



TITLE VI NONDISCRIMINATION PLAN

ENDORSED BY NVCOG
BOARD OF DIRECTORS 6/10/2022
EFFECTIVE 6/10/2022



NAUGATUCK VALLEY
COUNCIL of GOVERNMENTS

Prepared in
conjunction with:





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EN Translations available by request.
ES Traducciones disponibles bajo petición.
IT Traduzioni disponibili su richiesta.
PL Tłumaczenia dostępne na zamówienie.
PT Traduções disponíveis mediante solicitação.
SQ Përkthime në dispozicion me kërkesë.
ZH 可根据要求提供翻译

ACRONYMS

ACS: American Community Survey

CRO: Civil Rights Officer

CTDOT: Connecticut Department of Transportation

DOJ: United States Department of Justice

DOT: United States Department of Transportation

EJ: Environmental Justice

EO: Executive Order

FHWA: Federal Highway Administration

FTA: Federal Transit Administration

LAP: Language Assistance Plan

LEP: Limited English Proficiency

MPO: Metropolitan Planning Organization

MTP: Metropolitan Transportation Plan

NVCOG: Naugatuck Valley Council of Governments

PPP: Public Participation Plan

RPC: Regional Planning Commission

TIP: Transportation Improvement Program

TTAC: Transportation Technical Advisory Committee

VTD: Valley Transit District

UPWP: Unified Planning Work Program

UZA: Urbanized Area

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Introduction

This Title VI Program Plan has been prepared to assist the Naugatuck Valley Council of Governments (NVCOG), the administrator of Greater Waterbury Transit District and Valley Transit District, 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 assistance.”

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

- The benefits of its transit services are shared equitably throughout its service area;
- The level and quality of its services are sufficient to provide equal access to all riders in its service area;
- No one is precluded from participating in its service planning process;
- Decisions regarding service changes or facility locations 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 transit service, NVCOG, Greater Waterbury Transit District, and Valley Transit District will continue compliance with the regulations of the FTA, FHWA, and the spirit of the Civil Rights Act of 1964.

This plan supersedes the Valley Council of Governments’ Title VI Plan of 2019 and is effective as of June 10, 2022, as required. It has been prepared using data from the American Community Survey 2020 5-Year Estimates. Additionally, the Plan recognizes the relationship of NVCOG, Greater Waterbury Transit District, and the Valley Transit District, with regard to Title VI planning, complaints, and procedures, to be synonymous as one entity where the NVCOG provides certain planning and programming for the Valley Transit District who provide transit service and operations.

Furthermore, this plan applies to all instances of NVCOG’s use of FTA and FHWA funding for planning and programming in other urbanized areas within its jurisdiction, outside of Valley Transit District’s service area.

Our Title VI Notice

To make the Naugatuck Valley Council of Governments and Valley Transit District's service recipients aware of its commitment to Title VI Compliance—and of their right to file a Title VI Complaint—NVCOG and the Transit District have promulgated the language on the following page on the homepage of their websites (www.valleytransit.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 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 06131

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 E81105
Washington, DC 20590

If you need any language assistance or printed materials in another language, please contact the Civil Rights Officer at dblanchard@nvcogct.gov or by phone at 203-757-0535.

Authority

As a provider of paratransit services within the Lower Valley portion of the Naugatuck Valley planning region, NVCOG and VTD strive to fulfill the requirements and the spirit of relevant regulation.

This plan was prepared under the following regulatory framework:

Title VI of the Civil Rights Act of 1964 42 U.S.C. § 2000d	
DOT Implementing Regulations	49 C.F.F. § 21 23 CFR Part 200
DOJ Implementing Regulations	28 C.F.R. § 42. 401 et. seq. 28 C.F.R. § 50 EO 13166

OPEN FTA GRANTS

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

CT-2016-013	\$892,525	Facility Design & Rehab/Reconstruction
CT-2016-16	\$763,883	VTD Facility Expansion & Rehabilitation
CT-2016-014	\$46,634	Route 8 Alternatives Study
CT-2018-015	\$258,600	Bus Support EQ/Facilities and Administration

OPEN FHWA GRANTS

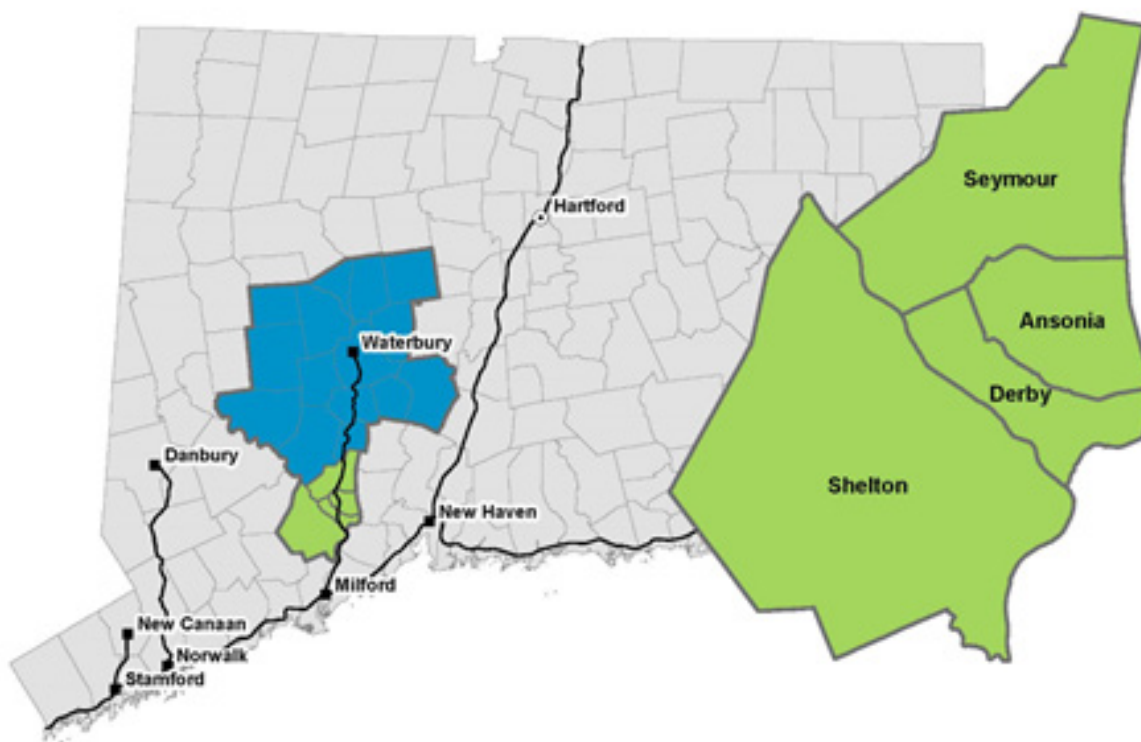
The Naugatuck Valley Council of Governments has four open grants with the FHWA. In addition, NVCOG and VTD receive annual operating assistance from the Connecticut Department of Transportation.

CT-36-184	\$2,350,00	Route 34 Reconstruction Project, in Derby (Construction)
CT-124-165	\$910,700	Route 67 Spot Improvement Project (Design)
DOT01510339PL	\$38,623	Corridor Study of West Main St, Rt8 and City Green (Final Phase)
DOT00170194PL	\$84,429	Bristol RT 229 Corridor Study (Final Phase)

Demographic Profiles

Metropolitan planning organizations are required to develop demographic profiles for the purpose of identifying minority populations under the FTA's Title VI Circular 4703.1B. The MPO also prepares demographic profiles for other Title VI EJ, LEP, and low-income populations. NVCOG has prepared the following series of maps illustrating the demographics of the Valley Transit District and NVCOG service area. To better understand and serve potential transit users and to channel investment benefits towards those populations, the data gathered during these efforts contribute to the NVCOG's planning and analysis efforts in the course of developing documents and programs, conducting studies, and undertaking public outreach.

All following data comes from the American Community Survey 2016-2020 five-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.

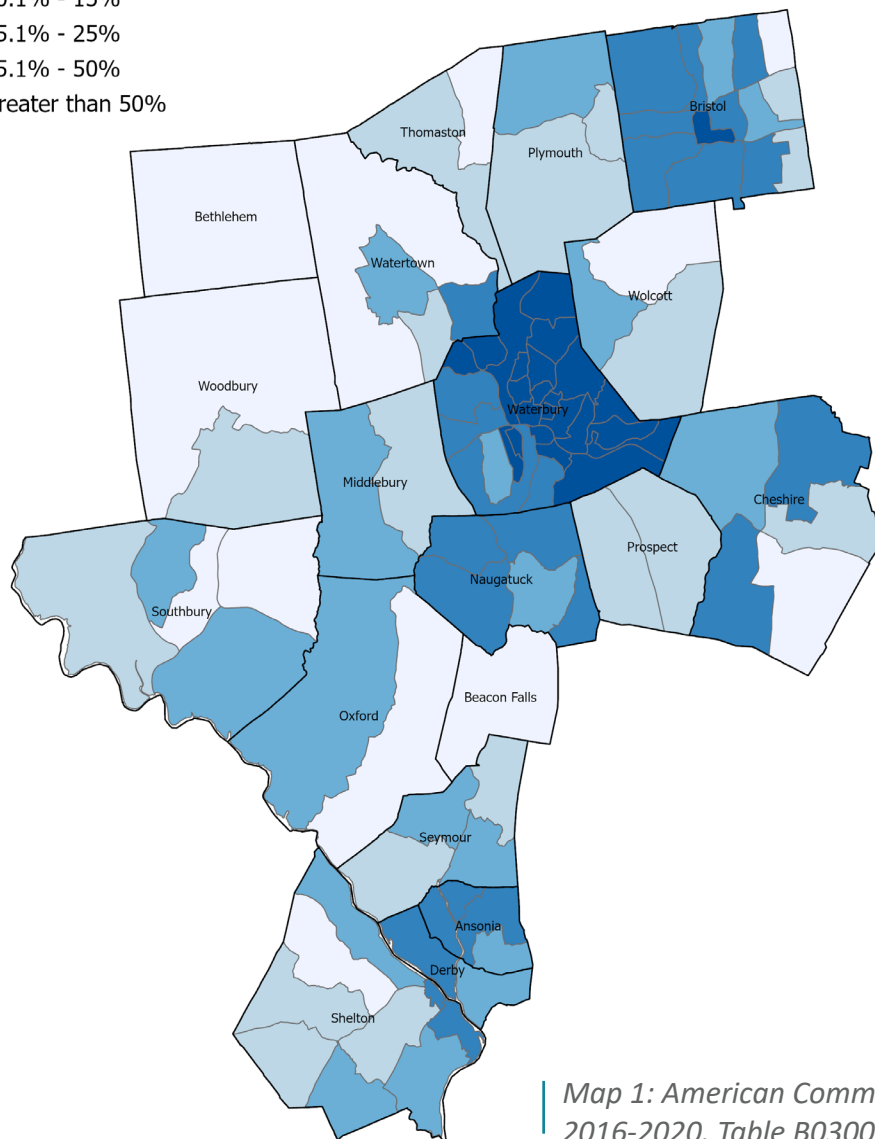


Title VI Populations

The NVCOG (which encompasses Greater Waterbury Transit District) and VTD region are relatively diverse areas. The minority population is concentrated in the more urbanized jurisdictions such as Waterbury, Ansonia, and Derby. According to the 2020 American Community Survey, Non-White residents comprise 61.7% of the population in Waterbury, 38.3% of the population in Ansonia, 32.7% of the population in Derby, and 27.1% of the population of Bristol. Hispanic individuals make up 16.9% of the total NVCOG Region population and comprise of 56.27% of the region's minority population.

Population Percentage Minority

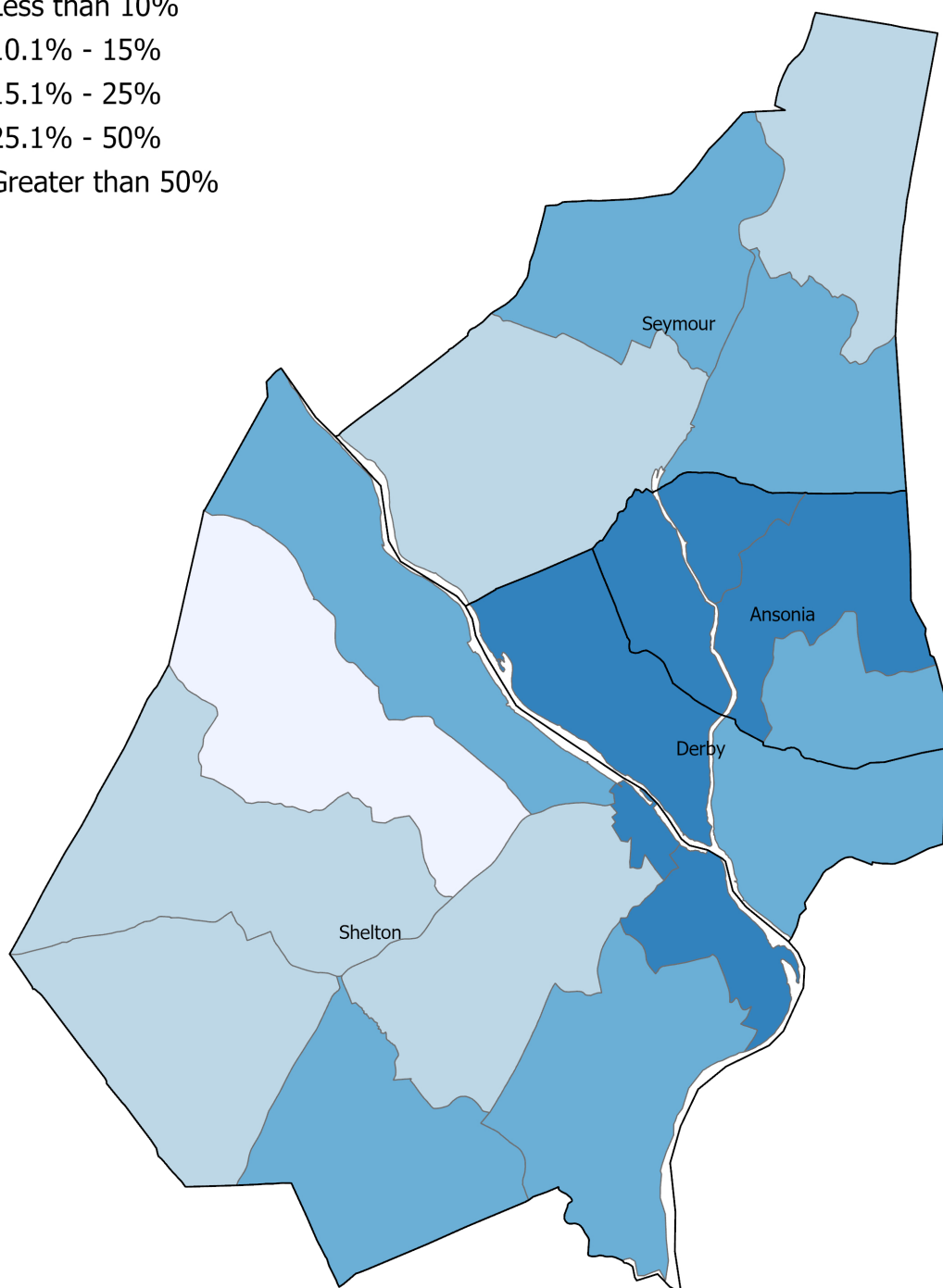
- Less than 10%
- 10.1% - 15%
- 15.1% - 25%
- 25.1% - 50%
- Greater than 50%



Map 1: American Community Survey, 2016-2020. Table B03002

Population Percentage Minority

- Less than 10%
- 10.1% - 15%
- 15.1% - 25%
- 25.1% - 50%
- Greater than 50%



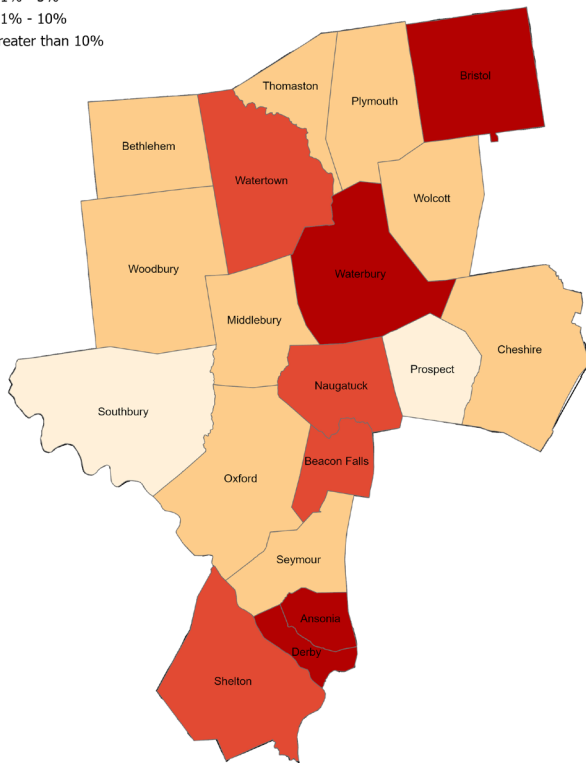
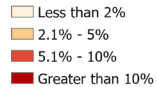
Map 2: American Community Survey,
2016-2020. Table B03002

By analyzing the minority population, it is anticipated that the need for Limited English Proficient (LEP) services will be more concentrated in the urban cities. Table 1 illustrates the number of persons whose primary language is not English and speak English “less than very well”. This group is identified as LEP. Further analysis can be found in the language Assistance section later in the Plan. NVCOG and the Transit District were able to determine that there exists a sizable transit-dependent Hispanic population, the majority of whom speak both English and Spanish, concentrated in Bristol, Waterbury, Derby, and Ansonia.

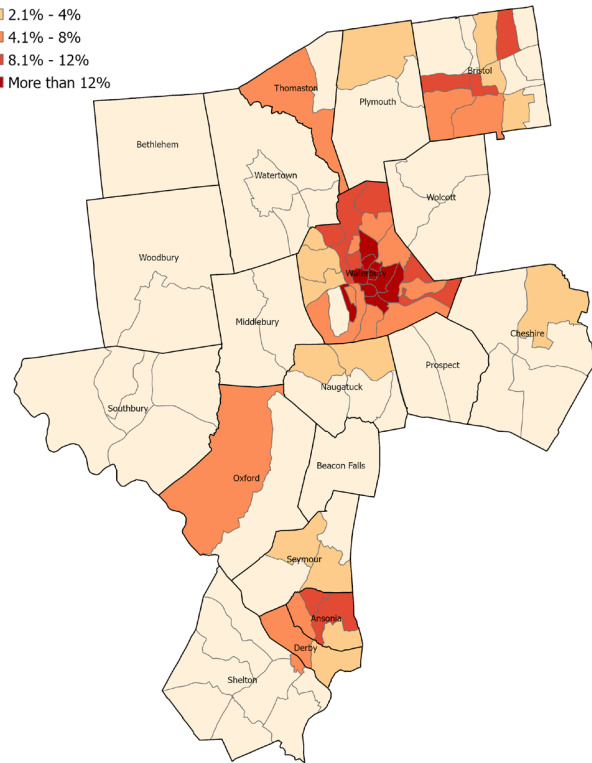
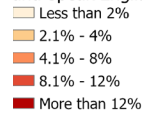
Municipality	Population over 5 years old	Population that speaks English less than well	Percent of Population that speaks English less than well
Ansonia	17,870	1428	8.0%
Beacon Falls	5,902	122	2.1%
Bethlehem	3,278	11	0.3%
Bristol	57,026	3250	5.7%
Cheshire	27,969	980	3.5%
Derby	11,991	784	6.5%
Middlebury	7,329	198	2.7%
Naugatuck	29,530	1183	4.0%
Oxford	12,584	492	3.9%
Plymouth	11,200	186	1.7%
Prospect	9,443	138	1.5%
Seymour	15,979	464	2.9%
Shelton	39,450	1446	3.7%
Southbury	18,884	194	1.0%
Thomaston	7,191	292	4.1%
Waterbury	100,586	11365	11.3%
Watertown	20,821	388	1.9%
Wolcott	15,787	294	1.9%
Woodbury	9,318	126	1.4%

Table 1: American Community Survey, 2016-2020. Table C16001

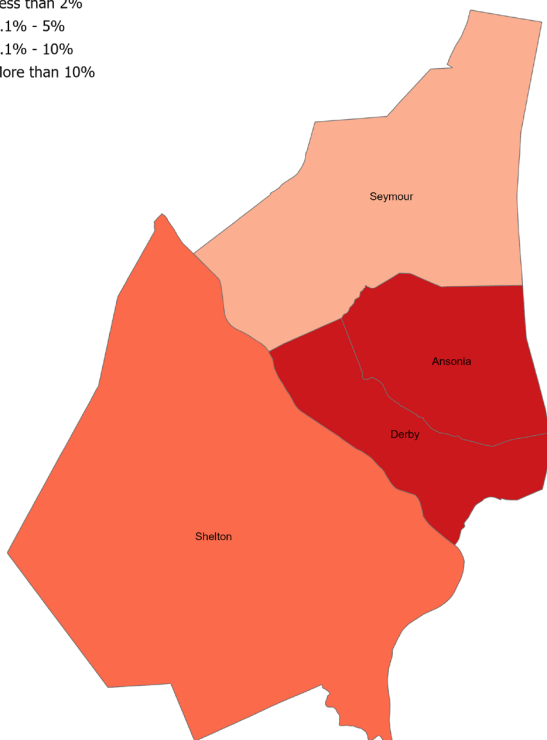
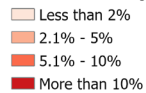
Percent of Population whom Speak Spanish



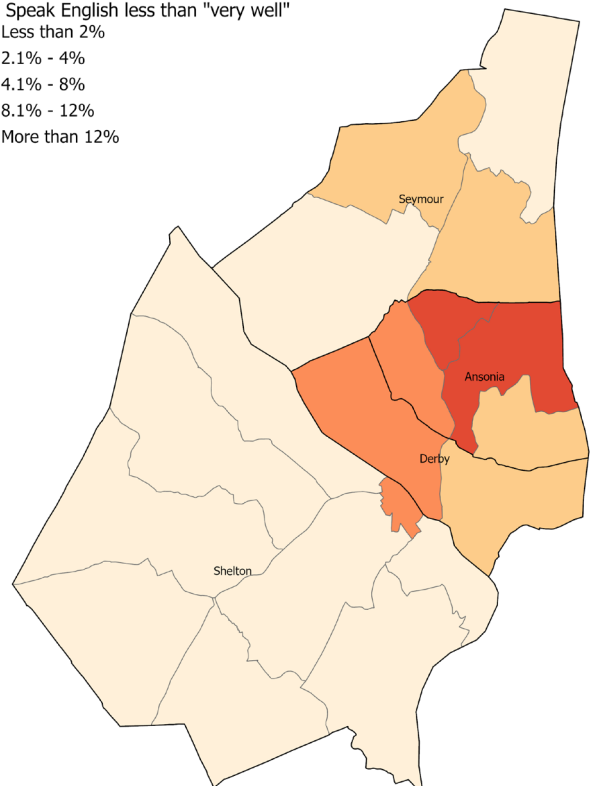
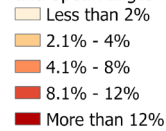
Percentage of Population who Speak Spanish and Speak English less than "very well"



Percent of Population whom Speak Spanish



Percentage of Population who Speak Spanish and Speak English less than "very well"



| Maps 3-6 American Community Survey, 2016-2020. Table C16001 and Table S1601

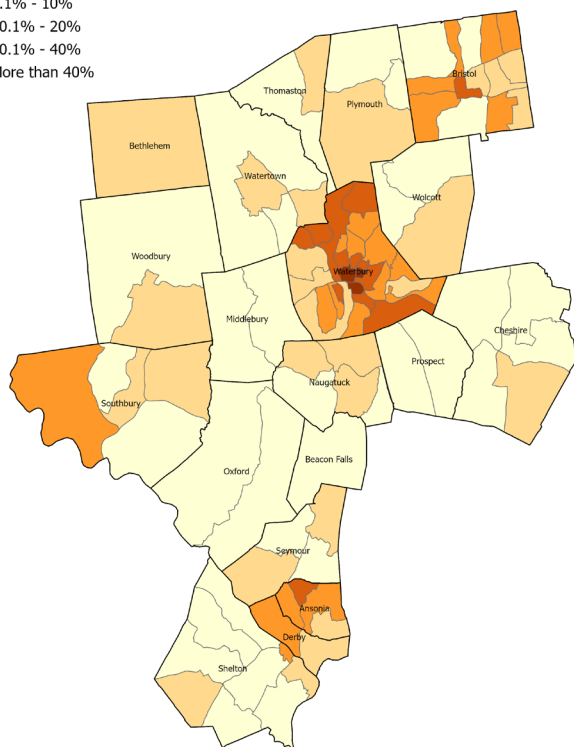
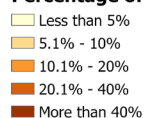
Demographic Profiles for Other Transportation Equity Populations

In response to FHWA broader requirements, NVCOG has developed demographic profiles for other protected populations, including low-income, elderly, people with disabilities, households with zero vehicle and transit commuters. These Transportation Equity populations are included in our analysis with the goal of improving their access to the MPO's transportation-planning process and considering their needs in the decision-making process.

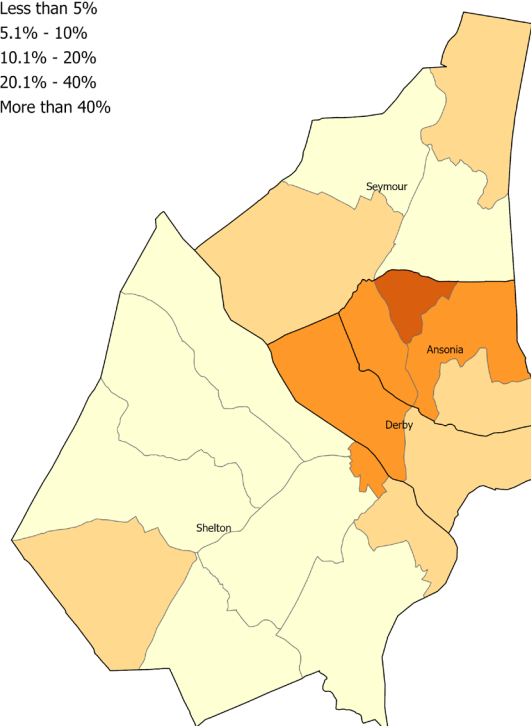
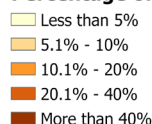
HOUSEHOLD POVERTY CONCENTRATION

For this analysis “Household Poverty” is defined as households with income below the federal poverty level, also called the “poverty threshold”. Maps 7-8 show the distribution of these populations. The census tracts with highest percentage of household poverty are generally located in the urban core.

Percentage of Household Poverty



Percentage of Household Poverty



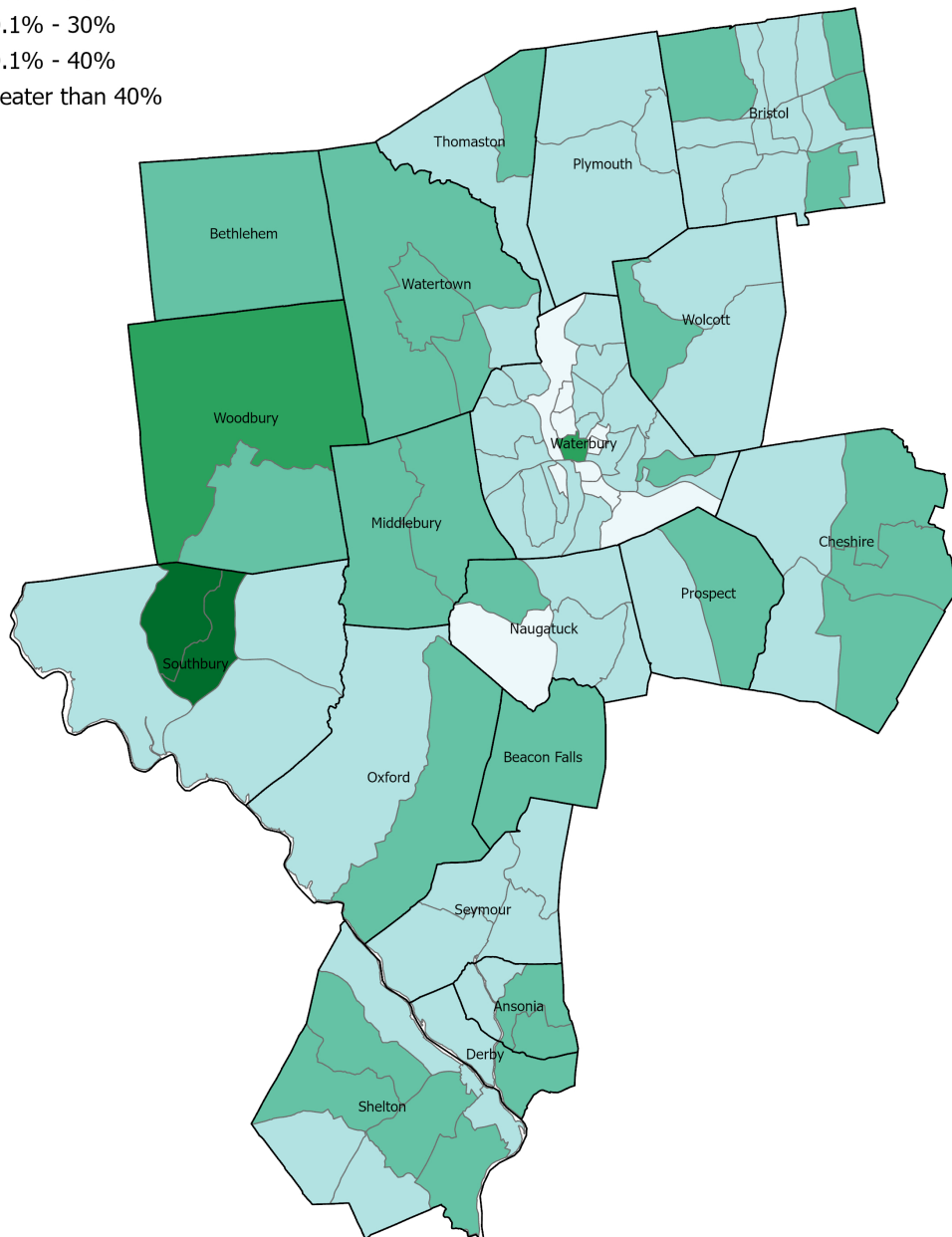
Maps 7-8: American Community Survey, 2016-2020. Table C17002

SENIOR POPULATION CONCENTRATION

For this analysis “senior” consists of persons 65 years and older. Map 9 shows the distribution of these populations. These populations were distributed throughout the NVCOG Region.

Percentage of Population over 65 Years Old

- Less than 10%
- 10.1% - 20%
- 20.1% - 30%
- 30.1% - 40%
- Greater than 40%



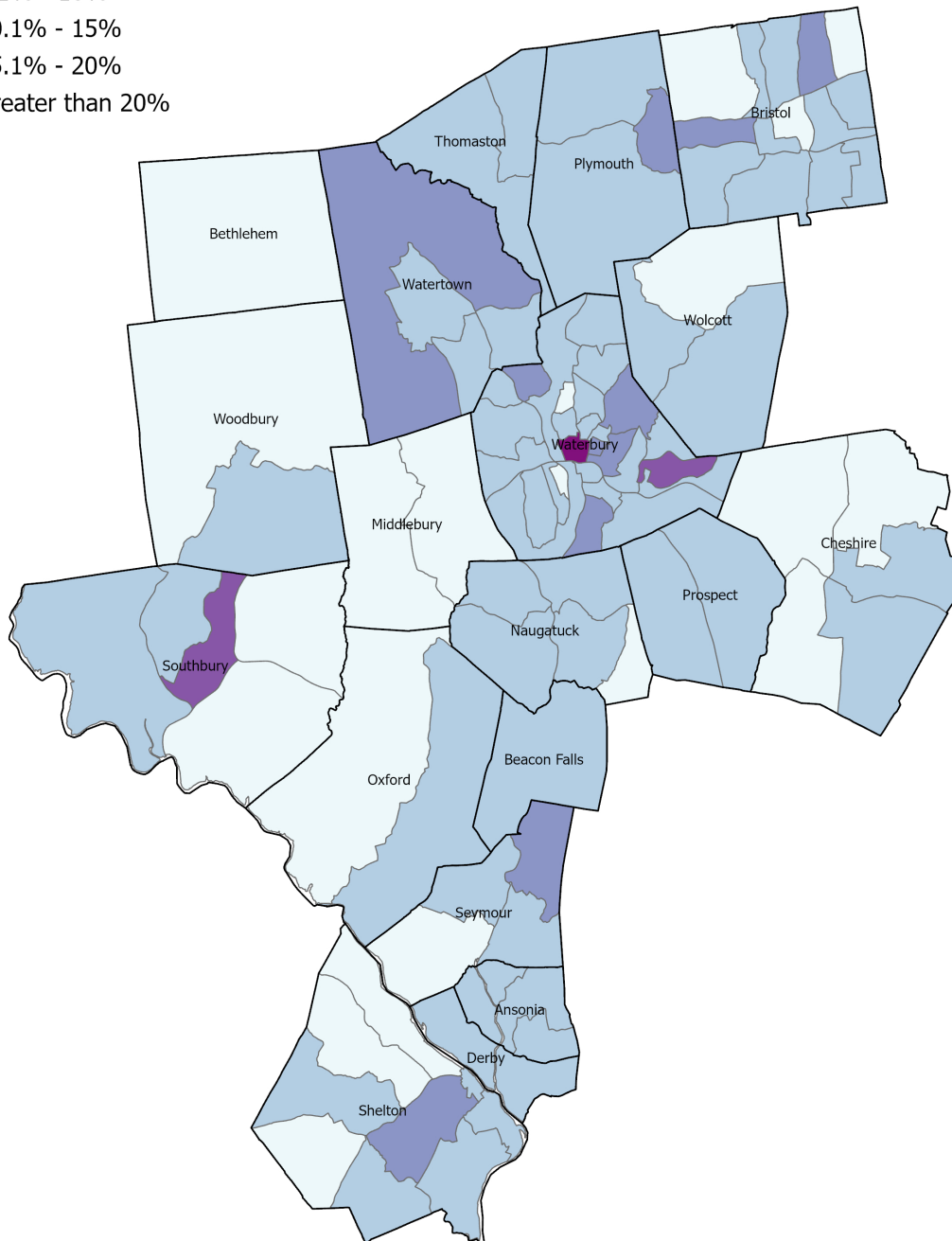
Map 9: American Community Survey, 2016-2020. Table B01001

DISABLED POPULATION CONCENTRATION

For this analysis, the “disabled” population was defined to be all civilian non-institutionalized persons 5 years and older that identified themselves as disabled. Map 10 shows the distribution of these populations.

Percentage of Population with a Disability

- Less than 5%
- 5.1% - 10%
- 10.1% - 15%
- 15.1% - 20%
- Greater than 20%



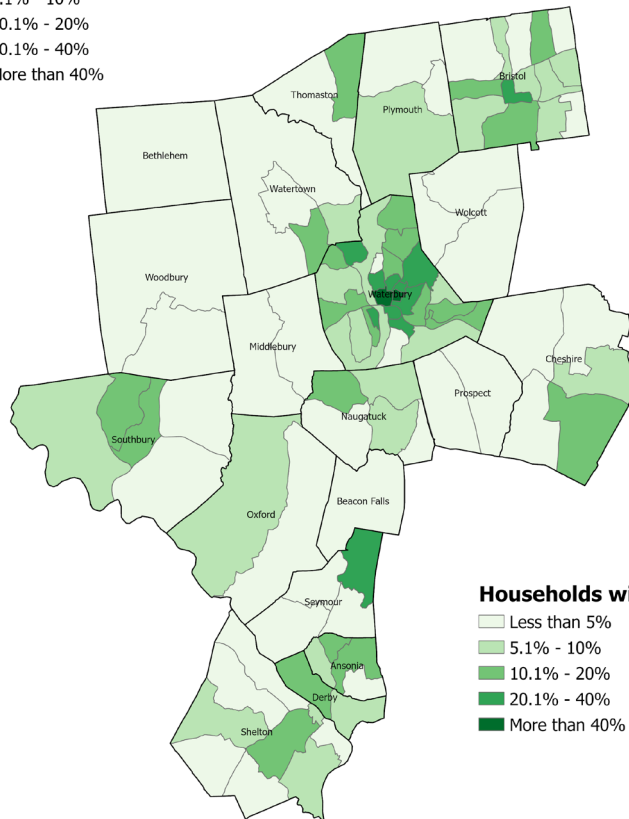
Map 10: American Community Survey, 2016-2020. Table B18101

ZERO VEHICLE ACCESS HOUSEHOLDS

NVCOG is also interested in analyzing persons without access to a vehicle as a target population. According to ACS 2020 5-Year Estimates, 9.1% of the region's households are without a vehicle. Reviewing vehicle access data will provide understanding of transportation-disadvantaged groups in the region and a need for public transit services. The distribution of populations without vehicle access shares some similarities with the distribution of low-income populations.

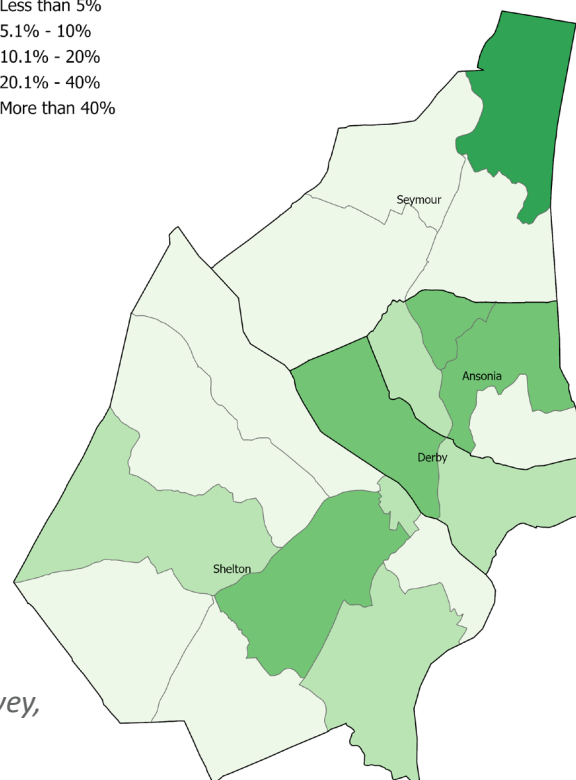
Households with No Vehicle Owned

- Less than 5%
- 5.1% - 10%
- 10.1% - 20%
- 20.1% - 40%
- More than 40%



Households with No Vehicle Owned

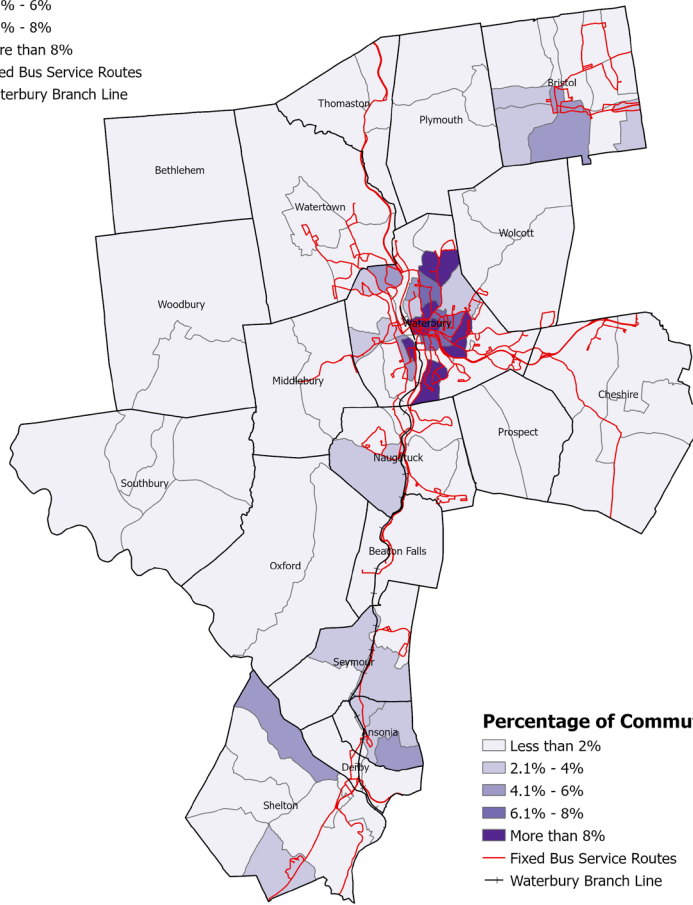
- Less than 5%
- 5.1% - 10%
- 10.1% - 20%
- 20.1% - 40%
- More than 40%



Maps 11-12: American Community Survey,
2016-2020. Table B25045

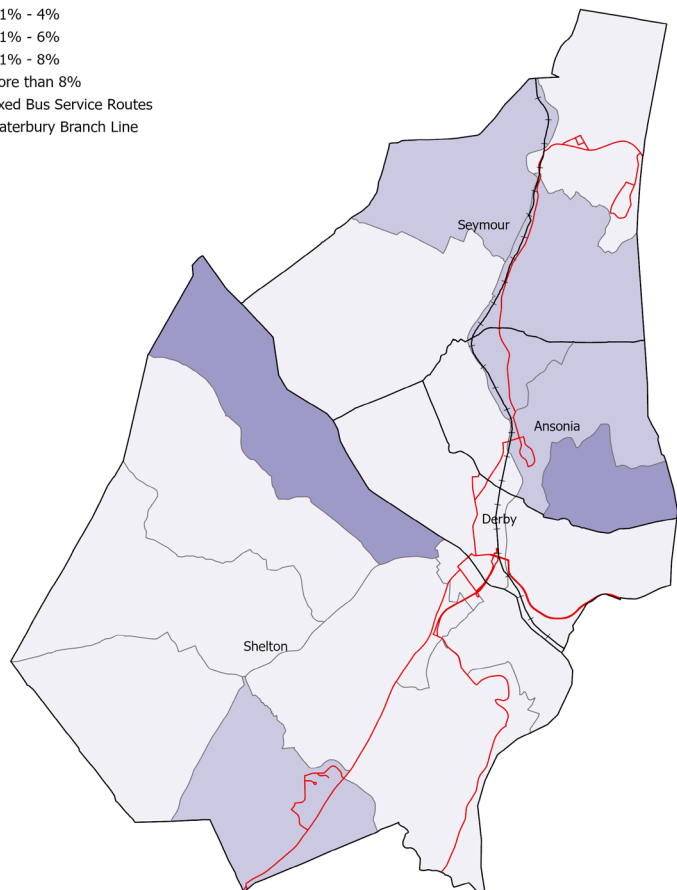
Percentage of Commuters using Public Transit

- Less than 2%
- 2.1% - 4%
- 4.1% - 6%
- 6.1% - 8%
- More than 8%
- Fixed Bus Service Routes
- Waterbury Branch Line



Percentage of Commuters using Public Transit

- Less than 2%
- 2.1% - 4%
- 4.1% - 6%
- 6.1% - 8%
- More than 8%
- Fixed Bus Service Routes
- Waterbury Branch Line



Maps 13-14: American Community Survey, 2016-2020. Table B08301

Title VI Assessment of the Planning Process

Representation on Committees

The NVCOG understands that diverse representation on its committees helps result in sound policy reflective of the needs of the entire population. Advisory committee members are position determined, particularly the Transportation Technical Advisory Committee (TTAC). The appointing municipalities determine who will serve on the remaining Boards and committees listed below. As part of an agency-wide DEI initiative NVCOG is working with CEOs to increase minority representation for all appointed positions on the two transit boards. The initiative will include surveying current members allowing them to self-identify and conducting outreach to solicit and increase diverse participation to better represent the system user population. NVCOG will continue to work toward addressing this disparity and identify steps to be taken.

TRANSPORTATION TECHNICAL ADVISORY COMMITTEE

The Transportation Technical Advisory Committee (TTAC) comprises local government representatives (public works, planners, engineers) who provide technical review and recommendations to the NVCOG Board Members.

NAUGATUCK RIVER GREENWAY STEERING COMMITTEE

The Naugatuck River Greenway Steering Committee (NRGSC) consists of representatives from all 11 municipalities along the NRG corridor along with regional, state, and federal representatives and other stakeholders serving to promote, support, and help guide the development of the NRG.

VTD BOARD

The primary mechanism for decision-making for VTD is the Board of Commissioners. This is the overall governing and policy-setting body and consists of 10 members representing the four municipalities which comprise the service area. The Board meets monthly at regularly scheduled public meetings which are publicly noticed. Members are appointed to one-year terms by the Chief Elected Officials of the municipalities of Ansonia, Derby, Seymour, and Shelton. The number appointed for each municipality is set by a formula based on the populations of the represented municipalities, as set forth in Chapter 103A of the Connecticut General Statutes, and is presently as follows: Of the total membership, nine are Caucasian (four males and four females) of which one is a disabled female.

THE GREATER WATERBURY TRANSIT DISTRICT (GWTD) BOARD

The GWTD meets at least four times per year and consists of 14 members across nine municipalities. Board members are appointed by their municipality. The District may assume any or all of the powers granted to transit districts under CGS § 7-273d. GWTD oversees Non-ADA paratransit and Dial-A-Ride services throughout the region. The composition of the Board presently follows: Of the total membership: nine are Caucasian (two male, seven female), five did not report.

Subrecipient Monitoring

The Naugatuck Valley Council of Governments is a direct recipient of FTA funds and has no subrecipients.

Identifying and Considering Mobility Needs

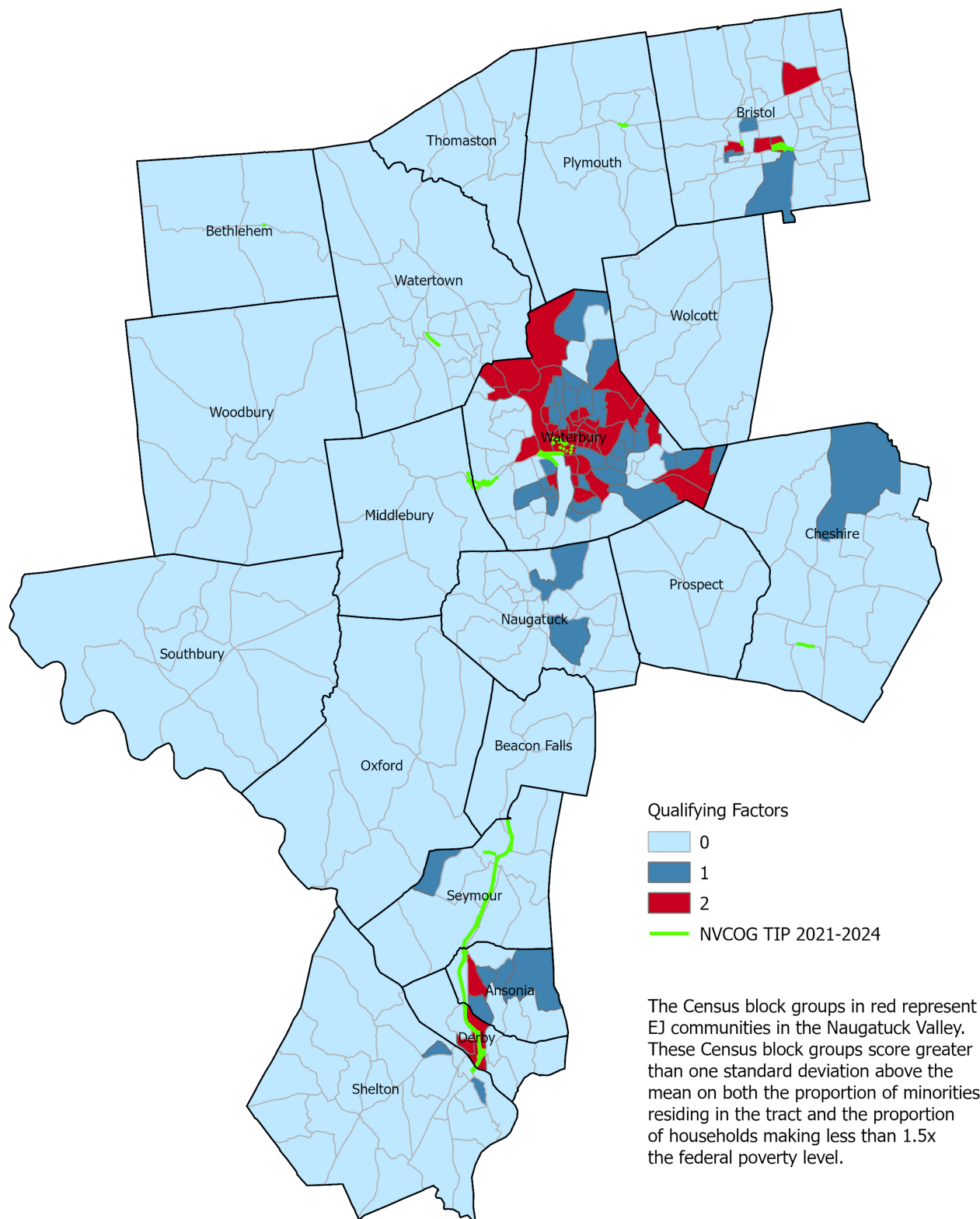
Title VI and related federal regulations regarding non-discrimination establish that the mobility needs of communities of concern such as minorities, low income or disabled should be considered in the MPO planning process. NVCOG considers these communities of concern when developing its long- and short-range transportation plans and programs, primarily through the following activities:

- Collection, analysis, and distribution of demographic data;
- Conducting ridership surveys;
- Public involvement activities; and
- Performing project analyses.

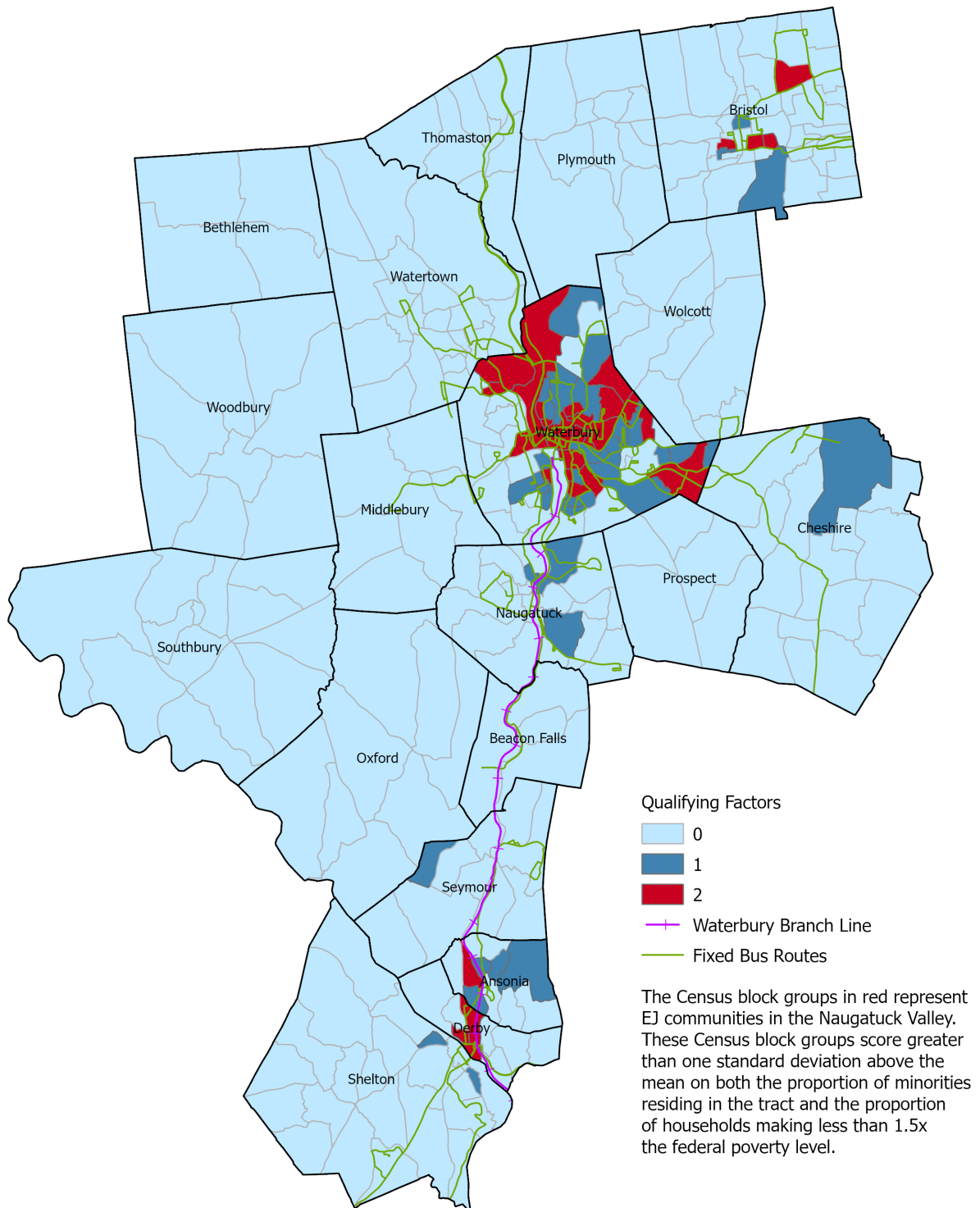
Geographical Distribution Analysis of TIP Projects

Metropolitan Planning Organizations (MPOs) are responsible for developing and maintaining a short-term Transportation Improvement Program (TIP) for the metropolitan planning area. The TIP lists all planned highway and transit improvement projects in the metropolitan planning area programmed to receive federal assistance from the Federal Highway Administration and the Federal Transit Administration over a four-year time horizon.

NVCOG staff mapped Environmental Justice (EJ) communities, or those that exceed the regional thresholds for both low income and minority populations. The EJ areas were used to analyze the FFY 2021-2024 Central Naugatuck Valley MPO Transportation Improvement Program (TIP) and the FFY 2021-2024 Greater Bridgeport and Valley MPO TIP for disproportionately high and adverse impacts on low-income and minority populations by comparing the placement of projects in these areas compared to the rest of the Region. The same model will be used when updating the upcoming Metropolitan Transportation Plan (MTP).



Map 14: NVCOG analysis of demographic and economic indicators from ACS 2016-2020



Map 15: NVCOG analysis of demographic and economic indicators from ACS 2016-2020

The 2021-2024 TIP programs a total of \$499,203,451 in funding between Transit and Highway. For this report, projects were mapped against 2020 ACS 5-year estimate data. Although 2020 census data is now available, the lack of block group granularity made it difficult to adequately identify the EJ communities in the region. The importance of properly identifying the areas with the most vulnerable populations brought about the decision to use the ACS data.

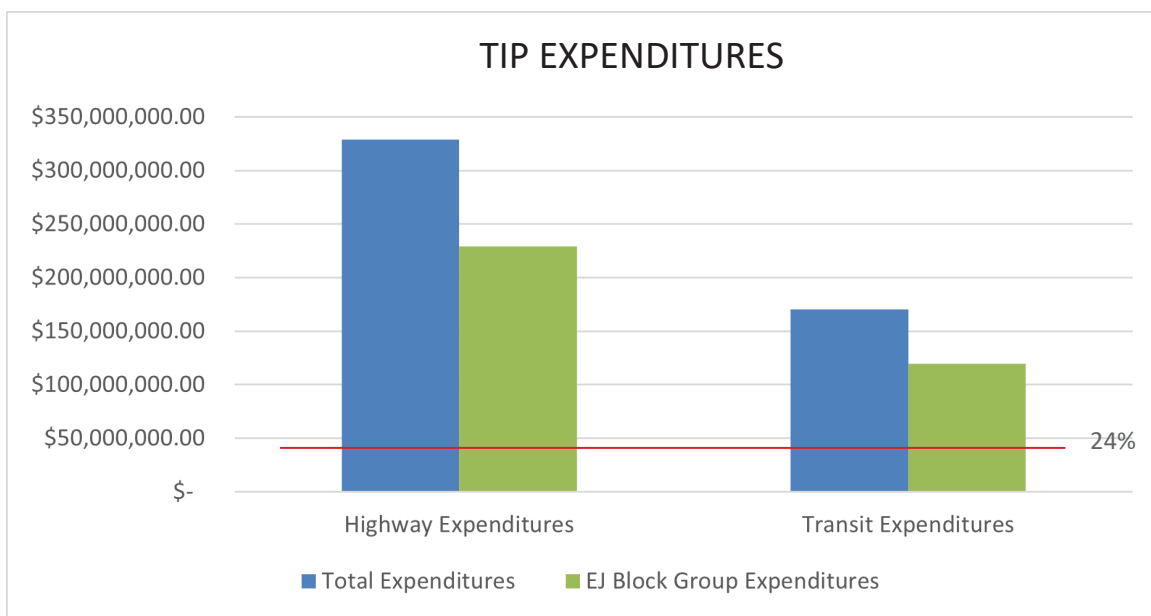


Table 2: TIP Projects programmed in the FFY 2021-2024 TIP

With this data set, the total EJ population within the region is 110,521, representing 24.5% of the 450,376 total population of the NVCOG municipalities. With this in mind, NVCOG compared the total amount of funding spent on both Highway and Transit projects with the amount spent on projects within the EJ census tracts, aiming to ensure that, at minimum, a commensurate percentage of money was spent within this area. Looking at highway spending first, a total of \$328,706,089.54 is programmed in the current TIP. Of this, \$229,409,059 is programmed within EJ areas. While this generates a high percentage of 70%, the majority of this spending is influenced by two projects: the rehabilitation and eventual replacement of the I-84 and Route 8 Interchange (referred to as the MixMaster) in Waterbury and the nearly \$25 million reconstruction of Route 34 in Derby.

Ultimately, EJ communities in our region are frequently concentrated around older, industrial town centers. Because of the age of these communities, significantly more funding is required to maintain the highway infrastructure in a state of good repair than in the areas of more recent development. Importantly, with the exception of Route 34, most of the highway projects currently underway within the region are designed more for preservation of the existing system with minor improvements than for significant expansion of capacity. In Derby, although Route 34 will be expanded to include an extra travel lane in either direction, significant improvements are being made to support pedestrian and cyclist activity and safety, and several local streets are also receiving streetscape and safety updates.

With transit spending, although not perfectly aligned to transit service within the region alone because of the number of varying transit operators, there is expected to be around \$170,497,361 within the region. Of this, nearly \$119,348,153 is programmed within EJ communities, yielding a similar result of near 70%. This number is also much higher than EJ population for several reasons, including \$24.6 million programmed for the upgrade of the Derby-Shelton Intermodal Transportation Center. Additionally, since most of the bus systems in the region operate based on a single pulse point, a high percentage of total bus route miles in the region occur within or near downtown Waterbury. These services are also designed to connect to regionally significant locations, including hospitals and institutions of higher education, which are also clustered around Downtown Waterbury and the Lower Valley area.

Facility Construction

Title 49 CFR Section 21.9(b)(3) states, “In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.”

Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.”

NVCOG and VTD acknowledge their responsibility to complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. This process will include outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis would compare the equity impacts of various siting alternatives, and occur before the selection of the preferred site.

VTD MAINTENANCE & OPERATIONS FACILITY

The Naugatuck Valley Council of Governments overseen the construction and renovation of the Valley Transit District maintenance and operations facility through funding from FTA grant CT-2016-16. A needs and deficiency study was conducted and a preferred alternative was selected by the Valley Transit District board of directors. The preferred alternative involved an entire overhaul of HVAC, plumbing, electrical, and mechanical systems, as well as an addition to the maintenance bay, bus storage bay, and dispatch center. The existing building remains and was added onto. No additional land was built upon; the renovations were completely within the existing property footprint with no additional property required. This project qualified for a Categorical Exclusion.

This Categorical Exclusion is based on the renovation of an existing facility that did not expand beyond the existing site and did not require the acquisition of additional land. More specifically, the renovations included the replacement and upgrade of the facility’s mechanical systems which are located within the building. Additionally, the two additions to the building did not extend beyond the existing site. A full environmental report was prepared.

Public Participation Plan

Federal regulations require the PPP to be consistent with other federal, state, and regional transportation planning documents including the Title VI Plan. Both the PPP and Title VI Plan contribute to the overall planning process of the NVCOG's main plans.

The Naugatuck Valley Council of Governments and Transit District recognize the importance of involving the public, especially members of traditionally underserved populations, in the development and planning for its transit services. The public participation plan applies to future updates of the Title VI plan, all fare changes, and major services policies in the Valley Transit District, and to any public outreach activities.



The Council of Governments and the Transit District will utilize the following procedures to engage the public, including minority and LEP populations, in all of our programs.

- All program updates will be posted on the NVCOG and the VTD websites.
- The Council of Governments and the Transit District 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 reach their members most effectively for public involvement in their programs.
- Public meetings should be held in locations that are accessible by public transit. If LEP, minority, and low-income populations are 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 will be held at an ADA accessible facility.
- Staff will attend community events, to conduct public outreach activities such as surveying
- Flyers or other displays as appropriate will be posted in high-volume locations including social activity Centers, community centers and Libraries.
- Staff will utilize language translation services as needed and as requested to communicate with individuals with low English proficiency.

Additionally, NVCOG's [Public Outreach Policy](#), updated in February 2020, provides a framework for engaging the public in the regional transportation planning and programming process and is the official policy for how the NVOG will disseminate information to the public and to stakeholders, to ensure there is adequate time for them to provide input. NVCOG utilizes different methods including but not limited to public meetings, advisory committees, the NVCOG website, a quarterly e-newsletter, social media, targeted marketing campaigns including radio and newsprint ads, and public service announcements (PSAs). Further information regarding the PPP can be found on NVCOG's [website](#).

Summary of Outreach Since the Last Title VI Update

In response to the COVID-19 Pandemic, NVCOG has adapted and shifted its outreach and public participation strategies to adhere to public health guidelines and will continue to do so as the pandemic evolves. NVCOG's internal technological capabilities were modernized by procuring Microsoft Office 365 and integrating Microsoft TEAMS into the daily workflow. NVCOG's external technology capabilities were improved by upgrading video conferencing hardware and incorporating the use of ZOOM for meetings that include parties from outside of the organization. The following section provides a summary of outreach to engage the community since the COG's last Title VI Program submission, which was in 2019.

NRG TRAIL THOMASTON TO TORRINGTON ROUTING FEASIBILITY STUDY

The goal of the study was to identify a single preferred route for the NRG Trail through field investigation and public and stakeholder engagement, and to develop project phasing with cost estimates in preparation for future funding opportunities. A public-facing interactive story map was developed to present the 45 route options to the public. The story map graphically described each project section and the route options developed within each section. On February 28th, March 6th, and March 7th, 2019, public information and feedback sessions were held in Thomaston, Harwinton, and Litchfield, respectively. The three meetings were very well attended, with 196 attendees in Thomaston, 51 in Harwinton, and 23 in Litchfield, according to sign in sheets. The SurveyMonkey online survey tool was utilized to collect targeted answers to several questions.

DERBY-SHELTON BRIDGE PEDESTRIAN BICYCLIST ACCESS IMPROVEMENTS

The Public Information was scheduled on February 26, 2020 by NVCOG to update the public on the status of the project and to present the modifications to the project that have taken place since the public information meeting that took place January 2019. The intent of the project is to renovate and rehabilitate the elements along the top of the bridge and enhance the bridge's aesthetics.



The proposed improvements to the bridge include adding a second through travel lane in the eastbound direction, installing of a two-cycle track for bicyclists, and creating a wider pedestrian plaza. In addition, existing deteriorated elements will be replaced and upgraded.

SEYMOUR BANK STREET (67) SPOT IMPROVEMENTS

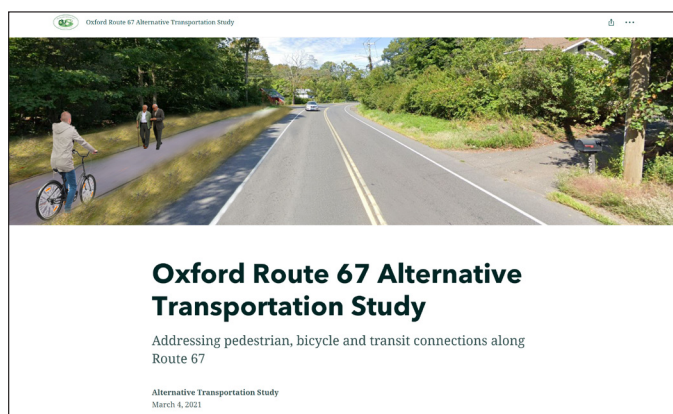
A Public Information Meeting was held via Zoom on November 16, 2020, to discuss the project history, incorporation of feedback from the previous Public involvement meeting during the preliminary engineering phase, and the meeting was recorded and streamed to YouTube. The report offers design recommended improvements will address and safety along the corridor while considering the impacts to and the needs of the adjacent residences and businesses, future redevelopment, and other interested or affected stakeholders.

REGIONAL HAZARD MITIGATION PLAN UPDATE

The purpose of the hazard mitigation planning process is to encourage assessment of natural hazard risks at the regional and local levels as well as the completion of mitigation actions that will reduce that risk. Regional virtual public workshops were held on November 18, 2020, and February 10, 2021 to encourage public involvement in the hazard mitigation planning process. Milone & MacBroom Inc. (MMI) worked with NVCOG to develop an informational flyer to promote the meetings. A press release was sent to all local news outlets, and social media posts were made by NVCOG and local communities when possible. Additional public outreach efforts in this planning process included an online survey and an ArcGIS Story Map.

OXFORD ROUTE 67 ALTERNATIVE TRANSPORTATION STUDY

The Naugatuck Valley Council of Governments (NVCOG) and the Town of Oxford, in cooperation with the Connecticut Department of Transportation (CTDOT), conducted the Oxford Route 67 Alternative Transportation Study to address the lack of pedestrian, bicycle and transit connections along Route 67 in Oxford, Connecticut. The study developed a comprehensive plan that identifies the routing and termini for a pedestrian and bicycle network along Route 67 and presents a logical phasing plan for implementing improvements. Existing conditions and initial solution concepts were presented at a public information meeting on October 8, 2020, and stakeholders and the public were invited to provide input. A second public meeting was held during June 17th, 2021 at Oxford High School during which the final recommendations were provided.



ROUTE 229 CORRIDOR STUDY

The intent of the study is to plan for future development while addressing safety and traffic flow concerns, and provide for improved pedestrian, bicycle, and transit-user accessibility. The project team held a virtual public meeting on April 14, 2021, between 5 – 7 pm. The goals and objectives of the Route 229 Corridor study were discussed, and stakeholders had the opportunity to ask questions and offer public input on this project. A second public engagement session was held on Wednesday, September 29, 2021. It began with a guided tour of the corridor, including stops in both Bristol and Southington. This was followed by a public meeting at the Bristol Library. For those who were unable to attend both meetings there is a recording available on the NVCOG YouTube page. A survey was also conducted and disseminated through various outlets including social media, e-newsletter, and traditional email.

WATERBURY WEST MAIN STREET CORRIDOR STUDY

The purpose of the study is to develop an in depth understanding of the challenges and opportunities of this stretch of road from Route 8 to the Waterbury Green and develop solutions that improve safety for all users including pedestrians, cyclists, public transit riders, and drivers. A survey was conducted in English and Spanish. There is also an interactive map feature on the West Main Street website where you pinpoint areas of concern. Three virtual public meetings were conducted throughout 2021 on January 12, April 14, and October 27. A community walk audit was conducted on June 28th.



AIR QUALITY CONFORMITY

To ensure the public had an opportunity to comment on this determination, NVCOG established a forty-five (45) day review period, during which public comments were accepted via email or presented to the board of elected officials. The period formally began on March 15, 2022 and ran through April 28, 2022. Notices were distributed via email to various stakeholders including environmental and public health groups, social media, and postings to the NVCOG website.

METROPOLITAN TRANSPORTATION PLAN UPDATE



NVCOG will begin making updates to its Metropolitan Transportation Plan (MTP). This document outlines how the region hopes to utilize future federal and state transportation dollars. Beginning in the summer of 2022, NVCOG plans to embark on a robust stakeholder process to engage communities through a series of workshops, surveys, outreach events, and efforts targeted to traditionally underrepresented.

NVCOG NEWS, SOCIAL MEDIA, AND LIVE STREAMING

NVCOG publishes a quarterly newsletter, that provides brief, timely summaries of recent research, analysis, outreach, and planning in the region. The newsletter is also shared on the NVCOG social media channels when it is published. Information is actively shared to the NVCOG Facebook, Twitter, and LinkedIn pages. In addition, the NVCOG monthly Board meetings are live streamed on the internet, and the recordings are archived, allowing the public to listen either live or to past meetings remotely. The NVCOG website also offers clear information about how to submit public comment and to get more broadly involved in transportation planning. NVCOG also maintains a list of public access channel, radio, television, and print news outlets to share information on services and planning efforts with the general public.

Language Assistance Plan

Individuals are considered to be Limited English Proficient or “LEP” if they have a limited ability to read, speak, write, or understand English. For an LEP individual, language can present a barrier to accessing benefits and services, understanding, and exercising important rights. These individuals may be entitled to language assistance at no cost to them with respect to a particular type of service, benefit, or encounter.

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 which languages are spoken in the service areas. 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 and Transit District must take reasonable steps to ensure meaningful access to the information and services they provide. The US DOT Policy Guidance gives recipients substantial flexibility in determining what language assistance is appropriate based on an assessment of the four factors.

The four-factor analysis will allow NVCOG and VTD to be in a better position to implement cost-effective language assistance measures and to target areas and resources appropriately. The results of this assessment for LEP programs and services are detailed in the following subsections.

- 1. THE NUMBER OR PROPORTION OF LIMITED ENGLISH PROFICIENCY PERSONS SERVED OR ENCOUNTERED IN THE ELIGIBLE SERVICE POPULATION**
- 2. THE FREQUENCY WITH WHICH LIMITED ENGLISH PROFICIENCY PERSONS COME IN CONTACT WITH PROGRAMS, ACTIVITIES OR SERVICES**
- 3. THE NATURE AND IMPORTANCE OF PROGRAMS, ACTIVITIES OR SERVICES**
- 4. THE RESOURCES AVAILABLE TO THE RECIPIENT AND OVERALL COSTS TO PROVIDE LEP ASSISTANCE**

1. THE NUMBER OR PROPORTION OF LIMITED ENGLISH PROFICIENCY PERSONS SERVED OR ENCOUNTERED IN THE ELIGIBLE SERVICE POPULATION

NVCOG collected and analyzed data from the American Community Survey (ACS) and worked with local organizations—to ascertain which LEP populations exist in the Region and Valley Transit District. Table 3 is derived from the U.S. Census Bureau’s 2020 ACS Five Year Estimates. It shows the number and percentage of LEP persons age five years and older, in total and by language spoken in the NVCOG Region and VTD service area.

For planning purposes, those who speak English less than “very well” are Limited English Proficient (LEP). Nearly 20% of the NVCOG population speaks a language other than English as their primary language, and of those individuals 27.9% speak English “less than very well”. Similarly, 17.11% of the population within the VTD service area speak a language other than English, and of those individuals, 28.3% speak English “less than well”.

Language Spoken at Home	Ansonia	Derby	Seymour	Shelton	VTD	NVCOG
Total Population (5 years and older)	17,870	11,991	15,979	39,450	85,290	428,138
Language Other Than English	3,549	2,408	1,940	6,696	14,593	83,717
speak English less than "very well"	1,428	784	464	1,446	4,122	23,341
% Total Population	8.0%	6.54%	2.90%	3.67%	4.83%	5.45%
Spanish						
Total Speakers	2213	1378	754	2017	6362	47164
speak English less than "very well"	1132	533	239	535	2439	16946
Other Indo-European languages						
Total Speakers	1080	702	931	3744	6457	26961
speak English less than "very well"	458	200	346	1,185	2189	9075
Asian and Pacific Island languages						
Total Speakers	104	161	236	830	1331	5577
speak English less than "very well"	22	113	94	377	606	2357
Other languages						
Total Speakers	152	167	19	105	443	4015
speak English less than "very well"	33	84	13	50	180	815

Table 3: American Community Survey, 2016-2020. Table S1601 and C16001

As illustrated in table 4, in the NVCOG Region an estimated 16,946 LEP individuals (58.05%) speak the Spanish language. This makes Spanish the most significant LEP language group as a percentage of the total population five years of age and older (4%). Outreach conducted to local nonprofits and English Language Learner programs confirmed that Spanish speaking individuals make up a substantial portion of the LEP individuals served and encountered throughout the NVCOG region. According to the data “Other Indo-European Languages” is the second most common language group in the region accounting for 20.14% of the LEP population. Since language-specific data other than Spanish is not available for all ACS data sets following the 2015 5-year estimates, collected information from outreach was used to determine that within that Indo-European language group, Portuguese and Albanian are most encountered.

Language Spoken At Home	VTD	Percent of total Population	NVCOG	Percent of total Population
Total:	85,290		422,138	
Speak only English	70,697	82.9%	338,412	80.2%
Spanish:	6,362	7.5%	47,164	11.2%
Speak English less than "very well"	2,439	2.9%	16,946	4.0%
French, Haitian, or Cajun:	520	0.6%	4,434	1.1%
Speak English less than "very well"	84	0.1%	1,291	0.3%
German or other West Germanic languages:	204	0.2%	842	0.2%
Speak English less than "very well"	0	0.0%	104	0.0%
Russian, Polish, or other Slavic languages:	1,896	2.2%	4,721	1.1%
Speak English less than "very well"	813	1.0%	1,820	0.4%
Other Indo-European languages:	3,837	4.5%	16,964	4.0%
Speak English less than "very well"	1,292	1.5%	5,860	1.4%
Korean:	226	0.3%	542	0.1%
Speak English less than "very well"	131	0.2%	362	0.1%
Chinese (incl. Mandarin, Cantonese):	344	0.4%	1,754	0.4%
Speak English less than "very well"	208	0.2%	866	0.2%
Vietnamese:	191	0.2%	755	0.2%
Speak English less than "very well"	92	0.1%	381	0.1%
Tagalog (incl. Filipino):	131	0.2%	574	0.1%
Speak English less than "very well"	91	0.1%	249	0.1%
Other Asian and Pacific Island languages:	439	0.5%	1,952	0.5%
Speak English less than "very well"	84	0.1%	507	0.1%
Arabic:	332	0.4%	1,893	0.4%
Speak English less than "very well"	125	0.1%	529	0.1%
Other and unspecified languages:	111	0.1%	2,131	0.5%
Speak English less than "very well"	55	0.1%	286	0.1%

Table 4: U.S. Census Bureau American Community Survey (ACS) 5-Year Estimates 2020.
Table C16001

2. THE FREQUENCY WITH WHICH LIMITED ENGLISH PROFICIENCY PERSONS COME IN CONTACT WITH PROGRAMS, ACTIVITIES OR SERVICES

NVCOG conducts regular board meetings, advisory committee meetings, public hearings, and community outreach throughout the year. The primary source of potential contact between NVCOG and LEP individuals would occur during these identified instances. In the event of contact, NVCOG offers translation services as long as adequate notice is given. However, to date, NVCOG has not received any requests for document translation or in-person interpretation. NVCOG will monitor the need to translate documents by tracking requests received on the NVCOG website as well as special requests for translated documents via the website, public meetings, etc. NVCOG will also monitor demographic changes by periodically researching and extracting data available from the U.S. Census and American Community Survey updates.

VTD SERVICE

LEP populations in the District encounter the transit programs provided by VTD only rarely, as few LEP individuals in the region are dependent upon paratransit services. From conversations with other social service providers, NVCOG and VTD do expect the frequency of contact with LEP populations to increase, primarily with native Spanish speakers.

The primary contact between our service population, including LEP individuals, and VTD occurs at two points: when the ride is scheduled and during the ride itself. VTD maintains a Spanish-speaking staff member during business hours to assist Spanish-speaking LEP individuals with ride scheduling. Additionally, several partner organizations have committed to providing over-the-phone translation services when necessary (see the Language Assistance Plan below). Family members have also been known to call VTD in order to schedule rides on behalf of LEP transit riders.

During the ride itself, the primary contact is upon pickup. Many LEP individuals in the Transit District live with a younger proficient English speaker who often assists in the process. VTD also allows for companion riders who can serve an interpretive role.

3. THE NATURE AND IMPORTANCE OF PROGRAMS, ACTIVITIES OR SERVICES

NVCOG facilitates the design, construction, and public involvement process for many highway and local infrastructure projects. The transportation planning and the investment decisions carried out by NVCOG might impact the mobility and access of LEP populations. It is important for LEP persons to have equal ability to participate in the planning process of these efforts to ensure they receive a fair share of the benefits to come from them. The organization is committed to ensuring that investments are being directed in areas that benefit all walks of life in each corner of the region.

VTD SERVICE

The paratransit services provided by VTD are of great importance to the population dependent upon them, though that population is small. VTD provides ADA transit services to populations unable to access existing fixed route service in the District provided by other fixed-route transit providers. VTD also provides non-emergency medical transportation for its riders. While very few LEP individuals are dependent upon VTD's services, VTD's services are vital to those who are dependent.

4. THE RESOURCES AVAILABLE TO THE RECIPIENT AND OVERALL COSTS TO PROVIDE LEP ASSISTANCE

While the LEP population in the Transit District is small, the Valley region is strong in its support of these individuals. VTD has few vital documents to translate and maintaining staff members who speak Spanish and connections with other local outreach organizations and non-profits eases translation costs. Organizations partnered with NVCOG and VTD to serve the LEP population are listed in Table 5 to the right. Language Assistance Resources immediately available to the NVCOG also include an in-office Spanish and Polish interpreter. Additionally, NVCOG utilizes Language Line to offer translation services over the phone if a situation arises where a client is in need of immediate assistance. Language Line offers translation services in over 240 languages and costs are relatively minimal for their services.

Partner Organizations for LEP Assistance
Ansonia Housing Authority
Area Congregations Together
Birmingham Group Health Services
Coordinated Transportation Solutions
Derby Housing Authority
Naugatuck Valley Health District
Seymour Housing Authority
Shelton Housing Authority
St. Joseph Church
St. Michael the Archangel Church
TEAM, Inc.
The WorkPlace, Inc.
Valley Arts Council
Valley United Way

Table 5: Partner Organizations

Implementation Plan

The implementation plan follows the four-factor analysis to address the identified needs of the LEP populations served. The implementation plan contains five major elements:

1. IDENTIFYING LEP INDIVIDUALS WHO NEED LANGUAGE ASSISTANCE

In addition to the initial identification of LEP individuals eligible to be served in factor one of the four factor analysis previously noted, NVCOG will continue to assess the demographic language composition of the region every four years through continued analysis of American Community Survey (ACS) data. The frequency with which LEP persons come into contact with the program, activity or service will be documented. Requests for translation services made in any manner (phone, email, in person, Twitter, Facebook, LinkedIn, etc.) will be documented and evaluated to determine whether language assistance might be needed at future meetings or activities. The Census Bureau's I-Speak Identification Card will be utilized at future meetings and events to assist in identifying language assistance needs. The I-Speak Identification Cards will also be posted within the MPO offices to encourage LEP individuals to self-identify.

2. PROVIDING LANGUAGE ASSISTANCE MEASURES

NVCOG provides both written and oral assistance services, upon request. Each NVCOG agenda for all Board and Commissions states that translation services can be requested five days in advance of a public meeting. The public is made aware of language assistance through NVCOG's website which informs visitors that phone interpretive services are available. Currently a web-based translation tool is available on the NVCOG website to translate content into a variety of languages. NVCOG will also look into additional website accessibility software in FY 2022 to provide further accessibility for persons with low or no vision, or any other disability. If there is a consistent need for translations, NVCOG will consider additional appropriate measures to serve the language access needs of those persons.

SAFE HARBOR PROVISION

Federal Law provides a “Safe Harbor” provision which stipulates that a grantee is in compliance if each eligible LEP language group has written translation of vital documents. Eligible LEP groups constitute 5% or 1,000 persons, whichever is less, of the total population qualified to be served. Although several language groups exceed the regional safe harbor threshold, municipal level data, the Four Factor Analysis and local English Language Learner programs identify the Spanish language as the most significant and likely to be encountered throughout the region. NVCOG will assess language access needs for remaining languages on a per project basis to determine the LEP populations likely to be affected and which outreach measures are appropriate.

NVCOG and VTD make extensive efforts to transmit information to the public in Spanish in addition to English, including making the following materials available to the service area:

Product	Spanish Translation	Public Hearing/Meeting Interpretation
NVCOG Website	Entire Website	N/A
Title VI Complaint Form	Entire Document	N/A
Title VI Notice	Entire Document	N/A
Metropolitan Transportation Plan	Upon Request	
Public Participation Plan	Entire Document	Upon Request
Title VI Plan	Upon Request	
Environmental Justice Policy	Entire Document	Upon request
Planning Studies/Surveys	Community context determines translation & interpretation	
Valley Transit District Website	Entire Website	N/A
Interior Bus Notifications	Entire Document	N/A

Table 6

VTD SERVICE

The Valley Transit District retains one customer service representative who is fluent in Spanish and is available on all business days. In addition to these services, occasionally a Spanish-speaking LEP individual calls to schedule a ride when our representative is unavailable. In these cases, VTD customer service representatives are able to take down their information and make contact with one of our partners to provide interpretive services. Once interpretive assistance is secured, the rider is contacted, and the ride is scheduled. This does not delay the ride, even if the time between the call and the translation eclipses VTD’s default deadline for ride scheduling.

3. PROVIDING NOTICE TO LEP PERSONS OF THE AVAILABILITY OF LANGUAGE ASSISTANCE SERVICES

NVCOG will strive to utilize, as resources allow, the various methods of notification to LEP individuals of language assistance, as identified by the USDOT LEP guidance:

- Posting signs in appropriate languages in intake areas and other entry points;
- Stating in outreach documents such as brochures, booklets, and other outreach and recruitment information that language services are available;
- Working with community-based organizations and other stakeholders to inform LEP individuals of the programs and activities.
- Using a telephone voice mail menu in the most common languages encountered.
- Including notices in local newspapers in languages other than English;
- Airing notices on non-English language radio and television stations; and
- Giving presentations at schools and religious organizations.

4. MONITORING AND UPDATING THE LANGUAGE ASSISTANCE PLAN

The Naugatuck Valley Council of Governments will continuously monitor, evaluate, and update the Language Assistance Plan to ensure consistency with Title VI requirements. The Language Assistance Plan will be updated every three years in connection with the required regular three-year update of the Title VI Implementation Plan. NVCOG will make appropriate changes, as needed, to ensure effectiveness. The monitoring of the Limited English Proficiency Plan will include:

- Annual monitoring of the American Community Survey (ACS) data (5 Year Estimates) to ensure that any changing patterns of LEP Populations will be addressed in the Limited English Proficiency Plan.
- Tracking the number of LEP persons were encountered.
- Tracking requests for translated documents via NVCOG's website, public meetings, etc.
- Ongoing review of Google Translate requests at NVCOG's website.

5. STAFF TRAINING ON LEP POLICIES AND PROCEDURES

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 and Environmental Justice as such opportunities are made available. All education and training will be consistent with the state and federal policies and guidelines.

At least one MPO staff member, typically the Title VI Coordinator will attend Title VI training annually. In addition, the CRO will also inform new and existing employees on of federal regulations and requirements, and any changes to the language assistance services provided by our organization. Table 7 summarizes the most recent three years of relevant NVCOG staff trainings and supplemental webinars, conferences, and forums.

Date	Training/webinar	Staff who attended
9-Sep-21	Title VI Training	1
21-Sep-21	The Groundwater Approach: A Racial Equity Institute Workshop	6
3-Dec-21	Central Massachusetts Regional Planning Commission We Hear YOU(th) Engagement Presentation and Discussion	All Staff
7-Dec-21	Diversity Equity & Inclusion Training Series: Understanding Race Equity & Social Justice	1
21-Jan-22	Sustainable CT Coffee Hour: Engaging Community - Compensating for Lived Experience	1
23-Feb-22	MetroQuest "The Key to Great Public Engagement Results:How KYTC Engaged 8300+"	1
23-Feb-22	Safe Routes Partnership: Let's Get Together: A Guide for Engaging Communities and Creating Change	1
3-Mar-22	White House CEJST Training Session #2	3
8-Mar-22	EPA EJ Screen Training	3
5-Apr-22	Smart Growth America Equity Summit: Equitable Brownfield Redevelopment	2
22-Apr-22	UConn: Resilient Communities: Equity, Policy, And Climate Change	1
28-Apr-22	Diversity, Equity and Inclusion Working Group Meeting	3
26-Apr-22	The Groundwater Approach - A Racial Equity Institute Workshop	1

Table 7: Staff training

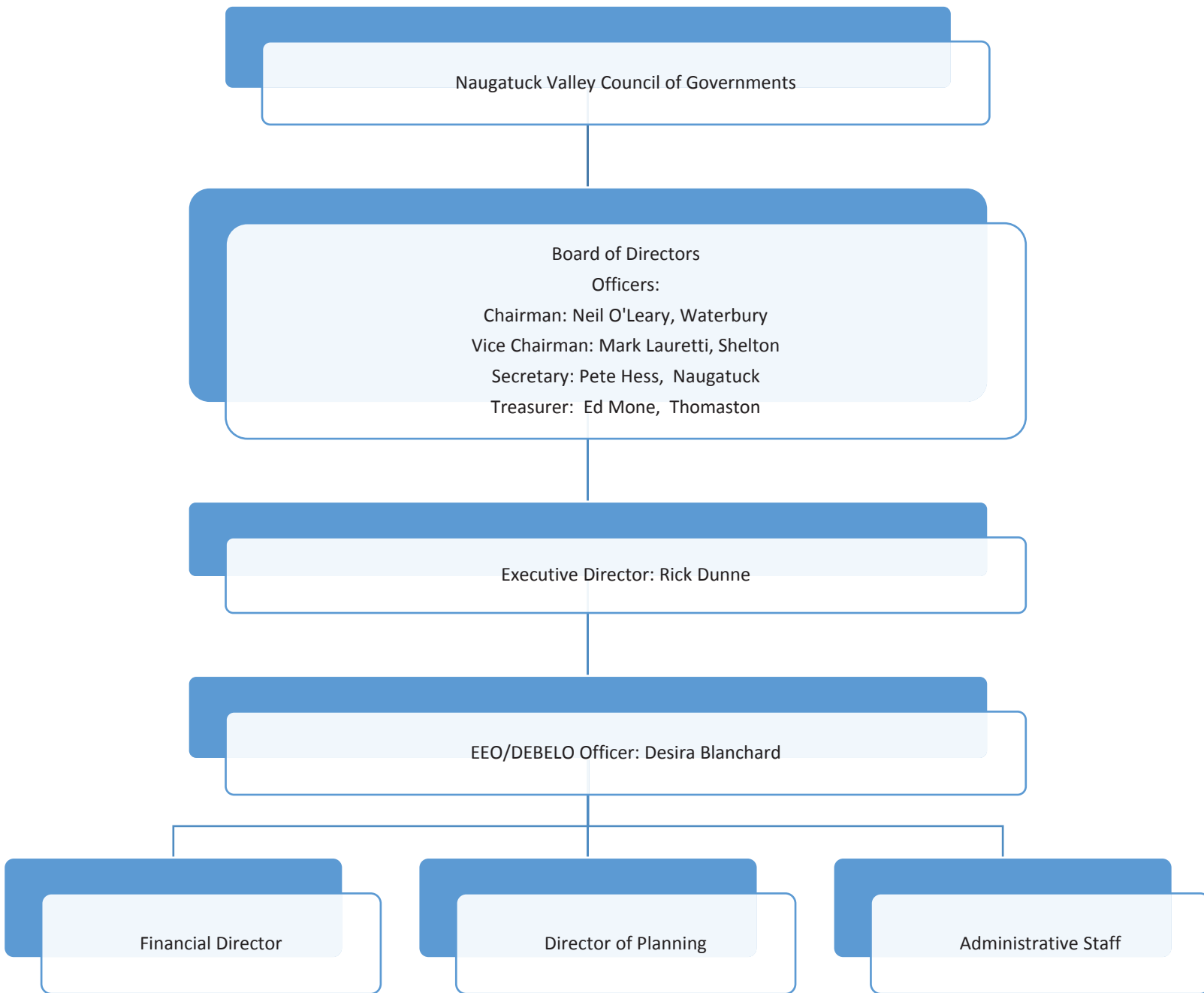


Appendices

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

NVCOG EEO/DBELO Organizational Chart



**Naugatuck Valley Council of Governments/Valley Transit District
Title VI Discrimination and Complaint Form**

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:

Ms. Desira Blanchard, Civil Rights Officer
Naugatuck Valley Council of Governments
49 Leavenworth Street, 3rd Floor
Waterbury, Connecticut 06702

NVCOG will provide this form to:

Title VI Coordinator,
Connecticut Department of Transportation
2800 Berlin Turnpike
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 dblanchard@nvcogct.gov or by phone at 203-757-0535.

Title VI Complaint Log

[illegible]

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.

Naugatuck Valley Council of Governments/Valley Transit District (NVCOG/VTD) Title VI Compliance Procedures

I. NVCOG/VTD'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/VTD may file a Title VI complaint by completing and submitting the NVCOG/VTD Title VI Complaint Form. The NVCOG/VTD investigates complaints received no more than 180 days after the alleged incident. The NVCOG/VTD will process complaints that are complete.

Once the complaint is received, NVCOG/VTD will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office. NVCOG/VTD will notify the Connecticut Department of Transportation's Title VI Coordinator of any Title VI complaints filed, within 10 business days of receipt.

NVCOG/VTD has 90 days to investigate the complaint. If more information is needed to resolve the case, NVCOG/VTD may contact the complainant. The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, NVCOG/VTD can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or any other action will occur. If the complainant wishes to appeal the decision, she/he has 10 calendar days after the date of the letter or the LOF to do so.

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 Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

II. NVCOG/VTD's Title VI investigation process

- a) Investigation – An investigation is an official inquiry for the purpose of determining whether there has been a violation of the laws or statutes and includes a determination

of appropriate relief where a violation has been found. An investigation requires an objective gathering and analysis of the evidence, which will ensure that the final decision is as accurate as possible.

- b) Role of the Investigator – The investigator is a neutral party provided by the Transit Authority to conduct an investigation of the issues raised in a complaint. The Investigator's behavior, demeanor, and attitude reflect the Transit District and may affect the degree of cooperation received from the parties. The investigator has an obligation to identify and obtain relevant evidence from all available sources in order to resolve all of the issues under investigation. **The investigator is not an advocate for the Complainant or the Respondent.** The Investigator is a neutral fact finder.
- c) Responsibilities of the Investigator – The investigator must:
 - Never tell the parties that the complaint represents a good case or that the complaint is frivolous
 - Never express his/her opinion
 - Always remain neutral.
 - Write the facts, and state what the facts are, based upon the evidence of testimony
 - Decide who is to be interviewed. If the Complainant or the respondent is adamant about a witness interview, perform the interview
 - Decide when sufficient evidence has been gathered to begin writing the investigative report
 - Always remain professional and polite
 - Be a good listener
- d) The investigative process includes the following:
 - Investigative Report
 - Request for information
 - Conducting interviews
 - On-site visit
 - Obtain evidence
 - Analyze data
 - Writing the Investigative Report
- e) Investigative Report – The Investigative Report is a working document intended to define the issues and provide a roadmap to complete the investigation. It is also an internal document for use by the Investigator and his/her supervisor to keep the Investigation on track and focused on the relevant issues. It is the Investigator's checklist, and the following elements should be contained in an Investigative Report:
 - Complainant(s) name and address
 - Attorney for Complainant with name and address
 - Respondent(s) name and address

- Attorney for Respondent with name and address
 - Applicable Law (e.g. Title VI)
 - Basis
 - Issue(s)
 - Background
 - Name of person(s) to be interviewed, including questions for the Complainant, Respondent, and Witness(es)
 - Evidence to be obtained during the investigation
- f) Conducting Interviews – When preparing for the interview, the main objective is to obtain information from witnesses who can provide information that will either support or refute the allegations. A list of major questions will be prepared that address the issues involved in the complaint.
- 1.) Complainant – The purpose of interview is to gain a better understanding of the situation outlined in the complaint of discrimination. The Investigator will contact the Complainant to ensure that Investigator understands the Complainant's allegation(s). It is recommended that the Investigator interview the Complainant prior to preparing the investigation report. If it is not possible, the Investigator will make any changes as appropriate to the Investigation Report Form, based upon any new information provided by the Complainant. The Investigator will always inquire of the Complainant whether he/she desires to resolve the complaint.
 - 2.) Respondent – Respondents are interviewed to provide an opportunity to respond to the allegations raised by the Complainant. Additionally, it provides the Investigator with an opportunity to understand the Respondent's operation or policies that the Complainant cites. As the keeper of the records, the Investigator will discuss the investigation with the Respondent, and be able to explain the need for requesting any documentation on the Investigators list. The Investigator will inform the Respondent that he/she has the right to submit a formal position statement addressing the Complainant's allegations. The Investigator will question the Respondent regarding possible settlement or remediation opportunities.
 - 3.) Witness – The Complainant or Respondent may request that additional persons be interviewed. The Investigator will determine what relevant information, if any, a witness has to provide prior to conducting an interview with them. The Investigator will only interview persons who have information relevant to the allegations raised in the complaint of discrimination.
- g) On-Site Visit – An on-site visit will be conducted when:
- Personal contact with the Complainant and the Respondent may yield information and clarification that might not otherwise be discovered by only reviewing the written document or telephone contacts.
 - It is necessary to review the physical environment.

- More effective communication can be established with representative and witnesses of the Complainant and Respondent.
 - Documentation can only be examined on-site for reasons of convenience, cost, format, or volume.
- h) Obtaining Evidence – Evidentiary requests shall be related to the issues cited in the complaint. An evidentiary request may contain some or all of the following:
- The policies and procedures regarding the practice that the Complainant has alleged
 - All documents relating to Respondent's dealing with Complainant in the situation described in the complaint
 - Documents which exhibit how others not in the Complainant's group were treated under similar circumstances
 - Respondent's reason for the action taken
 - A formal position statement from Respondent addressing Complainant's allegations

There are various classifications of evidence, which include the following:

- **Circumstantial Evidence** – Includes facts from which may be inferred intent or discriminatory motive and proves intent by using objectively observable data.
 - **Comparative Evidence** – A comparison between similarly situated individuals.
 - **Direct Evidence** – Related to the Respondent's motive, it is defined as any statement or action by an official of the Respondent that indicates a bias against members of a particular party.
 - **Documentary Evidence** – Written material, which is generated during the course of normal business activity.
 - **Statistical Evidence** – Statistics, facts, or data of a numerical type, which are assembled, classified, and tabulated so as to present significant information about a given subject.
 - **Testimonial Evidence** – Evidence that is provided orally.
- i) Analyzing Data – Data will be analyzed to determine whether a violation has occurred. When analyzing data, the Investigator will:
- Review what happened to the Complainant.
 - Compare Complainant's treatment with the appropriate policies and procedures
 - Compare Complainant's treatment with others in the same situation
 - Review Respondent's reason(s) for the treatment afforded the Complainant
 - Compare Respondent's treatment of the Complainant with the treatment afforded others
- j) Writing the Investigative Report – The Investigative Report (IR) will contain the following sections:
- Complainant(s) name and address

- Respondent(s) name and address
- Applicable Law
- Basis
- Issues
- Findings for each issue with a corresponding conclusion for each issue
- Recommendation



**NAUGATUCK VALLEY
COUNCIL of GOVERNMENTS**

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**RESOLUTION 2022-16
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 10, 2022, 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 also maintain a Title VI program plan that complies with FHWA standards;

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 10, 2022, meeting;

WHEREAS, meetings were held on May 25th and May 26th to share the plan with the public, and no adverse comments were received during these meetings;

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 June 10, 2022

Agency: Naugatuck Valley Council of Governments

Signed N. Warren Hess, III
N. Warren Hess, III, Secretary