

Town Of Portland, Connecticut

Affirmative Action/Equal Opportunity Provider and Employer

Title VI Program



Adopted: 11/18/2019

Town of Portland
33 East Main Street/P.O. Box 71
Portland, Connecticut 06480-0071
Tel: (860) 342-6715; Fax: (860) 342-6714
Website: www.portlandct.org

TABLE OF CONTENTS

	<u>PAGE</u>
Sections	
Introduction	3
Policy Statement	4
Title VI Coordinator Responsibilities.....	5
Four-Factor Analysis.....	6
Language Assistance Plan.....	8
Public Participation Plan	10
Complaint Process and Procedure.....	11
Appendices	
Appendix A – Title VI Notice to the Public	12
Appendix B – Town of Portland Title VI Complaint Form.....	13
Appendix C – Town of Portland Title VI Complaint Log	15
Appendix D – Language Identification Flashcard.....	16

INTRODUCTION

In accordance with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d): “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.” Furthermore, Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, states that differential treatment based upon a person’s inability to speak, read, write, or understand English is a type of national origin discrimination.

As a recipient/sub-recipient of federal funding, the Town of Portland, Connecticut (hereafter referred to as the TOWN) is required to prepare a Title VI Program. The following Title VI Program was developed to guide the TOWN in its administration and management of Title VI related activities.

POLICY STATEMENT

The Town of Portland (hereinafter “Town”) is committed to ensuring that no person or group(s) of persons is excluded from participation, denied benefits, or otherwise subjected to discrimination under any and all programs, services, or activities administered by the Town, on the basis of race, color, or national origin.

The Town as a recipient of federal financial assistance will ensure full compliance with Title VI of the Civil Rights Act of 1964, as amended, and related statutes and regulations in all Town programs and activities. The Town shall post a Title VI Notice to the Public which shall be available in languages other than English upon request.

Any person who believes that he or she has been subjected to discrimination or retaliation based on their race, color, or national origin may file a Title VI complaint. Complaints may be filed directly to Connecticut Department of Transportation or to the Federal Transit Administration (FTA) as listed below. Complaints must be filed in writing and signed by the complainant or a representative and should include the complainant's name, address, and telephone number or other means by which the complainant can be contacted. Complaints must be filed within 180 days of the date of the alleged discriminatory act.

To request additional information on the Town's non-discrimination obligations or to file a Title VI complaint, please submit your request or written complaint to:

Title VI Coordinator
Office of the First Selectman
P.O. Box 71
Portland, CT 06480-0071

Complaint forms can be obtained online at the Town's website: www.portlandct.org

Connecticut Department of Transportation

Attention: Debra Goss, Title VI Coordinator
2800 Berlin Turnpike
Newington, CT 06111
Email: Debra.goss@ct.gov

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

TITLE VI COORDINATOR RESPONSIBILITIES

The Title VI Coordinator is charged with the responsibility of implementing, monitoring, and ensuring the TOWN's compliance with Title VI regulations. The TOWN's First Selectwoman shall serve in this capacity. Title VI responsibilities are as follows:

1. Coordinate and monitor the TOWN's compliance with state and federal laws, regulations, and guidelines that prohibit discrimination on the basis of race, color, or national origin.
2. Oversee prevention efforts to avoid civil rights violations from occurring.
3. Implement the TOWN's discrimination complaint procedures.
4. Receive, investigate, and resolve complaints alleging discrimination based on the protected classes listed above.
5. Conduct training programs on Title VI and other related statutes for the TOWN's employees and recipients/sub-recipients of federal funds. Post a copy of the Title VI Program on the TOWN's website. Post the VI policy statement on employee bulletin boards at the TOWN's worksite.
6. Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
7. Conduct annual Title VI reviews to monitor LEP populations and evaluate need to alter/adapt this Title VI Program should those populations increase.

TITLE VI FOUR-FACTOR ANALYSIS

The Town of Portland is committed to conducting outreach to traditionally underserved individuals and communities, which include but are not limited to persons with Limited English Proficiency (LEP). LEP is assessed using U.S. Census Bureau data on language spoken at home and linguistic isolation. This data is analyzed at the smallest geography for which there is reliable and accurate data. The following discussion and analysis includes the components of the Four Factor Analysis recommended by the Federal Transit Administration.

FACTOR ONE. THE NUMBER/PROPORTION OF LEP PERSONS ENCOUNTERED IN THE TOWN OF PORTLAND AREA

The U.S. Department of Justice has recommended the following two criteria to identify LEP populations. For a non-English speaking and not speak English very well group to qualify as LEP, they must either:

1. Constitute at least 5% of the total population, or
2. Number at least 1,000 persons

The following table shows the languages as reported in the 2017 U.S. Census data.

Portland			
Total Population	8,998		
Language	Number LEP	Percentage (of total population)	Threshold Reached
Spanish	23	0.25%	None
French, Haitian, or Cajun	0	0.00%	None
German or other West Germanic languages	0	0.00%	None
Russian, Polish, or other Slavic languages	0	0.00%	None
Other Indo-European Languages	16	0.17%	None
Korean	0	0%	None
Chinese	0	0%	None
Vietnamese	0	0%	None
Tagalog	0	0%	None
Other Asian and Pacific Island languages	0	0%	None
Arabic	0	0%	None
Other unspecified languages	0	0%	None

At this time, there are no LEP populations that meet the LEP threshold (>5%) or the safe harbor threshold (>5% or 1,000 persons).

FACTOR TWO. THE FREQUENCY WITH WHICH LEP INDIVIDUALS COME INTO CONTACT WITH TOWN PROGRAMS, ACTIVITIES AND SERVICES

Town staff has reviewed the frequency with which LEP persons have come in contact with services provided by the Town. Over the past year, there have been no requests for interpreters at meetings or for the translation of documents. Contact from LEP persons is most likely to occur through phone calls, office visits, or public meetings.

FACTOR THREE. THE NATURE & IMPORTANCE OF THE PROGRAMS, ACTIVITIES AND SERVICES PROVIDED BY THE TOWN TO LEP PERSONS

The Town of Portland uses federal funds to provide transportation services to its elderly and disabled residents. It is important for LEP persons to have equal ability to participate in the planning process of these projects, particularly in public meetings or comment periods.

FACTOR FOUR. THE RESOURCES AVAILABLE TO THE TOWN AND OVERALL COSTS TO PROVIDE LEP ASSISTANCE

In the event that a service is required beyond the assistance provided by staff, the Town will seek to provide language assistance. Meeting notices and agendas on the Town of Portland website include a notice on how to arrange for special accommodations, including language translation and interpretation services.

Due to the cost of translation services and the few LEP requests made, the Town will translate documents on a requested basis. More details on resources to LEP individuals are detailed in the Language Assistance Plan.

LANGUAGE ASSISTANCE PLAN

TASK 1. IDENTIFYING LEP INDIVIDUALS

LEP persons have been identified according to the Four Factor Analysis. Based on the demographic data provided by the 2017 U.S. Census data, roughly 0.25% of the population speaks English less than “very well.” The following methods can be used to help identify an LEP individual that needs language assistance:

- “I Speak” cards are available in the office to help visiting LEP persons indicate which language they require assistance in.
- Requests made for assistance will be properly documented to help anticipate future needs.
- Interpreter and translator services will be provided, upon request, for all meetings.
- Town will share relevant documents with local organizations serving any LEP persons in the region.

TASK 2. LANGUAGE ASSISTANCE MEASURES

The Town of Portland will meet the needs of LEP persons in the region by offering the following:

- Should a request be made for interpreter or translator services, staff will take the contact information of the LEP person and make arrangements for language assistance.
- Notice of assistance is posted on all agendas.
- The Public Participation Plan is published online.
- Town will translate any published documents in another language upon request.

TASK 3. TRAINING STAFF

Training will be provided to staff members, upon hire and as new LEP measures are implemented, to inform them of Title VI procedures in the event that language assistance is requested. Additionally, staff will continue to work with the Connecticut Department of Transportation to ensure this Plan is consistent with both state and federal policies and guidance. Training will include the following:

- Summary of the Title VI policy and Town’s responsibilities.
- Information on the types of services provided and how to access them.
- Training on documenting requests for language assistance.
- Instructions on handling a Title VI, EJ, or LEP complaint.

TASK 4. PROVIDING NOTICE TO LEP PERSONS

All public meeting agendas contain a notice to contact the office if assistance is needed. Should a request arise for the assistance of an interpreter or translator, the Town will seek to cover the cost of the service. Any notice will inform LEP individuals that language assistance is provided free of

charge. The Town also provides notice of availability of language assistance on our Title VI Notice to the Public.

TASK 5. MONITORING AND UPDATING THE LEP PLAN

Town of Portland will review the Language Assistance Plan annually and update it as necessary, at the very least every three years. The identification of LEP populations will be updated as new demographic data are made available. Town will also maintain information on assistance requested and provided to LEP persons through:

- Documentation of contact with LEP persons and requests for language assistance.
- Examination of how the LEP persons' requests were handled.
- Determination of any changes in the LEP populations in the region.
- Determination of the effectiveness of the current language assistance measures to meet the LEP population's needs.

PUBLIC PARTICIPATION PLAN

Public involvement is a major component of the TOWN's planning process. The TOWN makes a concerted effort to solicit public input from all residents including under-represented groups in many aspects of TOWN planning. As of the institution of the TOWN's Title VI program, the TOWN does not have a formal practice of outreach techniques to LEP populations due to the lack of LEP population in the service area. However, the TOWN does implement the following strategies to allow for public participation:

- Meetings are scheduled at times and locations that are convenient and accessible for minority and LEP communities low income and ADA
- Notices for public meetings, public hearings, and other public engagement activities are posted on the TOWN's website: www.portlandct.org
- Public Notices are posted at the Town Hall and at key locations in the community such as the Library and Senior Center
- Comments are accepted at public outreach events, by email, by mail, fax, and phone to ensure that all populations have the opportunity to participate

The following are potential options that the TOWN may incorporate if and when the need arises for LEP outreach:

- 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.
- When running a general public meeting notice, based on the LEP population and when relevant, staff will insert the clause 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."
- Key print materials will be translated and made available at TOWN offices and in communities when a specific and concentrated LEP population is identified

TITLE VI COMPLAINT PROCESS AND PROCEDURE

Any person who feels that they have been discriminated against on the basis of race, color, or national origin by the Town of Portland may file a Title VI complaint by completing and submitting the Town of Portland Title VI Complaint Form. The Town of Portland investigates complaints received no more than 180 days after the alleged incident. The Town of Portland will process complaints that are complete.

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

The Town of Portland has 30 days to investigate the complaint. If more information is needed to resolve the case, Town of Portland may contact the complainant. The complainant has 15 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, the Town of Portland can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

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

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

APPENDIX A. NOTICE TO THE PUBLIC



Town of Portland, Connecticut

Title VI Notice to the Public

- The Town of Portland operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes that he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Town of Portland.
 - For more information on the Town of Portland civil rights program, and the procedures to file a complaint, contact 860-342-6715, TRS 711; sbransfield@portlandct.org; or visit our administrative office at 33 East Main Street, Portland, Connecticut 06480. For more information, visit www.portlandct.org.
 - A complainant may file a complaint directly with the Connecticut Department of Transportation by filing a complaint with the Office of Contract Compliance, Attention: Title VI Coordinator, 2800 Berlin Turnpike, Newington, CT 06111.
 - A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.
 - If information is needed in another language, contact 860-342-6715.
-

Spanish| Para información adicional, o asistencia lingüística gratuita, por favor llame al (860) 342-6715
Italian| Per informazioni aggiuntive o assistenza linguistica gratuita, chiamare il numero (860) 342-6715
Portuguese| Para obter mais informações, ou para auxílio gratuito em outro idioma, ligue para (860) 342-6715

French| Si vous souhaitez en savoir plus ou bénéficier d'une assistance linguistique gratuite, merci de composer le numéro suivant (860) 342-6715

Polish| Aby uzyskać dodatkowe informacje lub bezpłatną pomoc tłumacza, proszę dzwonić pod numer (860) 342-6715

Russian| Для получения подробной информации или бесплатных услуг перевода звоните по телефону (860) 342-6715

Haitian Creole| Pou jwenn plis enfòmasyon, oswa asistans ak lang gratis, ranpri rele (860) 342-6715

Simplified Chinese| 如需更多信息或免费语言协助, 请致电 (860) 342-6715

Arabic| لمزيد من المعلومات أو للحصول على مساعدة لغوية مجانية، يرجى الاتصال بالرقم (860) 342-6715

Hindi| अधिक जानकारी या धनिःशुल्क भाषा संबंधिी सहायता के धिए कृ पया (860) 342-6715 पर कॉि करें।

Korean| 추가 정보가 필요하거나 무료 언어 지원이 필요하시면 (860) 342-6715 로 전화주십시오

Vietnamese| Để có thêm thông tin hoặc hỗ trợ ngôn ngữ miễn phí, vui lòng gọi (860) 342-6715

APPENDIX B.

TOWN OF PORTLAND TITLE VI COMPLAINT FORM

APPENDIX C.

TOWN OF PORTLAND TITLE VI COMPLAINT LOG

APPENDIX D.
LANGUAGE IDENTIFICATION FLASHCARD