



neccog

Title VI Plan

Ashford, Brooklyn, Canterbury, Chaplin, Eastford, Hampton, Killingly, Plainfield,
Pomfret, Putnam, Scotland, Sterling, Thompson, Union, Voluntown and Woodstock

125 Putnam Pike, Dayville, CT 06241

Phone: 860-774-1253

Fax: 860-779-2056

email: neccogoffices@neccog.org

web site: neccog.org

Policy Statement

The Northeastern Connecticut Council of Governments (NECCOG) assures that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

NECCOG further assures that every effort will be made to ensure non-discrimination in all of its programs and activities whether or not those programs and activities are federally funded. In the event NECCOG distributes federal aid funds to another governmental entity, NECCOG will include Title VI compliance language in all written agreements and will monitor for compliance. NECCOG's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, overseeing the preparation of required reports and overseeing other NECCOG responsibilities as required by Title 23 CFR part 200 and Title 49 CFR part 21.

NECCOG Title VI Coordinator

John Filchak, Executive Director
860-774-1253, ext. 14
john.filchak@necog.org

Contents

1. **Introduction** - 5
 2. **Full Title VI Notice to the Public** - 7
 3. **Title VI and Non-Discrimination Policy Statement** - 9
 4. **Title VI Assurances** - 11
 5. **Organizational Responsibilities** - 13
 6. **Title VI Coordinator Responsibilities** -15
 7. **Title VI Complaint Procedure** - 17
 - *Title VI & Related Programs Discrimination Complaint Form* -19
 8. **Limited English Proficiency Plan** - 21
 - *Meaningful Access: Four Factor Analysis* -21
 - *Public Participation Summary* -25
 - *Language Assistance Plan* - 27
 - *Monitoring and Updating the LEP Plan* - 31
- Appendix A - **Title VI Assurances and Appendices Thereto** - 33
- Appendix B - **Nondiscrimination Clauses** - 37
- Appendix C - **Title VI Notification Statement** - 39
- Appendix D - **Governing Laws, Regulations and Guidance** - 41

page left blank intentionally

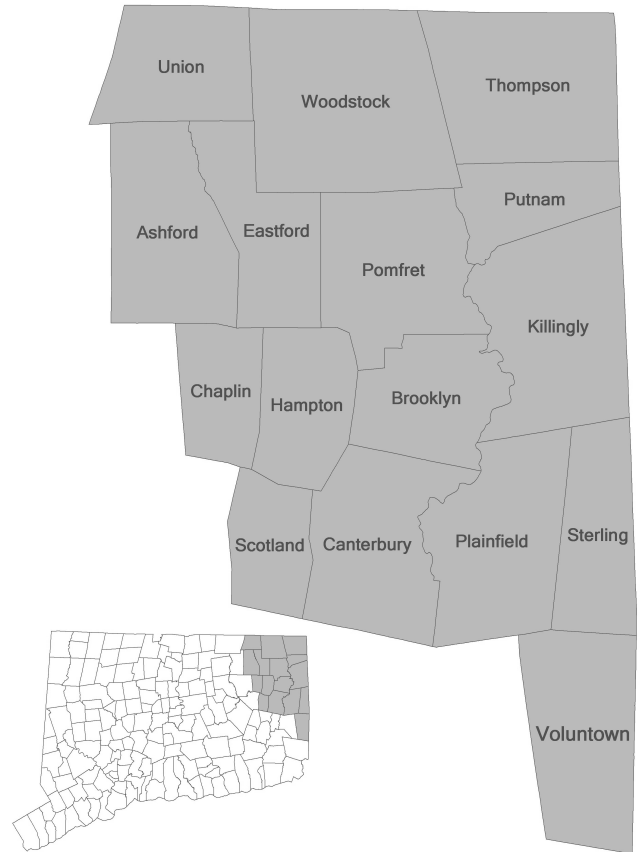
Introduction

This document will serve as the Title VI Nondiscrimination Plan and the Limited English Proficiency (LEP) Plan for the Northeastern Connecticut Council of Governments (NECCOG), to guide NECCOG in its administration and management of Title VI-related activities. The Limited English Proficiency (LEP) portion of the plan ensures that individuals with limited English proficiency have meaningful access to the transportation planning process and other programs provided or facilitated by NECCOG.

NECCOG is one of nine regional councils of governments in Connecticut and one of two rural councils. NECCOG is made up of the towns of Ashford, Brooklyn, Canterbury, Chaplin, Eastford, Hampton, Killingly, Plainfield, Pomfret, Putnam, Scotland, Sterling, Thompson, Union, Voluntown and Woodstock. The organization is a voluntary, statutorily authorized, association of local governments providing a regional forum to discuss issues of mutual interest and develop responses to common needs.

NECCOG's member towns are each represented by their respective chief-elected official. NECCOG provides a range of voluntary services and programs - depending on the collective and/or individual needs of our member towns.

Title VI of the Civil Rights Act of 1964 prohibits federal agencies and sub-recipients of federal funds from discriminating on the basis of race, color or national origin, against participants or clients of programs that receive federal funding. Succeeding laws and Presidential Executive Orders added sex, age, income status and disability to the criteria for which discrimination is prohibited. In addition to nondiscrimination, this plan provides information relative to Presidential Executive Order 13166 which mandates that federal agencies ensure that people with Limited English Proficiency (LEP) have meaningful access to federally conducted and/or funded programs and activities. Additionally, Presidential Executive Order (Order 12898) mandates that federal agencies address equity and fairness through consideration of Environmental Justice toward low-income and minority populations.



Page Left Blank Intentionally

Full Title VI Notice to the Public

The Northeastern Connecticut of Governments (NECCOG) hereby gives public notice that it is the policy of the organization to ensure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related authorities and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which NECCOG receives federal financial assistance. Additional protections are provided in other federal and state authorities for discrimination based on income status, limited English proficiency, religion, sex, disability, age, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code) or sexual orientation. Any person who believes they have experienced discrimination under Title VI has a right to file a formal complaint with NECCOG. Any such complaint must be filed with NECCOG's Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence.

To request additional information on NECTD's non-discrimination obligations or to file a Title VI complaint, please submit your request or complaint in writing to:

- Northeastern Connecticut Council of Governments
Attention: John Filchak, Executive Director and Title VI Coordinator - email: john.filchak@neccog.org -
phone -860-774-1253
125 Putnam Pike, Dayville, CT 06241.
- Connecticut Department of Transportation
Attention: Debra Goss, Title VI Coordinator - email: Debra.goss@ct.gov
2800 Berlin Turnpike, Newington, Connecticut 06111
- Federal Transit Administration (FTA) Title VI complaints may be filed directly to:
FTA Office of Civil Rights
1200 New Jersey Avenue, SE - Washington, DC 20590
- Federal Highway Administration (FHWA) Title VI complaints may be filed directly to:
FHWA Office of Civil Rights
1200 New Jersey Avenue, SE, 8th Floor E81-105 - Washington, DC 20590

Page Left Blank Intentionally

Title VI and Non-Discrimination Policy Statement

NECCOG is committed to compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all related regulations and statutes. Section 601 of Title VI of the Civil Rights Act of 1964 declares it to be the policy of the United States that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance”. Consistent with this policy, and in accordance with section 602 of Title VI, codified as amended at 42 U.S.C. § 2000d-1, the Department of Justice promulgated regulations prohibiting recipients of federal funds from “utilizing criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular race, color, or national origin.” 28 C.F.R. § 42.104(b)(2). The United States Department of Transportation later promulgated nearly identical regulations - See 49 C.F.R. § 21.5(b) (vii) (2). Since the Civil Rights Act of 1964, other nondiscrimination laws have been enacted to expand the range and scope of Title VI coverage and applicability:

- THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 - which prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federal and federal-aid programs and projects.
- THE FEDERAL AID HIGHWAY ACT OF 1973 - which states that no person shall, on the grounds of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.
- SECTION 504 OF THE REHABILITATION ACT OF 1973 - which states that no qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance. This Act protects qualified individuals from discrimination based on their disability.
- THE AGE DISCRIMINATION ACT OF 1975 - which states that no person shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. This act prohibits age discrimination in Federally Assisted Programs.
- THE CIVIL RIGHTS RESTORATION ACT OF 1987, P.L.100-209 amends Title VI of the 1964 Civil Rights Act - which made it clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal assistance.
- THE AMERICAN DISABILITIES ACT (ADA) OF 1990 - which prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities.
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency - which requires each federal agency to examine its programs and activities and to develop and to implement plans by which LEP persons can meaningfully access those programs and activities.
- 23 CFR PART 200 – Federal Highway Administration regulations Title VI Program and Related Statutes – which address Implementation and Review Procedures.

NECCOG assures that no person or groups(s) of persons shall, on the grounds of race, color, sex, age, national origin, disability/ handicap, and income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the NECCOG, regardless of whether those programs and activities are federally funded or not.

NECCOG also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, NECCOG will provide meaningful access to services for persons with Limited English Proficiency.

In the event NECCOG distributes federal-aid funds to a sub-recipient, NECCOG will include Title VI language in all written agreements and will monitor for compliance.

NECCOG Title VI Coordinator - current Executive Director - is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulations (CFR) 200 and 49 CFR 21.

Signature

Date

John Filchak, Executive Director

Title VI Assurances

The Northeastern Connecticut Council of Governments (NECCOG) in the State of Connecticut (hereinafter referred to as the Recipient) HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the U. S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the U.S. Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives to the end that, in accordance with the Act, regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance through the Connecticut Department of Transportation, including the U.S. Department of Transportation and the Federal Highway Administration; and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal-aid Highway Program:

1. That the Recipient agrees that each "program" and each "facility," as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or materials subject to the regulations and made in connection with the Federal-aid Highway Program and, in adapted form, in all proposals for negotiated agreements:

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4, and Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the U.S. Department of Transportation, issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, age, national origin, disability/handicap, or income status in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility,

the assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal-aid Highway Program; and (b) for the construction or use of, or access to space on, over, or under, real property acquired or improved under the Federal-aid Highway Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein, or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom he or she delegates specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed by or pursuant to the Act, the Regulations, and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the Recipient by the U.S. Department of Transportation under the Federal-aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal-aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

Recipient: Northeastern Connecticut Council of Governments

Chair

Date

Secretary

Date

Organizational Responsibilities

The general responsibility for overseeing compliance with applicable nondiscrimination authorities in each transportation planning and programming area NECCOG is involved in resides with the Executive Director of NECCOG. The Executive Director or his/her designees will perform the duties of the Title VI Coordinator and ensure compliance with provisions of the law, including the requirements of 23 CFR Part 200 and 49 CFR Part 21, administering the Title VI complaint procedures, and insuring compliance with Title VI by recipients, sub-grantees, contractors and sub-contractors of NECCOG.

Page Left Blank Intentionally

Title VI Coordinator Responsibilities

The Title VI Coordinator is charged with the responsibility for implementing, monitoring, and ensuring NECCOG's compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received by NECCOG.
2. Collect Statistical data (race, color, sex, age, disability, or national origin) of participants in and beneficiaries of state highway programs, e.g. affected citizens and impacted communities.
3. Conduct annual Title VI reviews to determine the effectiveness of program activities at all levels.
4. Conduct Title VI reviews of consultant contractors and other recipients of federal-aid highway fund contracts administered through the NECCOG.
5. Review NECCOG program directives. Where applicable, include Title VI language and related requirements.
6. Conduct training programs on Title VI and other related statutes for NECCOG employees and recipients of federal highway funds. Post a copy of the Title VI Plan on the NECCOG web-site. Post the Title VI Plan on employee bulletin boards at NECCOG worksite. Inform all employees that a copy of the Title VI Plan is available upon request. Instruct all new employees about the Title VI Plan during orientation.
7. Prepare a yearly report of Title VI accomplishments and goals, as required.
8. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English. Post the Title VI Plan on the NECCOG web-site.
9. Conduct post-grant reviews of NECCOG programs and applicants for compliance with Title VI requirements.
10. Identify and take corrective action to help eliminate discrimination.
11. Establish procedures to promptly resolve identified Title deficiencies. Document remedial actions agreed to be necessary. Provide remedial actions within 90 days of identification of a deficiency.

Page Left Blank Intentionally

Title VI Complaint Procedure

Complaints can originate from individuals or firms alleging inability to bid upon or obtain a contract with NECCOG for the furnishing of goods and/or services. Examples include advertising for bid proposals; pre-qualification or qualification; bid proposals and awards; selection of contractors, subcontractors, material and equipment suppliers, lessors, vendors, consultants, fee appraisers, universities, etc. Complaints can originate as a result of project impacts on individuals or groups. For example, social and economic, traffic, noise, air quality, access, accidents, and failure to maintain facilities.

NECCOG Title VI Policy assures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, and disability or handicap, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by NECCOG, its recipients, sub-recipients, and contractors. In addition, Executive Order 12898 (Environmental Justice) prohibits discrimination based on income status.

NECCOG Title VI Complaint Procedures are written to specify the process employed by the NECCOG to investigate complaints, while ensuring due process for Complainants and Respondents. The process does not preclude the NECCOG from attempting to informally resolve complaints.

These procedures apply to all external complaints about discrimination on the basis of race, color, national origin (including limited English proficiency), age, sex, or disability related to any program or activity administered by the NECCOG and/or its sub-recipients, consultants and contractors, filed under Title VI of the Civil Rights Act of 1964 as amended, (including Disadvantaged Business Enterprise and Equal Employment Opportunity components); or other related laws including, but not limited to, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disability Act of 1990.

The NECCOG will also use these procedures to document external complaints about discrimination or disproportionate impacts relative to sexual orientation (including lesbian, gay, bisexual, transgender), or low income status.

These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant. Intimidation or retaliation of any kind is prohibited by law.

A Complaint Log will be maintained by NECTD listing any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA, FHWA, CONNDOT, NECCOG and other entities;
- Lawsuits; and
- Complaints naming NECTD

This list will include the date that the transit-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by NECTD in response, or final findings related to the investigation, lawsuit, or complaint. This list will be in-

cluded in the Title VI Program submitted to FTA every three years.

Sample Form:

Action	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or na- tional origin)	Status	Action(s) Taken
Investiga- tions				
Lawsuits				
Complaints				

Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color or national origin may file a Title VI complaint with NECCOG within 180 days of from the date of the alleged discrimination. These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program or activity administered by NECCOG. These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. NECCOG uses the following detailed, internal procedures for prompt processing of all Title VI complaints received directly by it. These procedures include but are not limited to:

1. Any person or groups of persons who believe they have been aggrieved by an unlawful discriminatory practice under Title VI may individually, or through a legally authorized representative, make and sign a complaint and file the complaint with NECCOG. Allegations received do not have to use the key words “complaint,” “civil rights,” “discrimination,” or their near equivalents. It is sufficient if such allegations imply any form of unequal treatment in one or more of the NECCOGs programs for it to be considered and processed as an allegation of a discriminatory practice.
2. The complaint must be filed, in writing, no later than 180 calendar days after the date of the alleged discrimination. The NECCOG’s Title VI Complaint Form must be used.
3. If NECCOG receives a complaint, the Title VI Compliance Officer will acknowledge receipt of the complaint by notifying the Complainant and immediately transmitting the complaint to the proper federal or state agency (e.g. Federal Highway Administration, Federal Transit Administration, and CONNDOT) for investigation and disposition pursuant to that agency’s Title VI complaint procedures.
4. The NECCOG Title VI Compliance Officer will maintain a log of all complaints received by the NECCOG.

Questions and Answers for Complaints alleging Violations of Title VI of the Civil Rights Act of 1964: https://www.fhwa.dot.gov/civilrights/programs/docs/FHWA_Title_VI%20Complaint_QA.pdf

Title VI & Related Programs Discrimination Complaint Form

Complainant's Information:

Name: _____

Address: _____

City/State/Zip Code: _____

Telephone Number (Home): _____ Telephone Number (Work): _____

Person Discriminated Against (if someone other than complainant):

Name: _____

Address: _____

City/State/Zip Code: _____

Telephone Number (Home): _____ Telephone Number (Work): _____

Which of the following best describes the reason you believe the discrimination took place?

Race (specify): _____

Color (specify): _____ Sex (specify) _____

Disability (specify - for FHWA complaints only) _____

National Origin (specify): _____

On what date (s) did the alleged discrimination take place? _____

Describe the alleged discrimination. Explain what happened and who you believe was responsible. *(if additional space is needed, add a sheet of paper).*

List names and contact information of persons who may have knowledge of the alleged discrimination.

Have you filed this complaint with any other federal, state or local agency, or with any federal or state court? Check all that apply.

Federal agency State agency Local agency Federal court State court

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

Name: _____

Address: _____

City/State/Zip Code: _____ Telephone Number (Work): _____

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

Complainant Signature

Date

Attachments: Yes No

Submit form and any additional information to:

Title VI Coordinator
NECCOG
125 Putnam Pike
Dayville, CT 06241
Phone: (860) 774-1253
Fax: (860) 779-2056
Email: neccogoffices@neccog.org

Limited English Proficiency Plan

Introduction

This Limited English Proficiency Plan has been prepared to address NECCOG responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including NECCOG which receives and administers federal grant funds.

Plan Summary

NECCOG has developed this Limited English Proficiency Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, NECCOG used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by the NECCOG.
2. The frequency with which LEP persons come in contact with NECCOG services.
3. The nature and importance of services provided by NECCOG to the LEP population.
4. The interpretation services available to NECCOG and overall cost to provide LEP assistance.

Meaningful Access: Four Factor Analysis

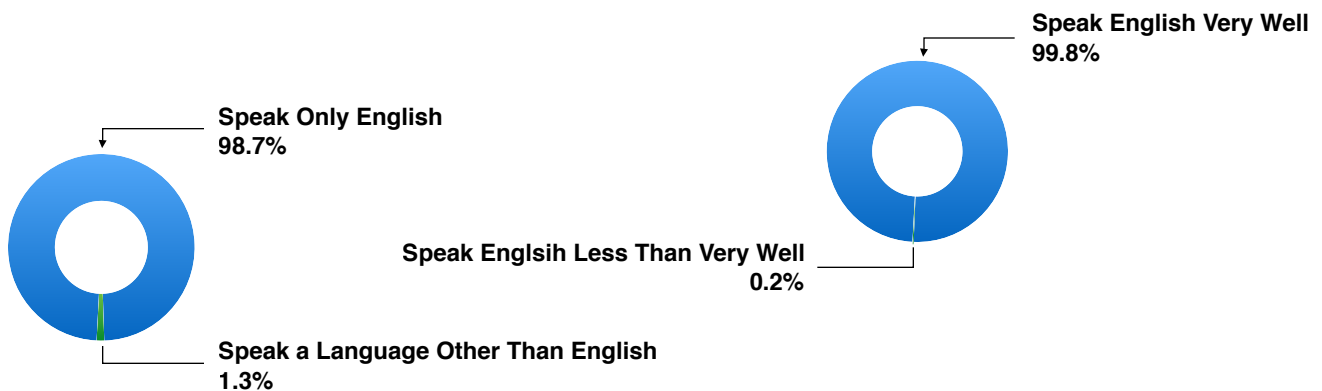
1. The number or proportion of LEP persons in the service area who may be served or are likely to require NECCOG services (source 2017 American Community Survey). At present the number of LEP persons is limited. This may change going forward and NECCOG is committed to monitoring for changes that may require a shift in our LEP policies. As the current data shows, most of the region's population is White and overwhelmingly speak English as their primary language or speak it very well. Based on the 2017 Census data the region had just 0.4% Spanish speaking persons, 0.2% other Indo-European language speak-

ing persons and limited numbers (in the aggregate 0.0% for other languages. Accordingly, the number of LEP persons in our region is very limited at present. However, NECCOG is fully prepared to address such populations should the need arise.

Language Spoken at Home, 2017 Estimates

Town	Popula- tion 5 Years and Over	Speak Only English	Speak a Language Other than Eng- lish	Speak English "very well"	Speak English less than "very well"	Spanish	Other Indo-Eu- ropean languages	Asian and Pacific Island lan- guages	Other
Ashford	4,098	95.8%	4.2%	97.8%	2.2%	.9%	2.4%	1.0%	0%
Brooklyn	7,799	92.7%	7.3%	96.7%	3.3%	2.7%	3.7%	.3%	.6%
Canterbury	4,895	96.1%	3.9%	98.5%	1.5%	.4%	2.9%	.4%	.1%
Chaplin	2,254	95.1%	4.9%	98.5%	1.5%	3.4%	1.1%	.4%	0%
Eastford	1,550	94.7%	5.3%	99.4%	.6%	1.6%	3.4%	.3%	0%
Hampton	1,754	97.1%	2.9%	99.8%	.2%	1.2%	1.7%	0%	0%
Killingly	16,066	90.7%	9.3%	96.4%	3.6%	3.0%	3.4%	1.5%	1.4%
Plainfield	14,358	94.0%	6.0%	97.7%	2.3%	2.6%	2.2%	.7%	0.5%
Pomfret	4,140	95.3%	4.7%	99.5%	.5%	.9%	3.5%	.1%	.2%
Putnam	8,916	94.9%	5.1%	99.0%	1.0%	1.8%	3.2%	0%	0%
Scotland	1,626	97.4%	2.6%	99.2%	.8%	1.5%	1.2%	0%	0%
Sterling	3,516	98.8%	1.2%	99.6%	.4%	1.0%	.2%	0%	0%
Thompson	8,882	95.1%	4.9%	99.1%	0.5%	1.7%	3.0%	.1%	.1%
Union	915	94.9%	5.1%	97.6%	2.5%	1.0%	3.6%	.5%	0%
Voluntown	2,480	96.4%	3.6%	99.2%	.8%	.6%	2.1%	.3%	.6%
Woodstock	7,504	98.2%	1.8%	99.5%	0.5%	.5%	1.3%	0%	0%

Source | 2017 American Community Survey 5-Year Estimates



2. The frequency with which LEP persons come in contact with NECCOG services.

NECCOG has had no request for LEP services. NECCOG has, however, developed an LEP Plan for the Northeastern Connecticut Transit District - that NECCOG Administers and which is overseen by local chief-elected officials from NECCOG. This plan can be found at the District's website: nctd.org The site also includes direct translation services of AltaVista Babel Fish and telephone interpreter service - Language Line Services at <http://www.languageline.com>. The translation services for NCTD have not yet been requested or utilized.

NECCOG additionally staffs and hosts the regional Human Services Advisory Council. This council is made up of representatives of most of the social/human service providers in the region and provides us the opportunity to hear directly their concerns as well as potential outreach to LEP populations.

3. The nature and importance of services provided by NECCOG to the LEP population.

NECCOG engages in and administers a variety of programs, activities, and services of importance to LEP persons in general that are long-term in nature. These include the Long-Range Transportation Plan, Regional Plan of Conservation and Development, Regional Housing Plan and Comprehensive Economic Development Strategy.

While there are currently no significant geographic concentration of any type of LEP individuals in NECCOG region, as stated in item 2, NECCOG staffs and hosts the regional Human Services Advisory Council. This council is made up of representatives of most of the social/human service providers in the region and provides us the opportunity to hear directly their concerns as well as potential outreach to LEP populations.

4. The resources available to the NECCOG, and overall costs to provide LEP assistance.

NECCOG has implemented the following LEP procedures. The creation of these steps are based on the very low percentage of persons speaking other languages or not speaking English at least "well," and the lack of resources available in NECCOG service area:

- a. Census Bureau's "I Speak Cards" are to be located at NECCOG Office - personnel will receive training in their proper use.
- b. NECCOG receptionist has AltaVista Babel Fish added to the favorites listing for easy access for the translations of blocks of texts. This will aid the staff in the interpretation of services on a one on one basis for LEP individuals visiting NECCOG Office.
- c. When an interpreter is needed, in person or on the telephone, and staff has exhausted the above options, staff will first attempt to determine what language is required. Staff shall use the telephone interpreter service - Language Line Services at <http://www.languageline.com>. On the Language Line home page the staff will select the "Need an Interpreter Now" link and follow the directions to receive and access code.
- d. All NECCOG staff are provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of NECCOG staff orientation process for new hires and will be part of annual staff training updates. Training topics are listed below:

- I. Understanding the Title VI policy and LEP responsibilities;
 - II. What language assistance services NECCOG offers;
 - III. Use of LEP "I Speak Cards";
 - IV. How to access Alta Vista Babel Fish via NECCOG computers in NECCOG Office;
 - V. How to use the Language Line interpretation and translation services;
 - VI. Documentation of language assistance requests;
 - VII. How to handle a Title VI and/or LEP complaint
- f. As previously noted, NECCOG staffs and hosts the regional Human Services Advisory Council. This council is made up of representatives of most of the social/human service providers in the region and provides us the opportunity to hear directly their concerns as well as potential outreach to LEP populations. Additionally:
- I. If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.
 - II. When running a general public meeting notice, staff will insert the clause, based on the LEP population and when relevant, that translates into "A (insert alternative Language) translator will be available". For example: "Un traductor del idioma español estará disponible" This means "A Spanish translator will be available."
 - III. Key print materials will be translated and made available at NECCOG Office and in communities when a specific and concentrated LEP population is identified.

Public Participation

This is a summary of the plan

NECCOG is committed to transparency and access to services, information and the decision-making process for people throughout the region. Because planning is about people and the communities they call home, it is about where and how the region's residents live, work and play, making life better for people of all ages, incomes and abilities. Community participation improves the relevance of plans, policies, services and projects, and helps NECCOG meet people's needs today and into the future.

NECCOG's Public Involvement Plan and Limited English Proficiency Plan has an emphasis on engaging individuals and segments of the public who are directly affected by a project. NECCOG staff is encouraged to both reach out to groups of people traditionally underrepresented and significantly affected by the decisions a project entails. However, leveraging NECCOG's existing, robust relationships with the jurisdictions where the members of the public reside will also be useful.

NECCOG is committed to an engagement model that fosters shared problem-solving, supportive partnerships and reciprocal relationships. NECCOG believes that the region's decision-makers need to hear its residents' full range of perspectives to better understand issues, explore alternatives and create a shared action plan. Through the principles, NECCOG intends to demonstrate that it provides clear and concise information, is responsive to the people of the region and addresses ideas and concerns raised.

Principles To support the commitment described above, NECCOG uses the following principles to guide engagement:

- **EARLY ENGAGEMENT** - NECCOG engages the public toward the beginning of each project, or when members of the public can have the greatest effect on shaping the direction of NECCOG's efforts.
- **ONGOING ENGAGEMENT** - NECCOG engages the public throughout development of a project, or at specific phases identified early in the process. NECCOG provides members of the public with clear and specific timelines and methods for providing their perspectives.
- **TIMELY AND ADEQUATE NOTICE** - NECCOG ensures that the public receives timely and adequate notice of opportunities for public engagement.
- **CONSISTENT ACCESS TO INFORMATION** - NECCOG follows state, federal and funding partner requirements, as well as organization policies, regarding making supporting material available for topics on which it has invited members of the public to provide their perspectives.
- **INVITATION FOR PUBLIC REVIEW AND COMMENT** - NECCOG invites public review of, and comment on, essential plans and programs. Invitations will be made no later than is required by federal and state requirements or funding partners (typically 30 to 45 days). For projects lacking specific partner requirements for public engagement, NECCOG will determine the appropriate length of the review period. Copies of public review drafts are made available at NECCOG's office and website. Comments are accepted by mail, email and via NECCOG.org.

The following is a list of current plans and programs with established public engagement processes:

- When NECCOG conducts a formal public hearing, members of the public are provided the opportunity to testify. Some plans and projects are also discussed in committee meetings prior to the formal

public hearing.

- Comments collected during formal public comment periods and hearings are provided in their entirety and with staff responses to the Board of Directors when it is slated to take action. The format of these responses may vary based on the project, but will typically be incorporated into a matrix. In other instances, NECCOG balances its employees' professional expertise and technical analysis with perspectives gathered from the public during project development.
- For formal comment periods and hearings, all comments are provided to the Board of Directors for consideration. During other opportunities for the public to provide their perspectives, NECCOG responds as is appropriate to the situation.

Invitation And Consideration Of Perspectives From Those Traditionally Under Represented

NECCOG invites participation by members of populations traditionally under-represented in regional decision making processes due to demographic, geographic or economic circumstances, to allow NECCOG to appropriately consider their needs. Such populations include, but are not limited to, individuals who speak languages other than English, individuals representing diverse cultural backgrounds, low-income individuals, people with disabilities, older adults and young adults. NECCOG uses demographic and stakeholder analysis to identify communities for projects for which it seeks public engagement. NECCOG's Limited English Proficiency plan guides staff in providing customer service to, and facilitating participation by, members of the public whose proficiency in English is limited .

Regular Review Of Public Engagement Processes

NECCOG regularly reviews the implementation of this plan and the ability of the principles, steps, techniques and tools in this document to advance meaningful public engagement. NECCOG will use a variety of means to determine the effectiveness of engagement strategies including data collection, feedback from participants of public events, review of attendance at public events and evaluation of the implementation of a variety of techniques and tools. The outcomes of these evaluations will inform future engagement, and successful activities will be continued while those that underperform will be eliminated. A routine evaluation summary of engagement activities will also be compiled to share results of the organization's recent engagement efforts and review areas of success and potential improvement. In addition to NECCOG's commitment to continuous improvement and evaluation of its public engagement activities, the organization's efforts are periodically reviewed by funding partners and agencies such as the Connecticut Department of Transportation.

The Public Participation Plan is reviewed every three years (from date of most recent adoption) by the staff of the Regional Planning Commission to assess the effectiveness of its procedures. Staff shall submit recommended revisions or amendments to the Transportation Technical and Policy Committees. Pursuant to 23 CFR 450.316(a)(3), action by the Technical and Policy Committees to adopt revisions to or amendment of the Public Participation Plan shall be preceded by a period of public review and comment of not less than 45 days.

Language Assistance Plan

NECCOG, as a recipient of federal funds, is responsible for determining the right mix of language assistance services based upon what is reasonable and necessary for the recipient after consideration of the results from the Four Factor Analysis. NECCOG's Four Factor analysis shows that the Region has a low, overall LEP population and that NECCOG has infrequent contact with LEP persons; therefore, NECCOG has determined that it will provide language assistance services on a case-by-case or as-needed basis. NECCOG is prepared at all times to respond to each request for language assistance and to provide reasonable access to NECCOG's programs and activities. Language assistance may include oral interpretation services of agency documents or at public events, written or electronic translation of summaries of agency documents or the full text of agency documents.

NECCOG will also place a statement on its website that informs visitors that NECCOG will provide language assistance services free of charge and upon request. This statement will be placed on NECCOG's website in Spanish; however, additional languages will be added if, after an examination of the data, the proportion of other languages spoken by LEP persons in the Region changes to a level that indicates that translation into other languages is needed.

Specific Assistance Strategies:

Oral Language Services (Interpretation)

Interpretation is the act of listening to something in one language (source language) and orally translating it into another language (target language). As a recipient of federal funds, the NECCOG must make reasonable efforts to provide interpretation services for LEP individuals. When providing interpretation services, recipients shall ensure competency of the language service provider to maintain the quality and accuracy of the services provided. The U.S. DOT Policy Guidance on LEP persons outlines a series of acceptable oral language assistance services that recipients can employ to serve LEP individuals.

Given the infrequency of contact with LEP individuals and the low concentration of LEP populations in the NECCOG region, providing robust interpretation services is not deemed necessary at this time. When interpretation services are requested, the NECCOG will use the telephonic interpretation services that it has in place. The telephonic interpretation service offers prompt assistance in many different languages and can be used in a variety of situations.

Written Language Services

The U.S. DOT Policy Guidance on responsibilities to LEP individuals includes "safe harbor" provisions for organizations. A "safe harbor" means that if a recipient has identified a plan to provide written translations under a set of circumstances, such action will be considered strong evidence of compliance with the written translation obligations under Title VI.

Under safe harbor, the following activities will be considered strong evidence of compliance with the NECCOG's written translation obligations.

- NECCOG will provide written translations of vital documents for each eligible LEP language group that constitutes **5% of the population served or 1,000 individuals, whichever is less**. Translation of other documents, if needed, can be provided orally through a competent interpreter.

- NECCOG will not translate vital written materials for language groups consisting of fewer than 50 individuals but will provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials free of cost.

These safe harbor provisions apply to translation services for written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through oral interpreters where oral language services are needed and are reasonable.

NECCOG has identified the following documents as vital written materials:

- Title VI Notice
- Title VI Complaint Form
- Title VI Complaint Procedures
- Title VI Plan

NECCOG will adhere to the “safe harbor” provisions with regard to these vital written materials. Based on the Four-Factor analysis no such populations are in place.

The NECCOG will regularly monitor the concentration of LEP individuals, and when the population of any LEP language group exceeds the identified safe harbor provisions, the NECCOG will outline a plan to provide written translation of its vital documents. The translation of other planning documents will be provided upon request.

Website

NECCOG’s website is equipped with a translation option covering multiple languages.

Providing Notice to LEP Persons

NECCOG shall provide notice to LEP persons that language services are available at no cost to the individual using the following methods:

- A notice regarding language assistance for LEP individuals will be posted on the NECCOG website (www.neccog.org), along with related documents and a copy of this plan.
- Signage will be posted at NECCOG indicating that free language assistance is available.
- A notice regarding the availability of language assistance for LEP individuals will be published in local newspapers on an annual basis.
- All NECCOG-related meeting announcements will mention that special assistance is available if requested at least seven days prior to the meeting date.
- NECCOG staff will work with community-based organizations and other stakeholders during development of the LRTP and other activities to inform LEP individuals of NECCOG programs and the availability of language assistance.
- MPO staff will attempt to identify concentrations of LEP populations using ACS data and implement targeted outreach for specific projects.

Training

NECCOG will make every reasonable effort to ensure that staff is adequately trained to assist LEP individuals in person or by telephone. All staff and all NECCOG committee members will be provided a copy of the LEP Plan and will be informed of the interpretation and translation services offered to LEP individuals.

page left Blank Intentionally

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, NECCOG will follow the Title VI Program update schedule for the LEP Plan. However, major updates most likely will not occur until the next Census in 2020 unless NECCOG finds it necessary for an update before such time. Each update shall examine all plan components such as:

1. How many LEP persons were encountered?
2. Were their needs met?
3. What is the current LEP population in NECCOG service area?
4. Has there been a change in the types of languages where translation services are needed?
5. Is there still a need for continued language assistance for previously identified NECCOG programs?
6. Are there other programs that should be included?
7. Have the NECCOG's available resources, such as technology, staff, and financial costs changed?
8. Has NECCOG fulfilled the goals of the LEP Plan?
9. Were any complaints received?

Page left Blank Intentionally

Appendix A - Title VI Assurances and Appendices Thereto

The text below is an example of the contract language used when engaging consultants or other entities in connection with an NECCOG project. In accordance with and consistent with Connecticut Law, projects undertaken by the NECCOG and under CONNDOT oversight are required to employ the contract language and the required assurances as set forth below.

The Northeastern Connecticut Council of Governments (NECCOG), HEREBY AGREES THAT as a condition to receiving any federal financial assistance, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d, et seq. (“Act”), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement.

NECCOG hereby gives the following specific assurances regarding its federal aid assisted programs:

NECCOG agrees to comply with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 200d et seq., and with U.S. DOT regulations, “Nondiscrimination in Federally- Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act,” 49 CFR part 21.

NECCOG assures that no person shall, as provided by Federal and State civil rights laws, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity. NECCOG further ensures every effort will be made to ensure non-discrimination in all programs and activities, whether those programs and activities are federally funded or not.

NECCOG further assures that meets the objectives of the above-cited requirements including NECCOG and its third-party contractors by promoting actions that:

- Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin.
- Identify and address, as appropriate, disproportionately high and adverse effects of programs and activities on minority populations and low-income populations.
- Promote the full and fair participation of all affected Title VI populations in transportation decision making.
- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations.
- Ensure meaningful access to programs and activities by persons with Limited English Proficiency

(LEP).

1. That the Recipient agrees that each “program” and each “facility”, as defined in the Regulations, will be (with regard to a “program”) conducted or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with federal aid assisted programs, and in adapted form in all proposals for negotiated agreements:

3. “The Northeastern Connecticut Council of Governments, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d, et seq., and Title 49, Code of Federal Regulations hereby notifies all bidders that it will affirmatively ensure that any contract entered pursuant to this advertisement will afford minority business enterprises full opportunity to submit bids in response to this invitation, and will not discriminate on the grounds of race, color, sex or national origin in consideration for an award.”
4. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
5. That where the Recipient received federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over, or under such property.
6. That the Recipient shall include the appropriate clauses regarding a covenant running with the land, in any future deeds, leases, permits, licenses and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under federal aid-assisted programs; and (b) for the construction or use of, or access to space on, over, or under real property acquired or improved under federal aid-assisted programs.
7. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, or is in the form of personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
8. The Recipient shall provide for such methods of administration for the program, as are found by the official to whom s/he delegates specific authority, to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.
9. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of, and for the purpose of obtaining, any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Recipient and is binding on it, other recipients, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

Page Left Blank Intentionally

Appendix B - Nondiscrimination Clauses

The following nondiscrimination clauses are included in NECCOG Requests for Proposals and other solicitations for submission, subject to requirements by the Connecticut Department of Transportation.

DBE – The Northeastern Connecticut Council of Governments, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000 d – 42 and Title 49, Code of Federal Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered pursuant to this advertisement will afford minority business enterprises full opportunity to submit bids in response to this invitation, and will not discriminate on the grounds of race, color, sex or national origin in consideration for an award.

The following nondiscrimination clauses are included in FTA-funded procurements or where DBE is otherwise assessed:

DBE Assurance – The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

The following nondiscrimination clauses are included in NECCOG contracts and sub-grant agreements:

- **Civil Rights Requirements** – 29 U.S.C. § 62, 42 U.S.C. § 2000, 42 U.S.C. § 602, 42 U.S.C. § 12112, 42 U.S.C. § 12132, 49 U.S.C. § 5332
- **Nondiscrimination** – In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and all other provisions of Federal law, the Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age or disability. In addition, the Contractor agrees to comply with applicable Federal implementing regulations.
- **Equal Employment Opportunity** – The following equal employment opportunity requirements apply to the underlying contract:
 - ✓ **Race, Color, Creed, National Origin, Sex** – In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, the Contractor agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor,” 41 CFR Parts 60 et seq., (which implement Executive Order No. 11246, “Equal Employment Opportunity”, as amended by Executive Order No. 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” as amended by Executive Order No. 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” 42 U.S.C. § 2000e note), and with any applicable Federal Statutes, executive orders, regulations, and Federal policies that may

in the future affect activities undertaken in the course of this Project. The Contractor agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the Contractor agrees to comply with any implementing requirements the funding federal agency may issue.

- ✓ **Age** – In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § § 623 and other applicable law, the Contractor agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the Contractor agrees to comply with any implementing requirements the funding federal agency may issue.

- ✓ **Disabilities** – In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the Contractor agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, “Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act”, 29 CFR Part 1630, pertaining to employment of persons with disabilities. In addition, the Contractor agrees to comply with any implementing requirements the funding federal agency may issue.

The Contractor also agrees to include these requirements in each subcontract financed in whole or in part with Federal Assistance, modified only if necessary to identify the affected parties.

Appendix C

The following is made part of all meeting notices by NECCOG:

NECCOG meetings are conducted in accessible locations and materials can be provided in accessible formats. If you would like special accommodations, such as an interpreter, please contact the NECCOG at: (860)774-1253, or neccogoffices@neccog.org at least 3 days prior to the meeting. The NECCOG fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. The NECCOG does not discriminate on the basis of race, color, national origin, English proficiency, income, religious creed, ancestry, disability, age, gender, sexual orientation, military service, or gender identity or expression.

Any person who believes himself/herself or any specific class of persons have been subjected to discrimination prohibited by Title VI or related statutes or regulations may, himself/herself or via a representative, file a complaint with the NECCOG.

Page Left Blank Intentionally

Appendix D

Federal Statutes

Moving Ahead for Progress in the 21st Century Act (MAP-21) (07/06/2012) The Age Discrimination in Employment Act of 1967, as amended (02/20/2009) The Equal Pay Act of 1963 (02/20/2009)

Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352, 78 Stat. 252 (1964) (42 U.S.C. §§ 2000d-2000d-7) – provides that no person in the United States shall, on the grounds 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.

The Age Discrimination Act of 1975 (42 U.S.C §§ 6101-6107) – prohibits age discrimination in Federally Assisted Programs.

The Federal-aid Highway Act, (49 U.S.C. § 306) – Outlines responsibilities of the U.S. DOT and the Secretary's authority to determine compliance with applicable Civil Rights statutes.

The Federal-aid Highway Act, Pub. L. No. 97-449, 96 Stat. 2421 (1983) (codified as amended at 49 U.S.C. § 306) – added the requirement that there be no discrimination on the grounds of sex in DOT financial assistance programs.

The 1973 Federal-Aid Highway Act, Pub. L. No. 93-87, 87 Stat. 250 (1973) (23 U.S.C. § 324) – added the requirement that there be no discrimination on the grounds of sex in Title 23 programs.

The Civil Rights Restoration Act of 1987, Pub L. No 100-259, 102 Stat. 28 (1988) - restored the broad, institution-wide scope and coverage of the nondiscrimination statutes to include all programs and activities of Federal-aid recipients, sub-recipients and contractors, whether such programs and activities are federally assisted or not.

The Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, Pub. L. No. 91-646, 84 Stat. 1894 (1971) (codified as amended at 42 U.S.C. §§ 4601-4638) – provides for fair treatment of persons displaced by Federal and Federal-aid programs and projects.

The Uniform Relocation Act Amendments of 1987, Pub. L. No. 101- 246 – Updated the 1970 Act and clarified the intent of Congress in programs and projects which cause displacement.

Rehabilitation Act Amendments of 1986, Pub L. No. 99-506, 100 Stat. 1807 (1986) (42 U.S.C. § 2000d-7) – abrogated recipient state sovereign immunity from suit under Title VI.

The American with Disabilities Act, Pub. L. 101-336 – provides enforceable standards to address discrimination against individuals with disabilities.

The American with Disabilities Act, Pub. L. No. 101-336, 104 Stat. 327 (1990) (codified as amended at 42 U.S.C. § 12101 et seq.) – added the requirement that there be no discrimination on the grounds of disability, abrogated sovereign immunity, and provided enforceable standards to address discrimination against individuals with disabilities.

The Civil Rights Act of 1991, Pub. L. No. 102-166, 105 Stat. 1071 (1991) (codified in part at 42 U.S.C. § 1981) – in part, amended Section 1981 of 42 U.S.C. to provide a definition for the term “make and enforce contracts”, and to provide protection of the rights protected by this section against impairment by non-governmental discrimination under color of State law.

Title VIII of the 1968 Civil Rights Act, Pub. L. No. 90-284, 82 Stat. 81 (1968) (codified as amended at 42 U.S.C. § 3601 et seq) – Requires fair housing practices in the sale or rental of housing, and zoning and planning by localities.

The National Environmental Policy Act of 1969, Pub. L. No. 91-190, 83 Stat. 852 (1969) (42 U.S.C. § 4321) – Requires the preparation of environmental impact statements for major federal agency actions affecting the human environment. Under NEPA, federal agencies and federal aid recipients are required to consider several alternative actions, including the “no- action” alternative, and to consider social, environmental and economic impacts, public involvement.

Title IX of the Education Amendments of 1972, Pub. L. No. 92-318, 86 Stat. 374 (1972) (20 U.S.C.A. § 1682) – makes financial assistance available to institutions of higher education.

Transportation Equity Act for the 21st Century, Pub. L. No. 105-178, 112 Stat. 107 (1999) (codified in part at 23 U.S.C. § 101) – in part, mandates expenditures in federally assisted transportation programs through Disadvantaged Business Enterprises.

Executive Orders

E.O. 12250, 28 C.F.R. Pt. 41, App. A (1980) – Orders DOJ Leadership and Coordination of Nondiscrimination Laws.

E.O. 12259, 46 Fed. Reg. 1253 (1980) – Orders HUD Leadership and Coordination of Federal Fair Housing Programs.

E.O. 12898, 59 Fed. Reg. 7629 (1994) – Orders Federal actions to address Environmental Justice in minority populations and low-income populations.

E.O. 13160, 65 Fed. Reg. 39775 (2000) – Orders nondiscrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent in federally conducted education and training programs.

E.O. 13166, 65 Fed. Reg. 50121 (2000) – Orders Federal agencies and their recipients to improve access to federally sponsored programs for persons with Limited English Proficiency (LEP).

E.O. 13175, 65 Fed. Reg. 218 (2000) – Orders Consultation and Coordination with Indian Tribal Governments. Regulations

23 C.F.R. §200 – FHWA's Title VI Program Implementation and Review Procedures.

23 C.F.R. Part 420.121(h) – part of FHWA’s planning regulations that specify the applicability of Title VI of the 1964 Civil Rights Act and Restoration Act of 1987 to FHWA funded planning and research activities.

23 C.F.R. Part 450 –Federal Highway Administration’s Statewide and Metropolitan Planning Regulations.

23 C.F.R. Part 450.316(b) (2) & (3) – requires that the metropolitan planning process be consistent with Title VI of the 1964 Civil Rights Act and the recipient’s Title VI Assurances.

23 C.F.R. Part 633, Subpart A – specifies required contract provisions to be included in all Federal-aid construction contracts under Title VI and other federal provisions.

23 C.F.R. Part 633, Subpart B, Appendix A – specifies the types of contracts to which Title VI of the 1964 Civil Rights Act applies.

23 C.F.R. Part 771.105(f)—FHWA’s Policy on Title VI – expands on 23 C.F.R. 200.7 and names categories covered with wording similar to Title VI of the Civil Rights Act of 1964 – race, color, national origin, age, sex, handicap.

28 C.F.R. Part 35 – DOJ regulations governing nondiscrimination on the basis of disability in State and local government services.

28 C.F.R. Part 41 – Requires DOJ to coordinate the implementation of Section 504 of the Rehabilitation Act, and provides guidelines for determining discretionary practices.

28 C.F.R. Part 42, Subpart C – DOJ’s implementation of Title VI of the Civil Rights Act of 1964.

28 C.F.R. Part 42.200, Subpart D – “Nondiscrimination in Federally assisted Programs – Implementation of Section 815 (c) (1) of the Justice System Improvement Act of 1979” – implements E.O. 12138.

28 C.F.R. Part 50.3 – DOJ’s guidelines for the enforcement of Title VI, Civil Rights Act of 1964. **49 C.F.R. Part 21** – DOT’s implementation of Title VI of the Civil Rights Act of 1964.

49 C.F.R. Part 24 – DOT’s implementation of the Uniform Relocation and Real Property Acquisition Act for Federal and federally assisted programs requiring compliance with Nondiscrimination Statutes and Executive Orders.

49 C.F.R. Part 25 – DOT’s implementation of Title IX of the Education Amendments Act of 1972. **49 C.F.R. Part 26** – DOT’s implementation of Participation by Disadvantaged Business Enterprises in DOT Financial Assistance Programs.

49 C.F.R. Part 27 – DOT’s implementation of Section 504 of the Rehabilitation Act of 1973 as amended.

49 C.F.R. Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation.

49 C.F.R. Part 37 – Transportation Services for Individuals with Disabilities, implementing the transportation and related provisions of Title II and III of the ADA proscriptions included in Form FHWA 1273.

Administrative Guidance

FHWA Order 4710.1 – Right-of-Way Title VI Review Program.

FHWA Order 4710.2 – Civil Rights Compliance Reviews of Location Procedures.

FHWA Order 4720.6 – Civil Rights Restoration Act of 1987 in FHWA Programs.

FHWA Order 6640.23 – Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

Joint FHWA/FTA Memorandum dated October 7, 1999: Guidance on Implementing Title VI in Metropolitan and Statewide Planning.

DOJ Title VI Legal Manual (September, 1998) Processing Complaints Filed Under Title VI of the Civil Rights Act of 1964 (Title VI) and the Americans with Disabilities Act of 1990 (ADA)

DOJ Policy Guidance Document dated January 11, 2002 – Memo re: E.O. 13166, Improving Access to Services for persons with Limited English Proficiency.

DOJ Policy Guidance Document dated January 18, 2002 – Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons.

FTA C 4702.1B (October 1, 2012) –“Title VI Requirements and Guidelines for Federal Transit Administration Recipients.” Provides FTA financial assistance recipients with guidance on implementing Title VI regulations.

--