



# Town of Plainfield

# Title VI Plan

8 Community Avenue, Plainfield, CT 06374

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## Policy Statement

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

## Town of Plainfield Title VI Coordinator

Jordan Lumpkins  
Grant Writer/Economic Development  
[jlumpkins@plainfieldct.org](mailto:jlumpkins@plainfieldct.org)  
860-230-3003

# Contents

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1. Introduction - 4
2. Full Title VI Notice to the Public - 5
3. Title VI and Non-Discrimination Policy Statement - 6
4. Title VI Coordinator Responsibilities - 8
5. Title VI Complaint Procedure - 9
6. Limited English Proficiency Plan - 10
  - *Meaningful Access: Four Factor Analysis -10*
  - *Public Participation Summary -13*
  - *Language Assistance Plan - 15*
  - *Monitoring and Updating the LEP Plan - 17*

Appendix A – Title VI Complaint Form

Appendix B – CTDOT Assurances

Appendix C - Governing Laws, Regulations and Guidance

## Introduction

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

## Full Title VI Notice to the Public

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

To request additional information or to file a Title VI complaint, please submit your request or complaint in writing to:

Town of Plainfield  
Attn: Jordan Lumpkins, Title IV Coordinator  
8 Community Ave.  
Plainfield, CT 06374

Connecticut Department of Transportation  
Attention: Debra Goss, Title VI Coordinator - email: [Debra.goss@ct.gov](mailto:Debra.goss@ct.gov) 2800 Berlin Turnpike, Newington,  
Connecticut 06111

Federal Transit Administration (FTA) Title VI complaints may be filed directly to: FTA Office of Civil Rights  
1200 New Jersey Avenue, SE - Washington, DC 20590

Federal Highway Administration (FHWA) Title VI complaints may be filed directly to: FHWA Office of Civil Rights  
1200 New Jersey Avenue, SE, 8th Floor E81-105 - Washington, DC 20590

## Title VI and Non-Discrimination Policy Statement

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

Since the Civil Rights Act of 1964, other nondiscrimination laws have been enacted to expand the range and scope of Title VI coverage and applicability:

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

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

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

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

The Plainfield Title VI Coordinator – Jordan Lumpkins - is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulations (CFR) 200and 49 CFR 21.



2-24-22

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Signature

Date

Kevin Cunningham  
First Selectman

## Title VI Coordinator Responsibilities

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

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



## Title VI Complaint Procedure

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

Once the complaint is received, the Town of Plainfield 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 Plainfield 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 Plainfield has 60 days to investigate the complaint. If more information is needed to resolve the case, the Town of Plainfield 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 Plainfield can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or any other action will occur. If the complainant wishes to appeal the decision, she/he has 30 days after the date of the closure letter or the LOF to do so.

A person may file a complaint with:  
Town of Plainfield  
Attn: Title VI Coordinator  
8 Community Ave,  
Plainfield, CT 06374

A person may also file a complaint directly with CTDOT at:  
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.

# Limited English Proficiency Plan

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## Introduction

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

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

## Plan Summary

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

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

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

## Meaningful Access: Four Factor Analysis

**1. The number or proportion of LEP persons in the service area who may be served or are likely to require Town services** (source 2019 American Community Survey). At present the number of LEP persons is limited. This may change going forward and the Town is committed to monitoring for changes that may require a shift in our LEP policies. As the current data shows, most of the region's population is White and overwhelmingly speak English as their primary language or speak it very well. Based on the 2017 Census data the region had just 3.5% Spanish speaking persons, 1.9% other Indo-European language speaking persons. Currently, 97.7% of our population speaks English "very well". Accordingly, the number of LEP persons in our region is very limited at present. However, the Town is fully prepared to address such populations should the need arise.

Plainfield town, Windham County, Connecticut						
	General		Speak English only or speak English "very well"		Speak English less than "very well"	
Label	Total	Percent	Total	Percent	Total	Percent
Population 5 years and over	14,117	(X)	13,787	97.7%	330	2.3%
Speak only English	13,225	93.7%	(X)	(X)	(X)	(X)
Speak a language other than English	892	6.3%	562	63.0%	330	37.0%
<b>SPEAK A LANGUAGE OTHER THAN ENGLISH</b>						
Spanish	497	3.5%	303	61.0%	194	39.0%
5 to 17 years old	49	0.3%	49	100.0%	0	0.0%
18 to 64 years old	437	3.1%	254	58.1%	183	41.9%
65 years old and over	11	0.1%	0	0.0%	11	100.0%
Other Indo-European languages	262	1.9%	179	68.3%	83	31.7%
5 to 17 years old	0	0.0%	0	-	0	-
18 to 64 years old	138	1.0%	87	63.0%	51	37.0%
65 years old and over	124	0.9%	92	74.2%	32	25.8%
Asian and Pacific Island languages	106	0.8%	63	59.4%	43	40.6%
5 to 17 years old	23	0.2%	9	39.1%	14	60.9%
18 to 64 years old	68	0.5%	39	57.4%	29	42.6%
65 years old and over	15	0.1%	15	100.0%	0	0.0%
Other languages	27	0.2%	17	63.0%	10	37.0%
5 to 17 years old	0	0.0%	0	-	0	-
18 to 64 years old	27	0.2%	17	63.0%	10	37.0%
65 years old and over	0	0.0%	0	-	0	-
<b>CITIZENS 18 YEARS AND</b>						
All citizens 18 years old and over	11,661	(X)	11,448	98.2%	213	1.8%
Speak only English	11,053	94.8%	(X)	(X)	(X)	(X)
Speak a language other than English	608	5.2%	395	65.0%	213	35.0%
Spanish	408	3.5%	254	62.3%	154	37.7%
Other languages	200	1.7%	141	70.5%	59	29.5%

Language spoken at home 2019 American Community Survey

**2. The frequency with which LEP persons come in contact with Town of Plainfield services.**

The Town of Plainfield has had no request for LEP services. The Town of Plainfield does however oversee the implementation of the LEP Plan developed by the Northeastern Connecticut Council of Governments (NECCOG) for the Northeastern Connecticut Transit District (NCTD). This plan can be found at [www.nctd.org](http://www.nctd.org). The site also includes telephone interpreter service - Language Line Services at <http://www.language.com>. The translation services for NCTD have not yet been requested or utilized.

There is currently no record of LEP persons unable to receive services due to a language barrier in Plainfield. Additionally, there have been no cases when an LEP person has requested accommodations of any sort. Our senior transportation drivers have not had any interactions with LEP persons.

**3. The nature and importance of services provided by The Town of Plainfield to the LEP population.**

The Town of Plainfield engages in and administers a variety of programs, activities, and services of importance to LEP persons, and residents in general. These include general government services, recreational programming, and most notably, the senior transportation program. The senior transportation program plays a vital role in the lives of many elderly residents, allowing them to live healthy and independent lives longer than if they did not have access to the service.

**4. The resources available to the Town of Plainfield, and overall costs to provide LEP assistance.**

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

- a. CT Department of Public Health "I Speak Cards" are available at the Town Hall and will be printed at no cost to residents – Staff will be trained on how to use these cards.
- b. When an interpreter is needed, in person or on the telephone, and staff has exhausted the above options, staff will first attempt to determine what language is required. Staff shall use the telephone interpreter service - Language Line Services at <http://www.language.com>. On the Language Line home page the staff will select the "Need an Interpreter Now" link and follow the directions to receive an access code.
- c. All Town of Plainfield staff are provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of Town of Plainfield staff orientation process for new hires and will be part of annual staff training updates. Training topics are listed below:
  - I. Understanding the Title VI policy and LEP responsibilities;
  - II. What language assistance services the Town offers;
  - III. Use of LEP "I Speak Cards"
  - IV. How to use the Language Line interpretation and translation services;
  - V. Documentation of language assistance requests;
  - VI. How to handle a Title VI and/or LEP complaint

## Public Participation

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

The Town of Plainfield's Public Participation Plan and Limited English Proficiency Plan has an emphasis on engaging individuals and segments of the public who are directly affected by a project. Town staff are encouraged to both reach out to groups of people traditionally underrepresented and significantly affected by the decisions a project entails.

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

Principles to support the commitment described above, Town of Plainfield uses the following principles to guide engagement:

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

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

- When the Town of Plainfield conducts a formal public hearing, members of the public are provided the opportunity to testify in accordance with Town policies. Some plans and projects are also discussed in committee meetings prior to the formal public hearing.
- Comments collected during formal public comment periods and hearings are provided in their entirety and with staff responses to the Board of Selectmen when it is slated to take action. The format of these responses may vary based on the project. In other instances, the Town of Plainfield balances its employees' professional expertise and technical analysis with perspectives gathered from the public during project development.
- For formal comment periods and hearings, all comments are provided to the Board of Selectmen for consideration. During other opportunities for the public to provide their perspectives, the Town of Plainfield responds as is appropriate to the situation.

### **Invitation And Consideration of Perspectives From Those Traditionally Underrepresented**

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

### **Regular Review of Public Engagement Processes**

The Town of Plainfield regularly reviews the implementation of this plan and the ability of the principles, steps, techniques, and tools in this document to advance meaningful public engagement. The Town will use a variety of means to determine the effectiveness of engagement strategies including data collection, feedback from participants of public events, review of attendance at public events and evaluation of the implementation of a variety of techniques and tools. The outcomes of these evaluations will inform future engagement, and successful activities will be continued while those that underperform will be eliminated. The Public Participation Plan is reviewed every three years (from date of most recent adoption) by the Title VI Coordinator and the Board of Selectmen to better serve our residents and meet CTDOT standards.

## Language Assistance Plan

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The Town of Plainfield, as a public entity and recipient of federal funds, is responsible for determining the right mix of language assistance services based upon what is reasonable and necessary for the recipient after consideration of the results from the Four Factor Analysis. The Town of Plainfield's Four Factor analysis shows that the Town has a low, overall LEP population and that the Town has infrequent contact with LEP persons; therefore, the Town has determined that it will provide language assistance services on a case-by-case or as-needed basis.

The Town of Plainfield is prepared at all times to respond to each request for language assistance and to provide reasonable access to the Town's programs and activities. Language assistance may include oral interpretation services of agency documents or at public events, written or electronic translation of summaries of agency documents or the full text of agency documents.

The Town of Plainfield will also place a statement on its website that informs visitors that the Town will provide language assistance services free of charge and upon request. This statement will be placed on the Town's website and can be translated into 81 different languages utilizing the websites "Translate" feature.

### Specific Assistance Strategies:

#### Oral Language Services (Interpretation)

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

Given the infrequency of contact with LEP individuals and the low concentration of LEP populations in Plainfield, providing robust interpretation services is not deemed necessary at this time. When interpretation services are requested, the Town will use a telephonic interpretation service recommended in the U.S. DOT Policy Guidance on responsibilities to LEP individuals.

#### Written Language Services

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

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

- The Town will provide written translations of vital documents for each eligible LEP language group that constitutes **5% of the population served or 1,000 individuals, whichever is less**. Translation of other documents, if needed, can be provided orally through a competent interpreter.
- The Town of Plainfield will not translate vital written materials for language groups consisting of fewer than 50 individuals but will provide written notice in the primary language of the LEP language group

of the right to receive competent oral interpretation of those written materials free of cost.

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

The Town of Plainfield has identified the following documents as vital written materials:

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

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

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

#### Website

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

#### Providing Notice to LEP Persons

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

- A notice regarding language assistance for LEP individuals will be posted on the Town’s website ([www.plainfieldct.org](http://www.plainfieldct.org)), along with related documents and a copy of this plan.
- Signage will be posted at Town facilities indicating that free language assistance is available.
- A notice regarding the availability of language assistance for LEP individuals will be published in local newspapers on an annual basis.

#### **Training**

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



## Monitoring and Updating the LEP Plan

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This plan is designed to be flexible and is one that can be easily updated. At a minimum, Town of Plainfield will follow the Title VI Program update schedule for the LEP Plan. Each update shall examine all plan components such as:

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

Appendix A - Title VI Complaint Form

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See Next Page

**TOWN OF PLAINFIELD TITLE VI COMPLAINT FORM**

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print	<input type="checkbox"/>	Audio Tape	<input type="checkbox"/>
	TDD	<input type="checkbox"/>	Other	<input type="checkbox"/>
<b>Section II:</b>				
Are you filing this complaint on your own behalf?			Yes* <input type="checkbox"/>	No <input type="checkbox"/>
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Section III:</b>				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				

<b>Section IV</b>		
Have you previously filed a Title VI complaint with this agency?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Section V</b>		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, check all that apply:		
<input type="checkbox"/> Federal Agency: _____		
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____	
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____	
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		
<b>Section VI</b>		
Name of agency complaint is against:		
Contact person:		
Title:		
Telephone number:		

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

Signature and date required below

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Signature

Date

Please submit this form in person at the address below, or mail this form to:

- Town of Plainfield, Attn: Title VI Coordinator, 8 Community Ave, Plainfield, CT 06374; or
- Connecticut Department of Transportation, Office of Contract Compliance, Attn: Title VI Coordinator, 2800 Berlin Turnpike, Newington, CT 06111; or
- Federal Transit Administration, FTA Civil Rights Office, 1200 New Jersey Avenue SE, Washington, DC 20590

## Appendix B CTDOT Assurances

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See next Page

**The United States Department of Transportation (USDOT)  
Standard Title VI/Non-Discrimination Assurances  
DOT Order No. 1050.2A**

The Connecticut Department of Transportation (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration, is subject to and will comply with the following:

**Statutory/Regulatory Authorities**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964).

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

**General Assurances**

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration.*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

**Specific Assurances**

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federal-aid Highway Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-aid Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*"The Recipient in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively insure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Connecticut Department of Transportation also agrees to comply (and require any subrecipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the *Federal Highway Administration* access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by *the Federal Highway Administration*. You must keep records, reports, and submit the material for review upon request to *the Federal Highway Administration*, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Connecticut Department of Transportation gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-





## Appendix C

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### Federal Statutes

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

Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352, 78 Stat. 252 (1964) (42 U.S.C. §§ 2000d-2000d-7) – provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## Executive Orders

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Administrative Guidance

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

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

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

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

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

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

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

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

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

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