</td>
<td>21,033</td>
<td>653</td>
<td>53</td>
<td>93</td>
</tr>
<tr>
<td>Wolcott</td>
<td>16,177</td>
<td>392</td>
<td>73</td>
<td>111</td>
</tr>
<tr>
<td>Woodbury</td>
<td>9,144</td>
<td>291</td>
<td>153</td>
<td>0</td>
</tr>
<tr>
<td>Region</td>
<td>424,220</td>
<td>44,443</td>
<td>15,287</td>
<td>4,497</td>
</tr>
<tr>
<td>Percent</td>
<td>10.48%</td>
<td>3.60%</td>
<td>1.06%</td>
<td>0.45%</td>
</tr>
</tbody>
</table>

*Note: Indo-European languages include Polish, Portuguese, and Italian: languages of which there is a population of speakers >200 in the region.*
### Table 2: ACS 2017 B16004

<table>
<thead>
<tr>
<th>Location</th>
<th>Total Population</th>
<th>Estimated population 65 years and over</th>
<th>who speak Spanish and speak English “not well” or “not at all”</th>
<th>who speak another Indo-European language* and speak English “not well” or “not at all”</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ansonia</td>
<td>18,116</td>
<td>2,803</td>
<td>233</td>
<td>170</td>
</tr>
<tr>
<td>Beacon Falls</td>
<td>5,866</td>
<td>902</td>
<td>28</td>
<td>28</td>
</tr>
<tr>
<td>Bethlehem</td>
<td>3,379</td>
<td>578</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bristol</td>
<td>57,567</td>
<td>9,590</td>
<td>484</td>
<td>277</td>
</tr>
<tr>
<td>Cheshire</td>
<td>28,203</td>
<td>5,075</td>
<td>64</td>
<td>0</td>
</tr>
<tr>
<td>Derby</td>
<td>11,959</td>
<td>1,924</td>
<td>89</td>
<td>13</td>
</tr>
<tr>
<td>Middlebury</td>
<td>7,383</td>
<td>1,553</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Naugatuck</td>
<td>29,230</td>
<td>4,717</td>
<td>237</td>
<td>95</td>
</tr>
<tr>
<td>Oxford</td>
<td>12,412</td>
<td>2,150</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>Plymouth</td>
<td>11,264</td>
<td>1,917</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>Prospect</td>
<td>9,380</td>
<td>1,864</td>
<td>16</td>
<td>0</td>
</tr>
<tr>
<td>Seymour</td>
<td>15,889</td>
<td>2,236</td>
<td>78</td>
<td>0</td>
</tr>
<tr>
<td>Shelton</td>
<td>39,728</td>
<td>8,471</td>
<td>112</td>
<td>29</td>
</tr>
<tr>
<td>Southbury</td>
<td>18,682</td>
<td>5,542</td>
<td>29</td>
<td>3</td>
</tr>
<tr>
<td>Thomaston</td>
<td>7,360</td>
<td>1,266</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Waterbury</td>
<td>101,631</td>
<td>14,077</td>
<td>2,031</td>
<td>964</td>
</tr>
<tr>
<td>Watertown</td>
<td>20,999</td>
<td>3,893</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Wolcott</td>
<td>15,974</td>
<td>2,759</td>
<td>58</td>
<td>58</td>
</tr>
<tr>
<td>Woodbury</td>
<td>9,114</td>
<td>1,957</td>
<td>53</td>
<td>0</td>
</tr>
<tr>
<td>Region</td>
<td>424,136</td>
<td>73,220</td>
<td>3,540</td>
<td>1,653</td>
</tr>
<tr>
<td>Percent</td>
<td>17.26%</td>
<td>4.83%</td>
<td>2.26%</td>
<td>9.63%</td>
</tr>
</tbody>
</table>

*Note: Indo-European languages include Polish, Portuguese, and Italian: languages of which there is a population of speakers >200 in the region.
Household with No Vehicle Owned by Block Group

- Less than 4.5%
- 4.6% - 13%
- 13.1% - 26%
- 26.1% - 42%
- Greater than 42%
Household Poverty by Block Group

- Less than 6.5%
- 6.6% - 15.3%
- 15.4% - 27.1%
- 27.2% - 43%
- Greater than 43%
Analysis

The NVCOG region is a relatively diverse area. The minority population is concentrated in the more urbanized jurisdictions such as Waterbury, Ansonia, and Derby. According to the 2017 American Community Survey, Non-White residents comprise 61.5% of the population in Waterbury, 37% of the population in Ansonia, and 33.3% of the population in Derby. By analyzing the minority population and major languages spoken in the region, it is evident that the population centered around Waterbury, Ansonia, and Derby contains a large proportion of Spanish-speaking individuals. On the other hand, the region’s Polish-speaking population is mostly situated in Beacon Falls, Seymour, Derby, and Shelton. Many areas with large minority populations also live in households without a vehicle. As a result, the proportion of residents relying on public transportation to get to work is generally higher.
PUBLIC PARTICIPATION PLAN

The Naugatuck Valley Council of Governments is required to submit a Title VI program to the Connecticut Department of Transportation.

This public participation plan applies to future updates of the Title VI plan.

- Title VI program updates will be posted on the NVCOG website.
- The Council of Governments will seek help from community leaders and organizations to facilitate involvement of traditionally underserved populations. Community leaders and organizations that represent these groups should be consulted about how to most effectively reach their members for public involvement in the Title VI program.
- Public meetings should be held in locations that are accessible by public transit. If a targeted population is located in a certain geographic area, then the meeting location should be in that area for their convenience.
- Any resulting change or action due to public comment or discussion will be documented in the NVCOG board meeting minutes.
- The Title VI program will take effect immediately following the decision of the NVCOG board meeting at which a vote on the Title VI program will be taken.
- All public meetings related to the Title VI program will be held at an ADA accessible facility.

Language Assistance Plan

NVCOG recognizes that there is a population within its service area who are not fluent in English. In order to better serve this population, NVCOG has completed the following Four Factor Analysis (process detailed in the Title VI circular) and subsequent Language Assistance Plan to discern what languages this population does speak and how NVCOG can best serve them. The results of this plan have been incorporated into the above Public Participation Plan.
Four Factor Analysis

Under guidance from the U.S. Department of Transportation, the Council of Governments is obligated to determine the extent of its obligation to provide LEP services to its highway users. This determination must be based on an analysis of four factors:

- **Factor #1** The number or proportion of Limited English Proficiency persons who may be serviced or are likely to encounter a program, activity or service.
- **Factor #2** The frequency with which Limited English Proficiency persons come in contact with programs, activities or services.
- **Factor #3** The nature and importance of programs, activities or services to the LEP population.
- **Factor #4** The resources available to the recipient and overall costs to provide LEP assistance.

An analysis of these four factors are on the following pages, as well as information about how NVCOG addresses these factors individually and holistically.

### Factor 1

**Number & Proportion of LEP Persons Likely to Be Serviced**

NVCOG has utilized 2015 and 2017 American Community Survey data—and with local social service organizations—to ascertain which LEP populations exist in the region.

NVCOG determined that there exists a sizable Hispanic population, concentrated in the more urbanized cities of Waterbury, Derby, and Ansonia. This population is clearly an integral portion of several towns in the NVCOG region.

Additionally, there exists a small Polish-speaking population in Derby and Ansonia. Polish was added to this year’s Safe Harbor Threshold because the new Title VI Plan encompasses the entire NVCOG region thus increasing the number of individuals who are Polish-speaking.

### Table 3: Partner Organizations

<table>
<thead>
<tr>
<th>Partner Organizations for LEP Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ansonia Housing Authority</td>
</tr>
<tr>
<td>Area Congregations Together</td>
</tr>
<tr>
<td>Birmingham Group Health Services</td>
</tr>
<tr>
<td>Coordinated Transportation Solutions</td>
</tr>
<tr>
<td>Derby Housing Authority</td>
</tr>
<tr>
<td>Naugatuck Valley Health District</td>
</tr>
<tr>
<td>Seymour Housing Authority</td>
</tr>
<tr>
<td>Shelton Housing Authority</td>
</tr>
<tr>
<td>St. Joseph Church</td>
</tr>
<tr>
<td>St. Michael the Archangel Parish</td>
</tr>
<tr>
<td>TEAM, Inc.</td>
</tr>
<tr>
<td>The WorkPlace, Inc.</td>
</tr>
<tr>
<td>Valley Arts Council</td>
</tr>
<tr>
<td>Valley United Way</td>
</tr>
</tbody>
</table>
Factor 2
Frequency of contact
The primary source of contact between NVCOG and LEP individuals would occur during a public meeting. In that event, NVCOG would offer translation services as long as adequate notice was given. NVCOG has not received any requests for document translation or in-person interpretation. Our organization will monitor such requests by tracking Google Translate requests on NVCOG’s website and special requests for translated documents via website, public meetings, etc. NVCOG will also monitor demographic changes by periodically researching data changes from the United States Census.

Factor 3
Nature / Importance of Program
NVCOG facilitates the design, construction, and public involvement process for many highway and infrastructure projects. Our organization is committed to ensuring that investments are being directed in areas that benefit each corner of the region.

Factor 4
Resources Analysis
While the LEP population in the NVCOG region is small, the region is strong in its support of these individuals. NVCOG has partnered with outside organizations to serve the LEP population which are listed in Table 3. Additionally, NVCOG utilizes Language Line to offer translation services over the phone in over 240 languages and costs are minimal for their services.

Language Assistance Activities
From the above analysis, the Council of Governments has concluded that providing Spanish and Polish-language assistance is important to best serve our target population. Furthermore, the Spanish and Polish-speaking population meet the Department of Justice’s Safe Harbor provision, requiring translation of vital documents. NVCOG makes extensive efforts to transmit information to the public in Spanish and Polish in addition to English, including making the following materials available to the region:
The public is made aware of language assistance through NVCOG’s website, which is available in multiple languages. Our website informs visitors that phone interpretive services are available. In addition, each NVCOG agenda for all our Boards and Commissions states that a sign translator can be requested five days in advance of a public meeting.

**Staff Training**

Staff at the Naugatuck Valley Council of Governments will continue to attend Connecticut Department of Transportation, Federal Transit Administration (FTA)/Federal Highway Administration (FHWA) meetings and webinars that provide education and training related to Title VI. All education and training will be consistent with the state and federal policies and guidelines. In addition, NVCOG will also inform new and existing employees about any changes to the language assistance services provided by our organization.

**Summary of outreach since 2016**

NVCOG is working on the ALT Mode Study for the Route 8 corridor. This project involves examining ways to promote transit-oriented development along eight nodes. NVCOG released a survey and embarked on a robust stakeholder process to engage communities through a series of workshops. In addition, NVCOG recently updated its Metropolitan Transportation Plan (MTP), this document outlines how the region hopes to utilize future federal and state transportation dollars. NVCOG also created a survey to collect public input from residents.
Makeup of Boards

The Naugatuck Valley Council of Governments (NVCOG) consists of a 19-member Board. Each of the 19 municipalities in the NVCOG region is allocated one voting member. The Board meets monthly at regularly scheduled public meetings which are publicly noticed. The members of the Board are listed below:

- **Ansonia**: David Cassetti, Mayor
- **Beacon Falls**: Christopher Bielik, First Selectman
- **Bethlehem**: Leonard Assard, First Selectman
- **Bristol**: Ellen Zoppo-Sassu, Mayor
- **Cheshire**: Rob Oris, Jr., Town Council Chairman
- **Derby**: Richard Dziekan, Mayor
- **Middlebury**: Edward St. John, First Selectman
- **Naugatuck**: N. Warren "Pete" Hess, Mayor
- **Oxford**: George Temple, First Selectman
- **Plymouth**: David Merchant, Mayor
- **Prospect**: Robert Chatfield, Mayor
- **Seymour**: W. Kurt Miller, First Selectman
- **Shelton**: Mark Lauretti, Mayor
- **Southbury**: Jeffrey Manville, First Selectman
- **Thomaston**: Edmond Mone, First Selectman
- **Waterbury**: Neil O'Leary, Mayor
- **Watertown**: Thomas Winn, Town Council Chairman
- **Wolcott**: Thomas Dunn, Mayor
- **Woodbury**: Barbara Perkinson, First Selectman

Of the total membership, 19 are Caucasian (17 males and 2 females).
APPENDICES

The following documents are appended:

- NVCOG Organizational Chart
- Title VI Discrimination Complaint Form
- Title VI Complaint Log
- List of Title VI Complaints
- Title VI Discrimination Complaint Process
- NVCOG Board Endorsement
Naugatuck Valley Council of Governments

Board of Directors
Officers:
Chairman: Neil O'Leary, Waterbury
Vice Chairman: Mark Lauretti, Shelton
Secretary: Ed Mone, Thomaston
Treasurer: Pete Hess, Naugatuck

Executive Director: Rick Dunne

EEO/DEBELO Officer: Gabriel Filer

Financial Director
Director of Planning
Administrative Staff
Complaint’s Name: _______________________________________________________________________

Street Address: ___________________________________________________________________________

City/State/Zip: ___________________________________________________________________________

Phone: _____________________________ E-Mail (if available): __________________________________

Title VI Discrimination Complain because of: ____ Race     ____ Color     ____ National Origin

(FHWA complaints only)       ____ Disability

Please provide the date(s) and location(s) of the alleged discrimination, the name(s) of the individual(s) who
allegedly discriminated against you, including their titles (if known).
________________________________________________________________________________________
________________________________________________________________________________________

Please provide the names, addresses and telephone numbers of any witnesses.
________________________________________________________________________________________
________________________________________________________________________________________

Explain as briefly and as clearly as possible; what happened, how you felt that you were discriminated against
and who was involved. If applicable, please include how other persons were treated differently from you in the
same circumstances.
________________________________________________________________________________________
________________________________________________________________________________________

Signature: _____________________________________________      Date: ___________________________

Deliver, mail or e-mail this form to:                        NVCOG will provide this form to:

Mr. Gabriel Filer, Civil Rights Officer                        Title VI Coordinator,
Naugatuck Valley Council of Governments                        Connecticut Department of Transportation
49 Leavenworth Street, 3rd Floor                                2800 Berlin Turnpike
Waterbury, Connecticut 06702                                    Newington, CT 06131-7546

You may use additional sheets of paper if necessary. Also, please include any written materials pertaining to
your complaint. Please contact our office if you need printed materials in another language. Should you have
any further questions or want to submit the Title VI Complaint Form you may contact the Civil Rights Officer at
gfiler@nvcogct.org or by phone at 203-757-0535.
<table>
<thead>
<tr>
<th>No.</th>
<th>Date of Complaint</th>
<th>Summary of Allegations</th>
<th>Status of Investigation</th>
<th>Lawsuit or Complaint</th>
<th>Action Taken</th>
<th>Final Disposition</th>
</tr>
</thead>
</table>
List of Title VI Investigations, Complaints & Lawsuits

The Naugatuck Valley Council of Governments maintains a Log of all Title VI Investigations, Complaints and Lawsuits filed against the agency. To date, no investigations, complaints or lawsuits have been filed against the Naugatuck Valley Council of Governments. If an investigation, complaint or lawsuit arises the Naugatuck Valley Council of Governments will immediately notify the Connecticut Department of Transportation’s Office of Contract Compliance.
I. NVCOG/FHWA’s Title VI Complaint Process

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the NVCOG may file a Title VI complaint by completing and submitting the NVCOG Title VI Complaint Form. The FHWA investigates complaints received no more than 180 days after the alleged incident.

A person may also file a complaint directly with the Connecticut Department of Transportation, Office of Contract Compliance, Attn: Title VI Coordinator, 2800 Berlin Turnpike, Newington, CT 06111; or directly with the Federal Highway Administration, at FHWA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

FHWA will process complaints that are complete and include the following information:

- A written explanation of the alleged discriminatory actions;
- The complainant’s contact information, including, if available: full name, postal address, phone number, and email address;
- The basis of the complaint (e.g., race, color, national origin);
- The names of specific persons and respondents (e.g., agencies/organizations) alleged to have discriminated;
- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is on-going.

Once the complaint is received, NVCOG will review it and forward it to the CT DOT.

There are four potential outcomes for processing complaints:

1.) **Accept**: if a complaint is filed within 180 days, contains sufficient information to support a claim under Title VI, and concerns matters under FHWA’s jurisdiction, then HCR will send to the complainant, the respondent agency, and the FHWA Division Office a written notice that it has accepted the complaint for investigation.

2.) **Preliminary review**: if it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then HCR may (1) dismiss it or (2) engage in a preliminary review to acquire additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.
3.) **Procedural Dismissal**: if a complaint is not timely filed, is not in writing and signed, or features other procedural/practical defects, then HCR will send the complainant, respondent, and FHWA Division Office a written notice that it is dismissing the complaint.

4.) **Referral/Dismissal**: if the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, then HCR will either dismiss the complaint or refer it to another agency that does have jurisdiction. If HCR dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice.

The FHWA is responsible for conducting all investigations of State DOTs and other primary recipients.

**II. FHWA’s Title VI investigation process**

There are five potential outcomes for concluding an investigation:

1. The FHWA makes a finding of no violation and the case will be closed with no further action. The FHWA will issue an LOF stating in sufficient detail the reasons for the determination of no violation.

2. If, by a preponderance of the evidence, FHWA determines the respondent has failed to comply with its Title VI requirements or threatens to fail to comply by action or inaction, then FHWA will inform the respondent and the matter will be resolved by informal means whenever possible.
   - If FHWA informally resolves the matter with the respondent by agreement, then FHWA will hold the complaint in abeyance until the respondent completes its corrective actions. If the corrective actions are completed to the FHWA’s satisfaction, then the complaint will be dismissed with no further action.
   - If FHWA cannot informally resolve the matter or the respondent does not complete agreed upon corrective actions, then FHWA may issue a LOF stating that the Recipient is in noncompliance with its Title VI obligations.

3. If FHWA issues a LOF of noncompliance to the respondent, the LOF will request that the respondent provide to FHWA, within 90 days, an action plan that implements the recommendations in the LOF.

4. If FHWA approves the action plan, then the respondent will be given a reasonable amount of time to implement the plan. At the end of the implementation period, FHWA will assess whether the respondent has sufficiently corrected the deficiencies.
5. If FHWA does not approve the action plan, or the respondent is nonresponsive/uncooperative, then FHWA may seek administrative sanctions, including, but not limited to, suspension or termination of Federal funds or any other means authorized by law such as referral to USDOJ for enforcement.

   o If USDOT seeks to suspend or terminate funds, it must provide the respondent with an opportunity for a hearing on the record. If the Secretary of Transportation determines that the respondent has not complied with Title VI and voluntary compliance cannot be secured, USDOT must notify Congress before that finding goes into effect. 49 CFR

*All LOFs issued by FHWA are administratively final.*
RESOLUTION 2019-18

ENDORSEMENT
TITLE VI PLAN UPDATE FOR THE
NAUGATUCK VALLEY COUNCIL OF GOVERNMENTS

I certify that the following is a true copy of the vote of the Naugatuck Valley Council of Governments at its meeting on June 14, 2019 in Waterbury, Connecticut, at which a quorum was present.

WHEREAS, the Federal Transit Administration (hereinafter “FTA”) requires that each Direct Recipient of FTA assistance develop and maintain a Title VI program plan which adheres to US Department of Transportation regulations contained in 49 C.F.R. § 21;

WHEREAS, the Connecticut Department of Transportation requires the Naugatuck Valley Council of Governments to submit a separate Title VI program plan for FHWA;

WHEREAS, the Naugatuck Valley Council of Governments (hereinafter “NVCOG”) is a Direct Recipient of FTA and FHWA financial assistance;

WHEREAS, the NVCOG has developed a Title VI program plan consistent and in conformity with the regulations contained in 49 C.F.R. § 21, and the Title VI program plan was presented to NVCOG Board at the June 14, 2019 meeting and a public hearing was held on May 14 and May 16.

BE IT RESOLVED, that the NVCOG endorses and adopts the Title VI program plan update, as presented for the Naugatuck Valley Council of Governments, and authorizes Rick Dunne, Executive Director of the NVCOG, to submit the Title VI program plan update to the FTA.

Dated at Waterbury, Connecticut on 6-14-19, 2019

Agency: Naugatuck Valley Council of Governments

Signed

Ed Mone, Secretary