



FHWA Title VI Implementation Plan



SUBMITTED BY THE OFFICE OF EQUITY
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I. INTRODUCTION

The Connecticut Department of Transportation (CTDOT) was established in 1965 and its mission focus on “improving lives through transportation.” CTDOT has 3,280 Departmental employees (as of September 12, 2024) and works diligently to further its mission in a fair, equitable and nondiscriminatory way.

As a Recipient of federal financial assistance from the Federal Highway Administration (FHWA), CTDOT is required to comply with Title VI of the Civil Rights Act of 1964, which provides:

“No person in the United States, 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.”

This Title VI Implementation Plan (Plan) describes how the CTDOT ensures nondiscrimination in the delivery of its federally assisted programs, services, and activities. The Plan includes the structure of the Department’s Title VI program as well as the policies, procedures, and practices the Department uses to comply with nondiscrimination requirements. The Plan is intended to be a living document that is regularly monitored and updated. Anyone wishing to provide input into the Department’s Title VI Program Implementation Plan is encouraged to contact the Title VI Coordinator, Debra Goss, at (860) 594-2169, or via email at Debra.Goss@ct.gov.

II. KEY DEFINITIONS

Beneficiary: Any person or group of persons (other than States) entitled to receive benefits, directly or indirectly, from any federally assisted program, (e.g. relocatees, impacted citizens, communities, etc.).

Disparate Impact: Discrimination that occurs when a facially neutral policy, procedure, or practice results in different or unequal treatment, and such policy or practice lacks a substantial legitimate justification. Under USDOT regulations, **recipients** may not, directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing the accomplishment of the objectives of the program with respect to individuals of a particular race, color, or national origin.

Disparate Treatment: Intentional discrimination or disparate treatment happens when a recipient acts, at least in part, because of the actual or perceived race, color, or national origin of the alleged victims of discriminatory treatment.

Federal financial assistance and Federal aid (49 C.F.R. § 21.23(c)) includes:

- (1) Grants and loans of Federal funds;
- (2) The grant or donation of Federal property and interests in property;
- (3) The detail of Federal personnel;
- (4) The sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
- (5) Any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.

Local Public Agency (LPA) (23 C.F.R. § 635.102): any city, county, township, municipality, or other political subdivision that may be empowered to cooperate with the State Transportation Agency (STA) in highway matters.

Metropolitan Planning Organization (MPO): The policy board of an organization created and designated to carry out the metropolitan transportation planning process for each urbanized area with a population of more than 50,000 individuals:

- (a) by agreement between the Governor and local government that together represent at least 75 percent of the affected population (including the largest incorporated city (based on population) as determined by the Bureau of the Census); or
- (b) in accordance with procedures established by applicable State or local law.

Minority: CTDOT uses the race and ethnicity categories established by the Office of Management and Budget in its October 30, 1997 Federal Register Notice: *Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity*. The race and ethnicity categories below are included in the definition of "Minority" provided by the Council on Environmental Quality *Environmental Justice Guidance Under the National Environmental Policy Act*, the U.S. Department of Transportation (USDOT) Order 5610.2(a), and FHWA Order 6640.23A.

American Indian or Alaska Native. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.

Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Black or African American. A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American."

Hispanic or Latino. A person of Cuban, Mexican, Puerto Rican, Cuban, South or Central American, or other Spanish culture or origin, regardless of race. The term, "Spanish origin," can be used in addition to "Hispanic or Latino."

Native Hawaiian or Other Pacific Islander. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Low Income: CTDOT classifies households with incomes under 150% of the Federal Poverty Line as low income.

Programs or Programs and Activities (49 C.F.R. § 21.23(e)): all of the operations of any of the following entities, any part of which is extended Federal financial assistance:

(1)(i) A department, agency, special purpose district, or other instrumentality of a State or of a local government; or

(ii) The entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government;

(2)(i) A college, university, or other postsecondary institution, or a public system of higher education; or (ii) A local educational agency (as defined in 20 U.S.C. 7801), system of vocational education, or other school system;

(3)(i) An entire corporation, partnership, or other private organization, or an entire sole proprietorship—

(A) If assistance is extended to such corporation, partnership, private organization, or sole proprietorship as a whole; or

(B) Which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or

(ii) The entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any other corporation, partnership, private organization, or sole proprietorship; or

(4) Any other entity that is established by two or more of the entities described above.

Recipient (49 C.F.R. § 21.23(f)): any State, territory, possession, the District of Columbia, or Puerto Rico, or any political subdivision thereof, or instrumentality thereof, any public or private agency, institution, or organization, or other entity, or any individual, in any State, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal financial assistance is extended, directly or through another recipient, including any successor, assignee, or transferee thereof, but such term does not include any ultimate beneficiary.

Statewide transportation improvement program (STIP): A statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.”

Sub-recipient: A recipient entity that receives federal funding from a Primary recipient (e.g. CTDOT) to carry out a federal program.

Transportation improvement program (TIP): A prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

III. TITLE VI STANDARD ASSURANCES

In accordance with USDOT Order 1050.2A, a copy of CTDOT’s signed Title VI Nondiscrimination Assurances is attached as Appendix A.

IV. ORGANIZATION AND STAFFING OF THE CIVIL RIGHTS OFFICE

CTDOT’s Office of Equity (OOE) oversees the CTDOT’s Title VI Implementation Plan. The OOE reports administratively to the CTDOT Deputy Commissioner. The OOE administers and oversees the Department’s Title VI, Disadvantaged Business Enterprise (DBE), On the Job Training and Contractor Compliance Programs. The Office of Equity Director is the Title VI Coordinator for CTDOT and has access to the Commissioner on Title VI matters, as indicated in the attached organizational chart (see Appendix B for the CTDOT Organizational Chart and Appendix C for the Office of Equity Organizational Chart). CTDOT’s Commissioner has issued and signed a Policy Statement dated September 29th, 2023, that assures the Title VI Coordinator will have his full support in the implementation of the Department’s Title VI Plan. A copy of this Policy Statement is attached as Appendix D.

Commissioner – The Commissioner of the CTDOT is responsible for ensuring implementation of the Department’s Title VI Plan. The Commissioner, pursuant to 23 CFR § 200.9(a)(3), is

responsible for CTDOT's implementation of and compliance with Title VI and provides leadership, guidance, direction, and support for CTDOT's Title VI program.

Deputy Commissioner – Assists the Commissioner in the implementation of a proactive and comprehensive Civil Rights Program and provides leadership, support and guidance to the OOE.

Title VI Coordinator – The Title VI Coordinator has direct access to the Commissioner on Title VI issues. The Title VI Coordinator has the responsibility for the strategic direction of CTDOT's Title VI Program including program and activity delivery and oversight, evaluation of Title VI program activities and reports, community and interagency coordination, technical guidance and assistance, training, policy development and revision, and coordination of all agency-wide Title VI program implementation and information.

The Title VI Coordinator's primary functions include the following:

- Oversee, guide, and direct CTDOT's Title VI program;
- Participate in the development of CTDOT's policy and strategic plans to ensure initiatives and goals are consistent with CTDOT's Title VI Program;
- Serve as a liaison between CTDOT and Federal and State officials regarding civil rights issues;
- Work closely with community leaders and other stakeholders to ensure their concerns are heard regarding Title VI issues;
- Monitor, review and evaluate the effectiveness of CTDOT's programs, policies, and activities for Title VI compliance;
- Develop Title VI information for dissemination to the general public, including in languages other than English;
- Monitor the OOE staffing levels and program resources for deficiencies;
- Provide guidance and instruction regarding compliance reviews and investigations and assist other divisions with Title VI compliance;
- Develop procedures to identify and eliminate discrimination and impediments to nondiscriminatory practices where such impediments are found;
- Establish procedures for promptly resolving Title VI deficiency status and reducing to writing the remedial action needed, within a period not to exceed 90 calendar days from the submission of the annual goal accomplishment report;
- Develop and implement procedures for the collection of statistical data (i.e., with respect to race, color, and national origin, of participants in, and beneficiaries of, State highway programs);
- Develop procedures for Title VI program reviews to determine compliance with Title VI requirements;
- Provide Title VI training for CTDOT internal staff and sub recipients;
- Review environmental documents to identify and address social, economic, and environmental effects and impacts;

- Review contractual procedures for consultants and contractors to ensure equity and consistency;
- Reviews Directives to determine if there are any Title VI implications;
- Complete CTDOT's Title VI Implementation Plan for submission to FHWA by October 1 each year;
- Complete CTDOT's Title VI Annual Accomplishment Report for submission to FHWA by December 1 each year; and
- Represent CTDOT, at the direction of CTDOT senior leadership, at the Connecticut State Legislature and other official bodies providing expert advice and testimony regarding highly complex and involved Title VI-related issues.

Title VI Liaisons – Each of the Title VI program areas has a designated liaison responsible for communicating and coordinating with the Title VI Coordinator or her designee in activities impacted by Title VI. These individuals are responsible for monitoring procedures and practices; and implementing the required policies and practices within his or her respective program area(s) of responsibility, to ensure CTDOT's programs, policies, procedures and practices are applied fairly, equitably and in a nondiscriminatory manner in accordance with Title VI and the related nondiscrimination laws detailed earlier in this Plan. These individuals provide program activity information to the Title VI Coordinator as requested and will refer Title VI discrimination complaints to the Title VI Coordinator.

Bureau Chiefs – Bureau Chiefs are responsible for familiarizing themselves with the requirements of Title VI and the related nondiscrimination laws detailed earlier in this Plan, and for complying with CTDOT's Title VI Program. They are responsible for assuring that issues or complaints regarding Title VI and related statutes are promptly reported to the Title VI Coordinator. They are also responsible for assisting the Civil Rights team members in their efforts to implement Title VI requirements related to their divisions, both internally and externally.

District Engineers – CTDOT is comprised of five districts. The districts are overseen by one District Engineer. The District Engineer is responsible for providing guidance to their District on Title VI compliance, ensuring that Title VI complaints received in the District are referred to the Title VI Coordinator, and insuring that CTDOT District programs, services, and activities are administered fairly in compliance with Title VI.

Sub recipients – CTDOT sub recipients are responsible for ensuring compliance with Title VI in their FHWA-related programs and activities. As discussed later in this Plan, sub recipient responsibilities include, but are not limited to the following:

- Maintaining and including signed standard Title VI assurances;
- Collecting relevant data and information for compliance with Title VI;
- Cooperating and communicating with CTDOT regarding CTDOT's monitoring and enforcement activities; and

- Participating in Title VI training whenever possible.

V. INTERNAL REVIEW PROCEDURES

SCHEDULING

The internal monitoring program is designed to ensure that the Department has reviewed at a minimum, the public facing DOT federal program areas on a three-year cycle. During federal fiscal year 2023, the Office of Equity conducted Title VI program reviews on Highway, Bridge, and Consultant Design. During federal fiscal year 2024, the Office of Equity conducted Title VI program review on Contracts and Agreements. Each program area will undergo an assessment for compliance with Title VI obligations at least once every five years.

The tentative five-year cycle is currently structured as follows:

- FFY 2025: Right of Way
- FFY 2026: Construction and Procurement
- FFY 2027: Planning and Environmental Planning
- FFY 2028: Highway, Bridge, and Consultant Design
- FFY 2029: Contracts and Agreements

The schedule is flexible based on factors outlined below:

- Complaints;
- Staffing changes;
- Changes in protocol/rollout of projects;
- Patterns indicating noncompliance;
- Direction from FHWA; or
- Any additional factors.

PROCEDURES

The Title VI Coordinator will conduct a desk audit, which entails a review of all relevant internal policies and procedures. The Title VI Coordinator will issue a written notice of review and a request for information to the Title VI liaison responsible for covering the specific program area. The notice of review will include a compliance review questionnaire that program managers are required to complete and return 30 days prior to the scheduled staff interviews. The Title VI staff will review the responses to the questionnaire as part of the desk audit process, in advance of the staff interviews.

Finally, the Title VI Coordinator will create a written report of findings and potential recommendations. The draft report will be submitted to the relevant program office for

review. When complete, the Title VI Coordinator will meet with the Program Area Bureau Chief to discuss implementing the recommendations. Programs found out of compliance will result in the development of a Corrective Action Plan (CAP) to overcome any deficiencies noted in the Determination of Finding within a period not to exceed 90 days. If it is determined that the matter cannot be resolved voluntarily, or by informal means, action will be taken to assure compliance; up to and including providing notice to the CTDOT Commissioner. The Title VI Coordinator will ensure that affected program offices are given a reasonable amount of time to implement any recommendations. After the OOE is satisfied that its recommendations are complete, the Title VI Coordinator will close the review.

METHODOLOGY

The assessment process is designed to give CTDOT Title VI staff an opportunity to understand the business practices of each program area and to identify areas of improvement and corresponding corrective actions. This is accomplished using the following methods:

Desk Audits:

By requesting and reviewing the documents used in a program area, the Title VI staff is able to determine the extent to which Title VI activities have been integrated into the activities of those programs. This review looks primarily for the presence of standard Title VI assurance language and data collection. This is also an opportunity for CTDOT's Title VI staff to identify opportunities for training.

Interviews:

CTDOT's Title VI staff relies on in-person interviews of program area staff to determine the extent of compliance with Title VI obligations. These interviews reach both managerial and frontline staff. It is critical for managers to be trained on the principles and requirements of Title VI. Managers should also articulate the importance of Title VI compliance to their staff. It is equally important that front-line staff be able to articulate the ways in which Title VI activities are a part of their course of business, as well as the resources available to address Title VI concerns by members of the public (such as the availability of a complaint resolution process and the procedure for engaging it).

Shadowing:

CTDOT's Title VI staff may accompany program area staff on their business activities in order to better understand the nature of the work (and possible Title VI risk factors therein) as well as monitor staff for compliance with Title VI obligations.

Technical Assistance:

CTDOT's Title VI staff provides technical assistance on Title VI compliance across the agency. This can include identifying language needs in impacted communities, identifying

community concerns, how best to engage the public, and effective methods of data collection and analysis.

Attendance at Public Outreach Events:

By attending public outreach events, such as public hearings, meetings, and information sessions, CTDOT's Title VI staff can observe program area staff in their direct interactions with members of the public. This gives the Title VI staff an opportunity to identify any needs or additional training opportunities. Attending these sessions also provides an opportunity to learn of project-level community concerns that may be Title VI related.

MAJOR PROGRAM AREAS

PLANNING

The Bureau Chief for Policy and Planning has the primary responsibility for ensuring that multi-modal planning is executed in accordance with Title VI. This process requires the consideration of social, economic, and environmental effects of a proposed plan or program in order to avoid biased or discriminatory programs. This Bureau also monitors the transportation planning activities of the various Metropolitan Planning Organizations (MPO'S). Their Title VI responsibilities include, but are not limited to, assisting the Title VI Coordinator with the following tasks:

- Implementing methods to collect demographic information to be used by Operating Bureaus to determine transportation benefits for both the Long-Range Transportation Plan (LRTP) and the Statewide Transportation Improvement Program Plan (STIP).
- Cooperating with the Office of Equity regarding nondiscrimination in the public involvement process, including the analysis and removal of potential barriers to participation.
- Participating in the MPO recertification review process. Encouraging the MPOs to solicit and consider the views of minority populations in the Transportation Improvement Plan (TIP) process.
- Promptly referring Title VI complaints to the Title VI Coordinator.
- Fulfill data requests from the Office of Equity in a timely manner.

Title VI Considerations for Internal Review:

The following Planning activities will periodically be reviewed by the Title VI Coordinator as part of CTDOT's internal Title VI review process. The areas of review include the following:

1. The process, strategies and written procedures used to ensure that Title VI issues are addressed in the planning process.

2. Activities demonstrating how Planning coordinates with the Office of Equity to address the needs of individuals with Limited English Proficiency.
3. Activities taken to ensure that formal and informal public comments are incorporated into the transportation decision-making process.
4. Data and information regarding MPO certification reviews, including:
 - Minority population concentrations and issues identified;
 - Standards, measures and benchmarks are reasonable to demonstrate significant disparity of impacts in accessibility to and delivery of transportation facilities/services;
 - Groups provided with opportunities to meaningfully engage in the regional transportation planning process;
 - Strategies to address the needs of individuals with limited English proficiency; and
 - Strategies to ensure that formal and informal public comments are incorporated into the transportation decision-making process.
5. Information regarding project prioritization procedures for MPOs as well as rural projects.
6. Title VI complaints received regarding transportation planning or the public involvement process.

ENVIRONMENTAL

The Assistant Planning Director for the Office of Environmental Planning (OEP) is responsible for analyzing the environmental effects and resulting impacts and mitigating measures of planned projects; and to provide guidance to project leads on the consideration of potential Title VI impacts. This process requires consideration of the social, economic, and environmental effects of a proposed project and the consideration of possible adverse impacts. These Title VI responsibilities include, but are not limited to, assisting the Title VI Coordinator with the following tasks:

- Cooperating with the Office of Equity to develop an inclusive public involvement process and removing potential barriers to participation.
- Provide guidance to design leads to help ensure the scoping process sufficiently considers potential impacts to minority populations.
- Ensure that potential impacts to minority populations are a consideration when selecting the type of environmental review to be conducted for each project.
- Provide guidance to help ensure that a reasonable study area is selected when determining community impacts.

- Provide guidance to help ensure that adequate mitigation strategies have been identified when potentially disproportionate and adverse impacts to minority populations are identified.
- In concert with the Office of Equity, monitor compliance with E.O. 13166, Limited English Proficiency, to ensure access and understanding of transportation programs and activities for those with limited English proficiency during the EA, EIS and EIE process.
- Promptly refer Title VI complaints to the Title VI Coordinator.
- Provide requested data to the Office of Equity in a timely manner.
- Work with the Office of Equity and FHWA to develop an EJ policy that can be implemented during preliminary project reviews for all projects.

Title VI Considerations for Internal Review:

The following items will be periodically reviewed by the Title VI Coordinator as part of CTDOT's internal Title VI review process:

1. Demographic information for persons attending public meetings or hearings as compared to the demographics of the impacted project area.
2. Addressing the needs of Limited English Proficiency persons.
3. Verification that formal and informal public comments are incorporated into the transportation decision-making process.
4. The public involvement strategies used to engage minority, Limited English Proficient and low-income populations in the transportation decision-making process; and strategies used to reduce participation barriers.
5. A description of the methods used to ensure that the issues/concerns raised by minority populations were appropriately considered in the transportation decision-making process. This includes formal and informal records of public comments and their integration into the environmental documents.
6. The number and types of environmental reviews.
7. The methods for identifying minority populations for Title VI purposes.
8. Data and information regarding the potential impacts to minority populations regarding:
 - a. Air quality
 - b. Noise

- c. Community cohesion/disruptions
- d. Relocations
- e. Community services
- f. Mitigation measures

9. Title VI complaints received regarding the environmental review process.

DESIGN

The Transportation Engineering Administrator has the responsibility of ensuring that all aspects of the design phase and final design are executed in accordance with Title VI. This process includes solicitation for proposals, consultant selection, preliminary design work, development of alternatives; and requires an effective outreach strategy to solicit and incorporate the input provided by the minority community into design. The Design Title VI responsibilities include, but are not limited to, assisting the Title VI Coordinator with the following tasks:

- In conjunction with the Consultant Selection Office, ensure that all consultant and sub consultant agreements include Title VI assurances.
- Ensure nondiscrimination with regard to procurement for consultant design agreements.
- Ensure that Title VI is integrated into the unit's internal procedures and is reviewed and updated as necessary to maintain Title VI compliance.
- Promptly refer Title VI complaints to the Title VI Coordinator.
- Fulfill Title VI Coordinator data requests timely.

Title VI Considerations for Internal Review:

The following items regarding Design will be periodically reviewed by the Title VI Coordinator as part of CTDOT's internal Title VI review process:

1. Data concerning consultant contracts entered for Design activities, including award amounts.
2. The number of public hearings/informational meetings held during the design phase and the use of outreach methods targeting minority, LEP and low-income populations.
3. Description of the internal procedures that illustrate where and how Title VI compliance is integrated.
4. Title VI complaints received regarding transportation planning or the public involvement process.

RIGHT-OF-WAY

The Transportation Rights of Way Director has the responsibility for ensuring that all Right-of-Way activities are executed in compliance with Title VI. These activities include property appraisals, negotiations with property owners, acquisition of properties, and relocation of people and businesses. The Transportation Rights of Way Director is responsible for implementing any changes that may be necessary to ensure Title VI compliance. The Division's Title VI responsibilities include, but are not limited to, assisting the Title VI Coordinator with the following tasks:

- Ensure nondiscrimination with regard to procurement for appraisers and other right-of-way related agreements.
- Ensure equitable treatment of businesses and persons displaced by highway projects, regardless of race, color, or national origin. This includes appraisals, offers of just compensation, relocation counseling, relocation assistance packages, and housing of last resort.
- Ensure that necessary steps are taken to overcome language barriers during the right-of-way process.
- Ensure that Title VI compliance has been incorporated as part of the ROW internal processes; and those processes are reviewed and updated as necessary to maintain compliance.
- Promptly refer Title VI complaints to the Title VI Coordinator.
- Fulfill Title VI Coordinator data requests in a timely manner.

Title VI Considerations for Internal Review:

The Title VI Coordinator will periodically review the following items regarding Right-of-Way activities as part of CTDOT's internal Title VI review process:

1. Data and information related to the demographics of relocatees and other beneficiaries of the CTDOT Rights-of-Way Division. This includes persons and businesses that receive relocation counseling.
2. Data and information related to the appraisal process, including just compensation offers and supporting documentation.
3. Demographic data on the ownership of consultant firms used in the right of way/relocation process. This includes bidders, awardees, and contracts.
4. Efforts made to provide information in appropriate languages and/or the number of times interpreters were requested and provided.
5. Title VI complaints received regarding the right-of-way process, i.e., appraisals, negotiations, relocation assistance, and payments.

6. Significant Title VI accomplishments attained since last Title VI report and Title VI actions planned for the coming year.

CONTRACTS AND AGREEMENTS

The Bureau Chief of Finance and Administration has the primary responsibility for ensuring that highway-contracting procedures are executed in accordance with Title VI. These Title VI responsibilities include, but are not limited to, assisting the Title VI Coordinator with the following tasks:

- Monitoring Federal-aid construction contracts and subcontracts to ensure that they contain all required Title VI provisions and attachments.
- Ensure nondiscrimination with regard to on-call contracts and prequalification procedures.
- Identify potential concerns/barriers for prequalification and licensing, within the bounds of state, federal, and local laws and regulations.
- Ensure that Title VI compliance is integrated into the internal procedures and is reviewed and updated as necessary to maintain compliance for contracting.
- Ensure that Appendices A and E of the standard FHWA Assurances for Title VI are included in all prime contracts/consultant agreements and that prime contractors are ensuring the Appendices are included in all sub-contracts regardless of tier.
- Promptly refer Title VI complaints to the Title VI Coordinator.
- Monitor Title VI accomplishments and challenges and provide timely responses to requests for Title VI information.

Title VI Considerations for Internal Review:

The Title VI Coordinator will periodically review the following items regarding contracts and agreements as part of CTDOT's internal Title VI review process:

1. The number of construction contracts awarded and the award amounts.
2. The number of professional services agreements awarded and the award amounts.
3. Contract documents, including change orders and bids/proposals to verify the inclusion of Title VI Assurances.
4. Description of internal procedures that illustrate where and how Title VI compliance is integrated.
5. Title VI complaints received regarding the contracting process.
6. Significant Title VI accomplishments attained since last Title VI report and Title VI actions planned for the coming year.

CONSTRUCTION

The Transportation Construction Administrator has the primary responsibility for ensuring that highway-construction practices adhere to Title VI requirements. The Division's Title VI responsibilities include, but are not limited to, assisting the Title VI Coordinator with the following tasks:

- Monitor construction project work to ensure compliance with Title VI requirements.
- Ensure that policies and procedures for monitoring construction activities, reviewing and approving change orders, and inspections are applied in a nondiscriminatory manner.
- Ensure that Title VI compliance is integrated into the Construction Division's internal procedures and is reviewed and updated as necessary to maintain Title VI compliance, including the assurance that Appendices A and E of the standard FHWA Assurances for Title VI and Other Nondiscrimination Statutes and Regulations document are included in all prime contracts/consultant agreements and that prime contractors are ensuring the Appendices are included in all sub-contracts regardless of tier.
- Administer and enforce the terms of construction contracts in a nondiscriminatory manner;
- Promptly refer Title VI complaints to the Title VI Coordinator.
- Monitor Title VI accomplishments and challenges and respond to requests for data from the Title VI Coordinator in a timely manner.

Title VI Considerations for Internal Review:

The Title VI Coordinator will periodically review the following items regarding the Construction Division as part of CTDOT's internal Title VI review process:

1. Data and information regarding the implementation of mitigation commitments made during the environmental process.
2. Data and information regarding temporary traffic and pedestrian routing during construction, as well as a demographic profile of the project area.
3. Description of your internal procedures that illustrate where and how Title VI compliance is integrated.
4. Title VI complaints received regarding the construction process.
5. Significant Title VI accomplishments attained since the last Title VI report and Title VI actions planned for the coming year.

VI. EXTERNAL REVIEW PROGRAM

CTDOT is required to monitor sub recipients to ensure they are compliant with Title VI and related nondiscrimination statutes. The sub recipients that receive federal highway financial assistance through CTDOT for the purpose of administering programs and activities include local public agencies, universities, and metropolitan and regional transportation planning organizations.

SUB RECIPIENT REVIEW SELECTION PROCEDURES

Each federal fiscal year, as part of CTDOT's Title VI Work Plan, CTDOT will select sub recipients for review. During this review process, CTDOT will communicate all data requests in writing and provide a written report with potential recommendations when the review is complete. CTDOT will give the sub recipient a reasonable amount of time to complete any tasks and will close the review once the recommendations have been addressed.

CTDOT will identify sub recipients for review based on the following criteria:

- CTDOT knows of or has received (formal or informal) complaints regarding the sub recipient;
- CTDOT staff has identified sub-recipients with known Title VI issues/concerns;
- CTDOT receives a request from FHWA to perform a review;
- The sub recipient receives a large amount of funding from CTDOT relative to other sub recipients; and/or
- The sub recipient is new to CTDOT, receives a large amount of funding from CTDOT and requires Title VI training.

Every year, CTDOT will conduct reviews of local public agencies. The review activities are outlined below. The review results will be included in CTDOT's annual Title VI Goals and Accomplishments Report.

SUB RECIPIENT REVIEW PROCEDURES

Each year CTDOT allocates a portion of its FHWA funding to nine (9) Councils of Governments (COGs) and to Local Public Agencies (LPAs) in the form of direct funding or grants/awards to be used for transportation planning and construction projects at the metropolitan and/or local level.

The LPAs are required to develop a Title VI Plan that describes the type of data collected; their Title VI complaint procedures; a signed statement acknowledging awareness of the CTDOT Federal Highway Administration Title VI Plan; a current signed Title VI Assurances; and a

summary of outreach efforts for locally administered transportation projects that includes targeted outreach to low income, minority and LEP individuals.

The COG's Title VI Plan should include the elements listed below. (A COG that receives FTA funding will have additional Title VI requirements).

- Title VI Notice to the Public
- Title VI Complaint Process and Procedures
- Title VI Complaint Form
- Organizational Chart with an identified Title VI Coordinator
- Public Involvement Plan
- Four Factor Analysis and Language Assistance Plan
- Data Collection & Analysis Procedures
- Title VI Assurances

REVIEW CRITERIA AND PROCESS

CTDOT will prioritize sub recipient reviews using the following criteria:

- Funding amount received;
- Number of complaints against an LPA;
- Previously identified deficiencies;
- Systematic acquisition of data and information; and
- Length of time between reviews.

The Office of Equity will work with sub recipients to help them implement a Title VI program and will train local officials to help them understand the requirements of a Title VI Program and how to make effective implementation efforts.

CTDOT will review MPOs on a triennial basis. The MPOs are responsible for the transportation planning process within their urbanized areas. As a result, each MPO must develop a:

- 3-year Transportation Improvement Program (TIP);
- Title VI Program (elements of the plan will vary based on the type of funding received by the MPO);
- Long-range transportation plan; and
- An annual Unified Planning Work Program (UPWP).

In coordination with the Office of Equity, the Planning Division provides technical assistance to MPOs on Title VI Program issues. The Planning Division oversees the Metropolitan Planning Organizations by monitoring the following:

- Reviewing the Unified Planning Work Program (UPWP) approval, administration, and oversight;
- Evaluating the Transportation Improvement Program (TIP);
- Providing general assistance and or guidance;

- Ensuring Title VI Program compliance; and
- Assisting with MPO Federal/State reviews.

The Planning Division, along with the Title VI Coordinator and Title VI Liaisons will monitor the MPO's overall strategies and goals to ensure Title VI program compliance. Reviews will evaluate the outreach efforts employed by the MPO during the 3-year planning period. One of the review functions will be to compare the demographics of attendees at planning meetings, and then perform an analysis of available documents to determine if the planning process includes underserved and underutilized populations, and those with Limited English proficiency. CTDOT staff will examine marketing and advertising samples to monitor targeted outreach and will review complaints filed against the MPO to determine if the MPO is following the Title VI complaint requirements. CTDOT will complete the analysis and provide a report on any identified deficiencies. If necessary CTDOT will request a corrective action plan to address the deficiencies.

During the triennial Title VI review of the MPOs, CTDOT's Office of Equity will monitor the following:

- Compliance with Limited English Proficiency requirements.
- MPOs use of data to identify minority, low income, and LEP populations.
- An analysis of the distributions of benefits/burdens of the transportation plans and activities.
- MPOs use of data to identify potential disparately impacted populations.
- Public involvement processes to improve effectiveness and reduce participation barriers for populations based on race, color, and national origin.
- MPO accomplishments and goals since the last Title VI Plan.

REVIEW STEPS

1. Notice of compliance review

- a. When a compliance review is initiated, the Office of Equity (OOE) will send the sub recipient a notice of CTDOT's intent to conduct a compliance review. The notice will provide a list of documents to be submitted and the reason for the review.
- b. The sub recipient will be provided thirty-days to produce the requested documentation. This time-period may be extended at the discretion of the Title VI Coordinator if the request is determined to be reasonable.
- c. Any sub recipient who fails to respond to a compliance review notice, including the request for information, as required, shall receive a second notice with an additional thirty days to respond.
- d. If after the second notice, a sub recipient fails to respond to the request for documentation. The sub recipient will be notified in writing of their responsibility to comply with information requests. The sub recipient will be notified that failure to comply may result in a suspension of federal funding.

2. Desk Review

a. Information received from the sub recipient is reviewed by the OOE and a telephone call may be scheduled to discuss preliminary deficiencies and to request additional information if necessary.

b. The following factors will play a role in determining whether an on-site review is necessary:

- Deficiencies are directly related to active projects being constructed or maintained by the sub recipient;
- Deficiencies include entire missing program components or major deficiencies;
- The sub recipient's program coordinator or representative has not been identified and/or does not appear to have the support of the executive leadership of the agency in ensuring program compliance; and/or
- A complaint of noncompliance.

3. Preliminary findings

Following the conclusion of the desk review and/or on-site review, the OOE will provide the sub recipient with a written report of preliminary findings, which shall:

- Document any deficiencies observed and direct the sub recipient to come into compliance within 90 days; and
- Require that any deficiencies, which cannot be resolved within 90 days, be reflected in a corrective action plan to be submitted to the Office of Equity for approval within the 90-day period. The plan shall include dates for when compliance will be achieved, along with the specific action steps to be taken and who will be responsible for each task identified.

It is the sub recipient's responsibility to notify OOE that it has achieved its approved corrective action plan goals. Failure to provide such notice will place them in deficiency status.

If the sub recipient fails to submit appropriate and complete documentation to support its commitment to comply with Title VI, OOE will issue a noncompliance letter and forward a copy to FHWA.

VII. DATA COLLECTION AND ANALYSIS

DATA COLLECTION

Per 23 CFR § 200.9(b)(4) CTDOT is required by federal regulations to collect statistical data on the race, color, and national origin of participants in and beneficiaries of its programs. Civil rights staff works with program area staff (environmental, planning, right of way, etc.) on collecting and analyzing data.

The following is a brief description of data collection efforts conducted by CTDOT:

Right of Way: During the interview/intake process, CTDOT ROW staff will ensure that demographic information is collected voluntarily and inform impacted person of the reasons for collecting the demographic data.

Environmental Planning: CTDOT collects and analyzes U.S. Census and other data as a part of the NEPA and CEPA processes to determine which populations are expected to be impacted by CTDOT projects. Additionally, Environmental staff collects demographic data during public meetings with the use of voluntary demographic surveys.

Statewide Planning: As part of the Statewide Planning Process, CTDOT staff analyze demographic maps that include median income levels per county, racial/ethnic makeup at the U.S. Census tract level, and trends regarding transportation equity. Additionally, demographic data will be collected at all public meetings with the use of voluntary demographic surveys.

Language Assistance: The Office of Equity monitors the Language Assistance Call Line and usage of the over-the-phone interpretation service to collect language assistance data. Language data is also collected with voluntary demographic surveys at public informational meetings and hearings.

Public Involvement: CTDOT developed a voluntary demographics survey to collect demographic data of participants attending public meetings/hearings. The intent is to gather a sufficient pool of data to determine whether CTDOT is reaching all population groups and receiving input in the transportation decision-making process. The Office of Equity continues to explore processes to store data from submitted surveys and compare the demographics to those of the project area from where they were collected.

CTDOT program areas are responsible for collecting data on race, color, and national origin as it pertains to their potential interaction with the public. Additional data can include income, and language spoken at home. The Office of Equity will work individually with each program area to develop a data set which will support both the desk audit and reporting to FHWA. Potential sources of data and analysis tools include:

- Census Data
- School Districts
- Forms or Surveys
- Management Systems (Pavement and Congestion)
- Land Use Plans
- Geographic Information Systems
- Transportation Models
- Transportation Committees (e.g., Citizen Advisory Committees)

DATA ANALYSIS

Once Title VI data is collected, the data is analyzed to identify any patterns of discrimination. Each program area is responsible for analyzing the data collected and recommending corrective action, as appropriate. A pattern of discrimination may result from a specific process, or as the result of a process or procedure being implemented in a discriminatory manner.

Types of analysis to address compliance with Title VI include:

- Distribution of benefits (dollars, facilities, systems, projects) by population;
- Allocation of funds by mode (highway, bus, etc.);
- Impact of investments on race, color, and national origin;
- Projected population increases versus planned facilities and type of facilities;
- Impacts of the location of existing or proposed facilities to minority populations;
- Language needs assessment;
- Transportation needs of all persons within boundaries of plans or projects;
- Persons included in the decision-making process;
- Strategies to address impacts;
- Priorities for investments;
- Sources for financing investments, and
- Strategies to disseminate information.

When determining compliance with Title VI, each program area should consider the following:

- How services are provided, and the data necessary to determine whether any persons are or will be denied such services, because of their race, color, or national origin as defined by Title VI authorities.
- Populations by race, color and national origin that are eligible to be served.
- The location of existing or proposed facilities connected with the program, and related information adequate for determining whether the location has or will have adverse impacts to any persons on the basis of race, color and national origin.
- Identify membership by race, color and national origin, of any planning or advisory body that is an integral part of the program.

VIII. TRAINING

External and Internal training are key tools that we use to address discriminatory trends or patterns.

The Office of Equity (OOE) provides Title VI training to as many different audiences as possible, internal and external, to reduce the occurrence or likelihood of discrimination. Training includes an overview of the legal components of Title VI, the regulatory requirements, and implementation guidance. The training has been effective in educating CTDOT staff and

sub recipients to understand what discrimination is under Title VI, and the types of proactive measures that can be utilized to prevent discrimination.

Title VI training provides comprehensive information on the Title VI program and its application to program operations. The Title VI training schedule is included in the FHWA in the annual Goals and Accomplishments report.

CTDOT Title VI staff has developed an external online training module to supplement in-person training. One-to-one training is also available when requested. CTDOT has collaborated with the MPOs to provide notification to their LPAs of training opportunities within their region. MPOs and LPAs can request specialized Title VI training, in which case, the OOE will schedule a time to provide the requested training. The end of each online training module also provides contact information as another avenue for the participant to request additional training.

IX. COMPLAINT DISPOSITION PROCEDURES

Who can file? Any person who believes they—or with a specific class of persons—were subjected to discrimination on the basis of race, color, or national origin in the programs and activities of a Federal-aid Recipient may file a Title VI complaint.

Where can one file? Complaints may be filed with CTDOT, FHWA Division Offices, the FHWA Headquarters Office of Civil Rights, the United States Department of Transportation (USDOT) Departmental Office of Civil Rights, or the U.S. Department of Justice.

When must one file? According to U.S. DOT regulations, 49 CFR § 21.11(b), a complaint must be filed not later than 180 days after the date of the last instance of alleged discrimination, unless the time for filing is extended by the investigating agency.

What should a complaint look like? Complaints should be in writing, signed and filed by mail, in person, or by e-mail. However, the complainant may call the agency and provide the allegations by telephone, and the agency will transcribe the allegations of the complaint as provided over the telephone, read the complaint back to the complainant over the telephone and send the written complaint to the complainant for confirmation or correction and signature. A complaint should contain at a minimum the following information:

- A written explanation of what has happened;
- Contact information of the complainant;
- The basis of the complaint (e.g., race, color, national origin);
- The identification of a specific person/people and the respondent (e.g.) agency/organization) alleged to have discriminated;
- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and

- The date(s) of the alleged discriminatory act(s). The complaint should indicate if the alleged discrimination is ongoing.

How are FHWA complaints routed? FHWA is responsible for all decisions regarding whether a FHWA complaint should be accepted, dismissed, or referred to another agency.

With this understanding, complaints should be routed in the following ways:

- All complaints filed with CTDOT will be routed to the FHWA Division Office for processing. FHWA is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints filed against State DOTs or Sub recipients of Federal financial assistance.
- Complaints filed with sub recipients of Federal aid should be forwarded from the initial receiving agency to CTDOT. CTDOT will then forward the complaint to the FHWA Division Office. For example, if a complaint is filed with an LPA, that receiving FHWA funds, the LPA should forward the complaint to CTDOT, who will forward the complaint to the FHWA Division Office.

CTDOT will log all complaints received. When FHWA makes their determination on whether to accept, dismiss, or transfer a complaint, FHWA will notify the complainant, CTDOT, and the sub recipient (where applicable) of their decision.

Title VI complaints may be mailed to:

**Connecticut Department of Transportation
Office of Equity**

Attention: Title VI Coordinator

2800 Berlin Turnpike

Newington, CT 06111

and/or

Federal Highway Administration Connecticut Division Office

Attention: Civil Rights Specialist

628 Hebron Avenue, #303

Newington, CT 06033

and/or

Federal Highway Administration Headquarters

Office of Civil Rights

1200 New Jersey Avenue, SE HCR-40, Room E81-101

Washington, DC 20590

Additionally, complaints may be filed the U.S. Department of Justice at:

Federal Coordination and Compliance Section – NWB Civil Rights Division

U.S. Department of Justice

950 Pennsylvania Avenue, N.W. Washington, D.C. 20530

What are the potential outcomes for processing a complaint? There are four potential outcomes for processing complaints:

- To Accept – if a complaint is timely filed (see Question 2c, above), contains sufficient information to support a claim under Title VI, and concerns matters under FHWA's jurisdiction, then FHWA will send to the complainant and the respondent agency a written notice that it has accepted the complaint for investigation.
- Preliminary review – if it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then FHWA may (1) dismiss it or (2) engage in a preliminary review to acquire additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.
- Procedural Dismissal – if a complaint is not filed timely (see Question 2c, above), is not in writing and signed, or features other procedural/practical defects, then FHWA will send the complainant and the respondent a written notice that it is dismissing the complaint.
- Referral\Dismissal – if the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, then FHWA will either dismiss the complaint or refer it to another agency that does have jurisdiction. If FHWA dismisses the complaint, it will send the complainant and the respondent a copy of the written dismissal notice. For referrals, FHWA will send a written referral notice with a copy of the complaint to the proper Federal agency and a copy to the USDOT Departmental Office of Civil Rights.

FHWA is responsible for conducting all investigations of CTDOT and other FHWA primary Recipients. In the case of a complaint filed against a CTDOT sub recipient, either FHWA may conduct the investigation itself, or it may delegate the investigation to the CTDOT. If FHWA chooses to delegate the investigation of a sub recipient they will communicate its acceptance of the complaint to the complainant and respondent, but the CTDOT will conduct all data requests, interviews, and analysis. CTDOT will then create a Report of Investigation (ROI), which it will send to FHWA. Finally, FHWA will review the ROI and compose a Letter of Finding based on the ROI. All Letters of finding issued by FHWA are administratively final.

What are the timeframes for investigations? For FHWA, there is no regulatory timeframe for completing investigations. However, FHWA strives to complete all tasks within 180 days from the date of acceptance. When CTDOT has been delegated an investigation from FHWA, 23 CFR §200.9(b)(3) provides that CTDOT must complete investigations within 60 days of receipt (meaning the date it receives the delegated complaint from FHWA).

Investigation files are confidential and will be treated as confidential by CTDOT. The contents of such files will only be disclosed to appropriate CTDOT personnel and federal authorities in accordance with Federal and State laws. CTDOT will retain files in accordance with records retention schedules and all Federal guidelines.

Title VI Complaint Form (English with Safe Harbor Languages): See Appendix E
Title VI Complaint Form (Spanish): See Appendix F

X. COMPLIANCE AND ENFORCEMENT PROCEDURES

REMEDIAL ACTION

The goal for Title VI and regulatory enforcement is to achieve voluntary compliance.

Internal Reviews – If deficiencies are found during an internal Title VI review, the Compliance Review Report will include a draft corrective action plan (CAP) with projected due dates. A final CAP will be issued following a compliance meeting with the Program Area Manager. During the meeting, the Program Area Manager will be able to propose remedial actions to correct the deficiencies.

External Reviews – If deficiencies are found during an external Title VI review a teleconference may be scheduled to discuss preliminary deficiencies observed and to request additional information as necessary. Following the conclusion of the desk review and/or on-site review, the OOE will provide the sub recipient with a written report of preliminary findings, which shall:

- Document any deficiencies observed and direct the sub recipient to come into compliance within 90 days; and
- Require that any deficiencies, which cannot possibly be resolved within 90 days, be reflected in a compliance plan submitted to the Office of Equity for approval within the 90-day period. The plan shall include dates by which compliance will be achieved and the specific action steps with identified task ownership.

It is the sub recipient's responsibility to notify the OOE that it has achieved its approved compliance plan goals. Failure to provide such notice will place them in deficiency status. If the sub recipient fails to submit appropriate and complete documentation to support its commitment to comply with Title VI, OOE will issue a noncompliance letter and forward a copy to FHWA.

AFFECTING COMPLIANCE

Departmental Programs – If an issue of noncompliance is identified and cannot be resolved, the Title VI Specialist will elevate the matter to the CTDOT Commissioner; after which, the matter may be referred to the FHWA Civil Rights Program Manager.

Sub recipients: When a sub recipient fails to take appropriate corrective actions in response to the findings of deficiencies in the compliance report:

- The sub recipient moves from a “deficiency status” to noncompliance;
- CTDOT will submit two copies of the case file to FHWA with a recommendation that the sub recipient be found in noncompliance; or
- CTDOT may initiate proceedings to impose sanctions for noncompliance with the concurrence from FHWA.

SANCTIONS

In the event a sub recipient or contractor fails or refuses to comply with Title VI, CTDOT will attempt to resolve the issue using normal administrative solutions. If the recipient is uncooperative or nonresponsive during attempts by CTDOT to resolve the compliance issue, CTDOT may take any or all the following steps, with the concurrence of FHWA:

- a. Cancel, terminate, or suspend the contract or agreement in whole or in part;
- b. Refrain from extending any further assistance to the recipient under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the recipient;
- c. Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the recipient; and/or,
- d. Refer the case to the appropriate federal agency for appropriate administrative or legal proceedings or other means authorized by law.

XI. REVIEW OF STATE DIRECTIVES

The Title VI Staff uses several processes to review CTDOT directives, policies and practices:

- The Title VI Coordinator works collaboratively with the CTDOT legal staff to ensure CTDOT directives are in keeping with Title VI of the Civil Rights Act of 1964 and other federal nondiscrimination mandates.
- The Title VI Coordinator is included in the review process when CTDOT directives and policies are being drafted. This process affords the Title VI Coordinator an opportunity to review for any possible Title VI issues.
- The Title VI Coordinator reviews all Environmental Impact Statements and Environmental Assessments to ensure any potential Title VI issues have been addressed.

XII. DISSEMINATION OF INFORMATION

In accordance with 23 CFR § 200.9(a)(12), CTDOT develops Title VI information for dissemination to the public and, where appropriate, in languages other than English. CTDOT’s website is designed to ensure Title VI information is readily accessible to the public. The website informs the public of their rights under Title VI and provides information on how to file a complaint. Title VI information available on CTDOT’s website includes the following:

- CTDOT's FHWA Title VI Implementation Plan
- CTDOT Title VI Notice to the Public (English with safe harbor languages and Spanish)
- CTDOT Title VI Policy
- CTDOT Title VI Nondiscrimination Assurances
- CTDOT's External Discrimination Complaint Form (English with safe harbor languages and Spanish)
- CTDOT Title VI Flyer (English with safe harbor languages and Spanish)
- Title VI Training Module for Sub Recipients of FHWA funds.
- Resource Directory for Community Outreach and Employee Referrals

The above information is located on CTDOT's website at:

https://portal.ct.gov/dot/business/office-of-equity/title-vi-page?language=en_US

The CTDOT provides Title VI Flyers (See Appendices G and H) and voluntary demographic surveys at public informational meetings and hearings. These flyers are available in Spanish and English. The flyers include descriptions of the documents in eleven alternative languages, including all statewide safe harbor languages. CTDOT will consider any requests to translate flyers in additional languages if requested. Furthermore, CTDOT's Title VI Notice to the Public is available and accessible at CTDOT buildings.

XIII. PUBLIC INVOLVEMENT

It is CTDOT's policy and commitment to foster public involvement in all its projects. CTDOT welcomes everyone, regardless of race, color, national origin or ability to speak English, to participate in and benefit from its public involvement activities. Special efforts need to be made to engage stakeholders from all demographic groups. Efforts to involve these affected stakeholders in public participation activities can include both general measures, such as placing public notices in public areas (e.g., libraries, transit stations, or vehicles), as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent persons from effective and meaningful participating in the decision-making process.

Some effective practices include:

- Scheduling meetings at times and locations that are convenient and accessible for all communities.
- Employing different meeting sizes and formats.
- Coordinating with community and faith-based organizations; educational institutions; and other organizations to implement public engagement strategies that reach members of all impacted communities.

- Considering radio, television, or newspaper ads on stations and in publications that serve typically underserved communities. Outreach to these populations could also include audio programming available on podcasts.
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- Providing translation services as needed.

The Department has published its Public Involvement Procedures, which can be viewed online by visiting [this link](#).

XIV: LIMITED ENGLISH PROFICIENCY

Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, requires agencies receiving federal funding to examine the services provided, identify Limited English Proficient (LEP) populations served or eligible to be served, and develop and implement a language assistance plan to ensure LEP persons have meaningful access.

CTDOT ensures that Limited English Proficient (LEP) individuals have meaningful access to CTDOT programs, services and activities. CTDOT has developed procedures—in accordance with USDOT guidance—to guarantee compliance with LEP.

LEP individuals are those individuals for whom English is not their primary language and have a limited ability to speak, read, write, and understand English; defined as individuals who “speak English less than very well”. Failure to provide meaningful access to such individuals may result in national origin discrimination, prohibited by Title VI. While designed to be a flexible and fact-dependent system, the starting point is an individualized assessment that balances the following four factors:

1. **The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service;**

The greater the number or proportion of LEP persons from a particular language group served or encountered in the eligible service population, the more likely language services are needed. Ordinarily, persons “eligible to be served, or likely to be directly affected, by” a recipient’s programs or activities are those who are in fact, served or encountered in the eligible service population. This population will be program-specific and includes persons who are in the geographic area that is part of the recipient’s service area.

The Department analyzes American Community Service (ACS) data annually to identify any changes in the statewide LEP populations. While there are no languages that reach the LEP

threshold of 5% statewide, based on the most recent ACS 5 year data (2018–2022), twelve (12) language categories reach the Safe Harbor threshold statewide. The languages and the number of LEP speakers statewide are listed below.

Statewide ACS 5 Year data (2018–2022)

Total Population for Which Language is
Determined (5 years and older)

3,428,549

	Count	Percentage of Population
Spanish	168,991	4.93%
French Haitian or Creole	10,929	0.32%
German or other West Germanic	1,067	0.03%
Russian, Polish, or other Slavic	19,470	0.57%
Other Indo European	46,091	1.34%
Korean	2,960	0.09%
Chinese, Mandarin, or Cantonese	14,713	0.43%
Vietnamese	4,223	0.12%
Tagalog Filipino	2,893	0.08%
Other Asian and Pacific Islander	8,719	0.25%
Arabic	4,213	0.12%
Other and Unspecified	4,680	0.14%
Total	288,949	8.43%

The statewide data is used to generate statewide LEP and safe harbor maps. The maps and raw data are referred to on a project-by-project basis to identify any potential LEP populations within the project area. When LEP populations are identified, Project Engineers are instructed via the Environmental Review Form, to contact the Office of Equity for technical assistance and guidance.

2. The frequency with which LEP individuals come in contact with the program;

Recipients should assess, as accurately as possible, the frequency with which they have or should have contact with LEP individuals from different language groups seeking assistance, as the more frequent the contact, the more likely enhanced language services will be needed. The steps that are reasonable for a recipient that serves an LEP person on a one-time basis will be very different from those of a recipient that serves LEP persons daily.

The Department continues to utilize the Language Assistance Call Line (LACL). The LACL resides in the Office of Equity and is monitored daily for new requests for language assistance. Notices of public meetings or hearings include the phone number for the LACL and specify the number of days within which a request should be made to guarantee free language assistance. Callers to the LACL are instructed (in English and Spanish) to leave a

message and provide contact information. Offices responsible for generating public meeting/hearing notices have been instructed to email a copy of the public notice to the OOE with the name and phone number of a contact person familiar with the meeting or hearing. During the reporting period the OOE received no requests for language assistance using the LACL. There was one call received, but it was unrelated to language assistance.

3. The nature and importance of the program, activity, or service provided by the CTDOT to people's lives;

The more important the activity, information, service, or program, or the greater the possible consequences of the contact to the LEP individuals, the more likely language services are needed. A recipient needs to determine whether the denial or delay of access to services and/or information, could have serious or even life-threatening implications for the LEP individual. Decisions by a Federal, state, or local entity to make an activity compulsory such as requiring a driver to have a license, can serve as strong evidence of the importance of the program or activity.

In cases where the delivery of clear instructions are necessary, translation of the languages meeting the LEP safe harbor threshold should be provided. Example, in cases of emergency evacuation instructions; road closures and traffic changes should be provided in languages that meet LEP or safe harbor thresholds.

In addition to the Title VI Notice to Beneficiaries, information relative to filing a Title VI complaint, and the availability of information about the Department's Title VI program, including instructions on how to obtain information in languages other than English, is provided. CTDOT has updated its website to include instructions to the public on how to request language assistance. These instructions are included in eleven alternative languages, including the safe harbor languages identified in factor one.

4. The resources available to CTDOT and costs.

A recipient's level of resources and the costs imposed may have an impact on the nature of the steps it should take in providing meaningful access for LEP persons. Smaller recipients with more limited budgets are not expected to provide the same level of language services as larger recipients with larger budgets. Recipients should carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns.

The Department weighs the demand for language assistance against current and projected financial and personnel resources. The Department will continue to expend a reasonable portion of its budget dollars and project dollars to meet compliance goals and fulfill the provisions of the language assistance plan. The Department recognizes that to continue to

expand the program, new sources of internal and/or external funding might be needed depending upon the cost and scope of new strategies and actions.

XV: ENVIRONMENTAL JUSTICE

CTDOT considers the impacts to, and needs of, environmental justice (EJ) populations in all of its programs, projects, benefits, and services. EJ is integrated into each program area through the collection and review of demographic data (specifically race and income), the assessment of burdens and benefits on low income and minority communities, and the identification of mitigation measures when an analysis identifies disproportionate burdens or disparate impacts. Additionally, all Department staff charged with conducting public outreach or engagement are required to comply with the Department's [Public Involvement Procedures](#). Chapter 2 of the PIP outlines the minimum outreach requirements, including the identification of EJ communities and notifying community and faith-based organizations of engagement opportunities. Chapter 8 provides CTDOT staff with best practices for conducting targeted and inclusive outreach. The Office of Equity (OOE) and Planning staff have conducted training on the PIP for the Bureau of Planning and the Bureau of Public Transit and have developed E-training modules for staff to refer to for additional guidance, which are posted on our public involvement intranet page.

During the planning stage of each project, an Environmental Review Form is completed. The project is flagged if the project area is in a low income and/or minority community, and the project team is instructed to contact the Office of Equity (OOE) for guidance on assessing project impacts, potential mitigation efforts and targeted outreach requirements. The demographic data used to determine EJ populations comes from ACS data. The data comes from table B03002 (race and ethnicity) and table B17024 (income/poverty). For LEP data, we use Table C16001 (language). We are currently using 2018–2022 ACS data, as that is most recent. Demographic data is also collected through the administration of surveys at all public informational meetings and hearings.

XVI: SPECIAL EMPHASIS AREA

Currently, there have been no trends or patterns of discrimination identified in any of the program areas and there have been no special emphasis areas designated in Connecticut by FHWA. If the OOE identifies a trend or pattern of discrimination, it will bring it to the attention of FHWA. Trends or patterns of discrimination may be identified through program reviews, Title VI complaints, or data analysis. Section V outlines the program review cycle for the major program areas where the risk of Title VI concerns are highest. The OOE conducts at a minimum of one review per year and identifies program strengths and areas for improvement. Goals related to areas for improvement are reported in the corresponding years' Goals and Accomplishment Report. If a program is designated as a special emphasis area, the OOE will inform the program area of its designation, identify action items needed to

not only eliminate the trend or pattern of discrimination, but also to mitigate the impacts that occurred while the discriminatory action was occurring.

LIST OF ATTACHMENTS

APPENDIX A: CTDOT Title VI Assurances

APPENDIX B: CTDOT Organizational Chart

APPENDIX C: Office of Equity Organizational Chart

APPENDIX D: CTDOT Title VI Policy Statement

APPENDIX E: CTDOT Title VI Complaint Form (English with Safe Harbor Languages)

APPENDIX F: CTDOT Title VI Complaint Form (Spanish)

APPENDIX G: CTDOT Title VI Flyer (English with Safe Harbor Languages)

APPENDIX H: CTDOT Title VI Flyer (Spanish)