



for the Central Connecticut Regional Planning Agency

Adopted: March 18th, 2014
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Central Connecticut Regional Planning Agency
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INTRODUCTION

The Central Connecticut Regional Planning Agency (CCRPA) is the federally-designated Metropolitan Planning Organization (MPO) for the Central Connecticut Region. CCRPA is guided by federal Title VI, Environmental Justice (EJ), and Limited English Proficiency (LEP) laws, regulations, and guidance to ensure that:

- The planning process does not exclude any segment of the population, particularly minority, disabled, elderly, and low-income populations.
- Transportation investments do not disproportionately benefit or burden a population group.

Review of Title VI, EJ, and LEP

Title VI of the 1964 Civil Rights Act prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.¹ A Title VI violation occurs when federally-funded projects disproportionately benefit or negatively affect any specific group of people.

A 1994 Presidential Executive Order on Environmental Justice (EJ) directs every federal agency to identify and address the effects of all programs, policies, and activities on minority and low-income populations. Effective transportation planning depends on understanding and addressing the needs of all socioeconomic groups.²

A 2000 Presidential Executive Order on Limited English Proficiency (LEP) directs every federal agency to provide meaningful access for large non-English speaking populations to services and programs that receive federal funding.³

The latest federal guidance (October 2012) is FTA Circular 4702.1B, *Title VI Requirements and Guidelines for Federal Transit Administration Recipients*. This document may be found online at: http://www.fta.dot.gov/legislation_law/12349_14792.html.

¹ U.S. Department of Justice Title VI Website. <http://www.usdoj.gov/crt/cor/coord/titlevi.htm>. Accessed 2013.

² U.S. Department of Transportation Environmental Justice Website. <http://www.fhwa.dot.gov/environment/ej2000.htm>. Accessed 2012.

³ Limited English Proficiency Interagency Website. <http://www.lep.gov/13166/eo13166.html>. Accessed 2012.

Relation to transportation plans and projects

CCRPA seeks to incorporate Title VI, EJ, and LEP considerations into all of its activities, including documents such as the region's Long Range Transportation Plan (LRTP), its Transportation Improvement Program (TIP), and any special plans and studies that CCRPA undertakes.

The LRTP lays out a vision for the development of the region's transportation system over a longer span, typically 30-years. The LRTP contains demographic and socioeconomic analysis of the region.

The TIP lists all transportation projects in the region that are scheduled to receive federal funding over a four year period. Projects in the TIP as of publication have been plotted on a map of the region to analyze the impacts to population segments. (See *Maps & Impact Analysis*, p. 9.)

Relation to the MPO process

Title VI, EJ, and LEP concerns guide CCRPA's planning and public participation processes. The Public Participation Plan (PPP) describes how CCRPA works to inform and involve all segments of the population. The PPP specifically addresses Title VI, EJ, and LEP concerns. Unified Planning Work Program (UPWP), which is CCRPA's plan of work, includes projects designed to serve and involve minority, disabled, elderly, and low-income populations and results in quarterly reporting on Title VI, EJ, and LEP-related activities.

In response to a request by the Connecticut Department of Transportation, CCRPA collects data on the racial/ethnic composition of its committees and boards.

Policy statement and endorsement

CCRPA is committed to ensuring that no person is excluded from participation, denied benefits, or otherwise subjected to discrimination under any program or activity, on the basis of race, color, national origin, or any other basis as described by applicable laws, regulations, and guidance on Title VI, EJ, and LEP.

CCRPA as a recipient and subrecipient 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 (such as EJ and LEP) in all programs and activities.

Any person who believes that he or she has been subjected to discrimination or retaliation in violation of Title VI, EJ, and LEP laws may file a formal complaint directly to CCRPA or the funding agency. Please see the “Complaint Process and Forms” section for more information.

CCRPA’s Board has adopted and endorsed this program. (See *Appendix A: endorsement*, p. 17, for a resolution to this effect.)

LANGUAGE ASSISTANCE PLAN

In accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, no person shall be subjected to discrimination on the basis of race, color, or national origin. 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.

CCRPA is committed to giving residents with LEP meaningful access to its transportation planning and services. The analysis below identifies LEP populations in the region as of 2010 and documents how they will be provided with language services.

Four Factor Analysis

FACTOR 1. THE NUMBER AND PROPORTION OF LEP PERSONS SERVED OR ENCOUNTERED IN THE CCRPA MPO REGION.

The U.S. Department of Justice has recommended the following two criteria to identify LEP populations. For a non-English speaking group to qualify as LEP, they must either:

1. Constitute at least 5% of the total population,
2. Or number at least 1,000 persons

and not speak English very well. The 2010 American Community Census reports that 21,614 persons, or 9.8% of all residents in the region, speak a foreign language natively and do not speak English “very well.” The two largest non-English language groups are Spanish and Polish. 8,622 Spanish speakers (3.9% of the region’s population) report speaking English less than “very well.” 7,124 Polish speakers (3.2%) report the same. The following table shows the languages where more than 0.1% of the population speaks English less than “very well.”

CCRPA has identified Spanish and Polish as the primary languages requiring assistance.

Native language	Persons	Percent	Speaks English less than “very well”	
			Persons	Percent
English	167,629	76.1%	--	--
Spanish or Spanish Creole	22,743	10.3%	8,622	3.9%
Polish	13,128	6.0%	7,124	3.2%
French (incl. Patois, Cajun, Creole)	5,562	2.4%	1,393	0.6%
Italian	3,089	1.4%	1,186	0.5%
Portuguese or Portuguese Creole	594	0.3%	282	0.1%
Serbo-Croatian	640	0.3%	244	0.1%
Other Indo-European languages	669	0.3%	155	0.1%
Russian	386	0.2%	206	0.1%
Other Slavic languages	411	0.2%	213	0.1%
Chinese	440	0.2%	331	0.2%
Other Asian languages	419	0.2%	143	0.1%
Arabic	428	0.2%	237	0.1%

New Britain has the highest LEP population among the region’s municipalities. In the city, 9.4% and 8.4% of Spanish and Polish native speakers, respectively, speak English less than “very well”.

FACTOR 2. THE FREQUENCY WITH WHICH LEP INDIVIDUALS COME INTO CONTACT WITH MPO PROGRAMS, ACTIVITIES, AND SERVICES.

CCRPA staff has reviewed the frequency with which LEP persons have come in contact with services provided by the MPO. Over the past four years, two phone requests were made for a paratransit application to be translated into Spanish. There have been no other 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 3. THE NATURE AND IMPORTANCE OF THE PROGRAM, ACTIVITY OR SERVICE PROVIDED BY THE MPO TO THE LEP POPULATION.

The CCRPA MPO uses federal funds to plan for future transportation improvements and projects. 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 4. THE RESOURCES AVAILABLE TO THE MPO AND OVERALL COSTS TO PROVIDE LEP ASSISTANCE.

In the event that a service is required beyond the assistance provided by staff, CCRPA will seek to provide language assistance. Agendas include notices in Spanish and Polish that interpreters are available on request. To date, no such service has been requested.

In the past, the two paratransit requests for a Spanish-translated document were directed to DATTCO, the Paratransit service provider. DATTCO has staff fluent in Spanish, and were successful in meeting the LEP needs.

Several documents on the CCRPA website are available for LEP persons, including the *Public Participation Plan*, which was translated into Spanish. The *Action Plan of the Long-Range Transportation Plan* and an informational brochure about CCRPA and MPOs were also translated into Polish and Spanish. Due to the cost of translation services and the few LEP requests made, CCRPA will translate documents on a requested basis.

More details on resources to LEP individuals are detailed in the *Assistance Plan* (below).

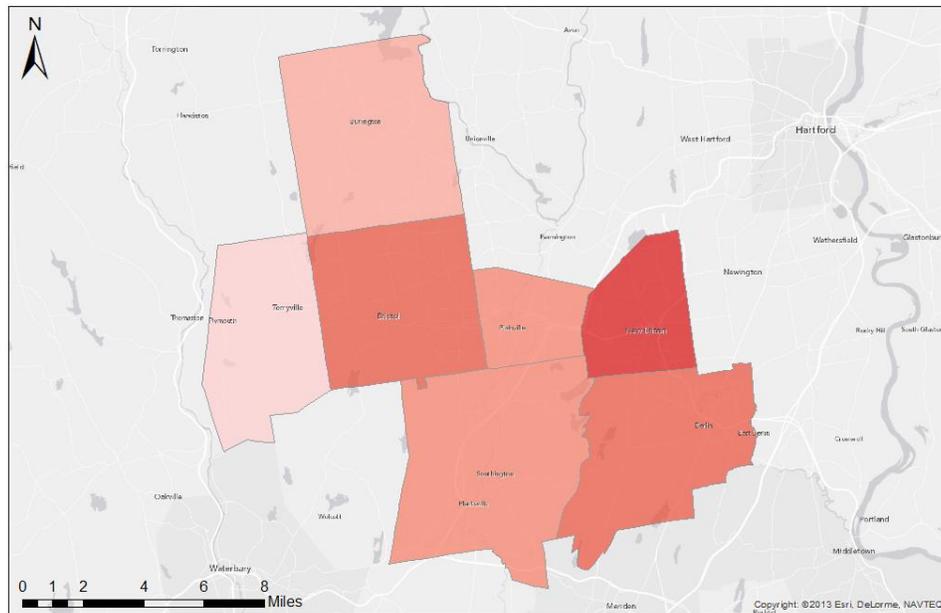
Assistance Plan

TASK 1. IDENTIFYING LEP INDIVIDUALS

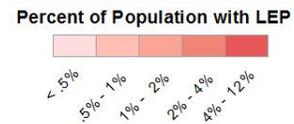
LEP persons have been identified according to the Four Factor Analysis. Based on the demographic data provided by the 2010 American Community Survey, roughly 10% of the region speaks English less than “very well.” The map below shows the geographic distribution of identified LEP persons. New Britain has the highest population of residents speaking 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.
- CCRPA will share relevant documents with local organizations serving any LEP persons in the region.



Percent of Town Population with Limited English Proficiency (LEP) within the Central Connecticut Region



TASK 2. LANGUAGE ASSISTANCE MEASURES

CCRPA 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 in both Spanish and Polish.
- The *Public Participation Plan* is published online in Spanish.
- CCRPA will translate any published documents in another language upon request.

TASK 3. TRAINING STAFF

Training will be provided to staff members to inform them of Title VI procedures in the event that language assistance is requested. Training will include the following:

- Summary of the Title VI policy and CCRPA'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, posted in Spanish and Polish, to contact the office if assistance is needed. Should a request arise for the assistance of an interpreter or translator, the MPO will seek to cover the cost of the service. Any notice will inform LEP individuals that language assistance is provided free of charge.

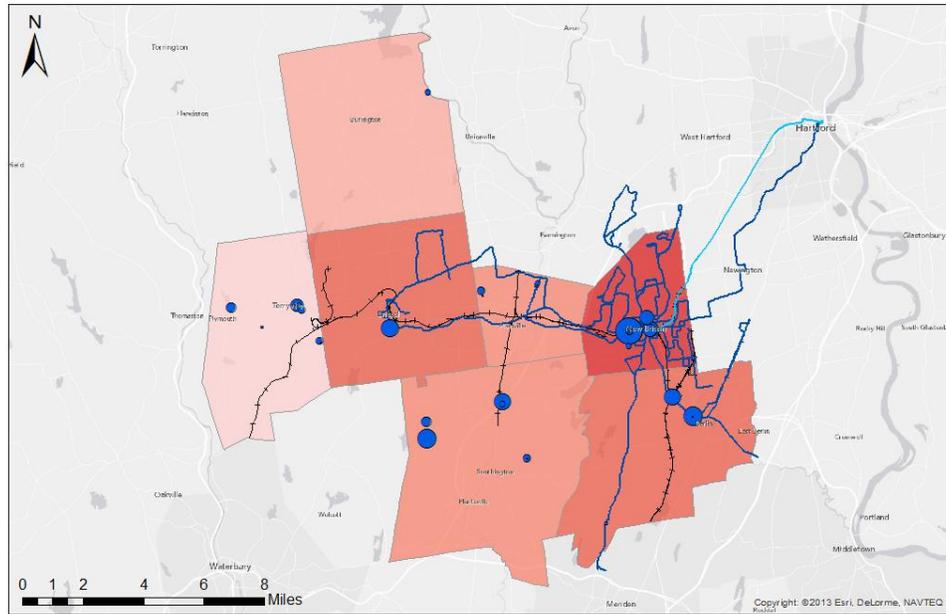
TASK 5. MONITORING AND UPDATING THE LEP PLAN

CCRPA will review the Language Assistance Plan on a regular basis and update it as is necessary. The identification of LEP populations will be updated as new demographic data are made available. CCRPA will also maintain information on assistance requested and provided to LEP persons through:

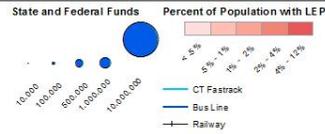
- Documentation of contact with LEP persons and requests for language assistance.
- Examination of how the LEP persons' requests were handled.
- Determination of any changes in the LEP populations in the region.
- Determination of the effectiveness of the current language assistance measures to meet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

MAPS & IMPACT ANALYSIS

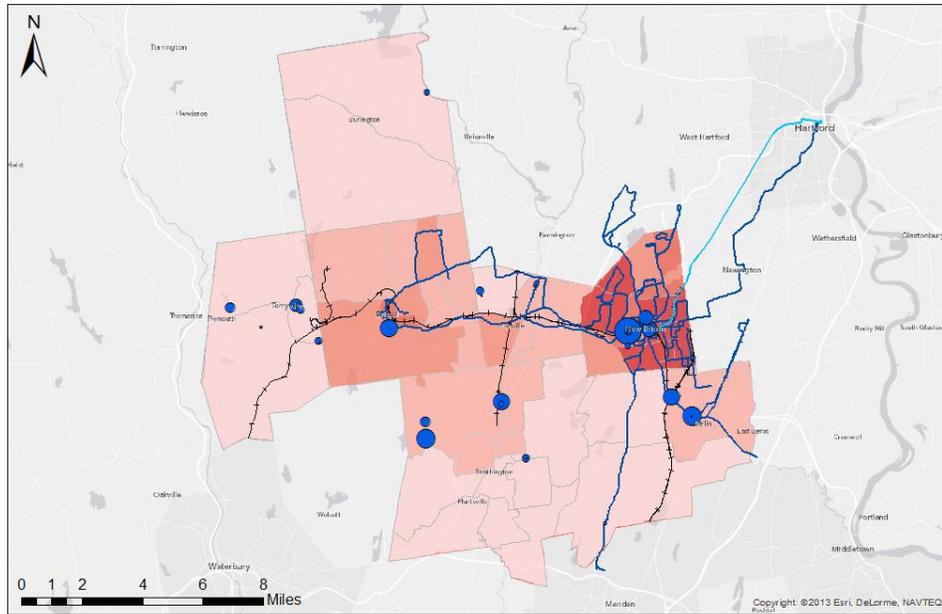
The *Long-Range Transportation Plan* features demographic and socioeconomic maps, e.g., income, age, disability, race, ethnicity, and vehicle availability, for the region. This section reviews the projects from the TIP in relation to population groups of special concern.



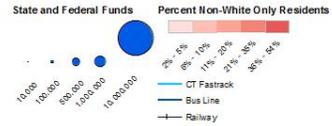
Transportation Project Locations and Percent of Town Population with Limited English Proficiency (LEP) within the Central Connecticut Region



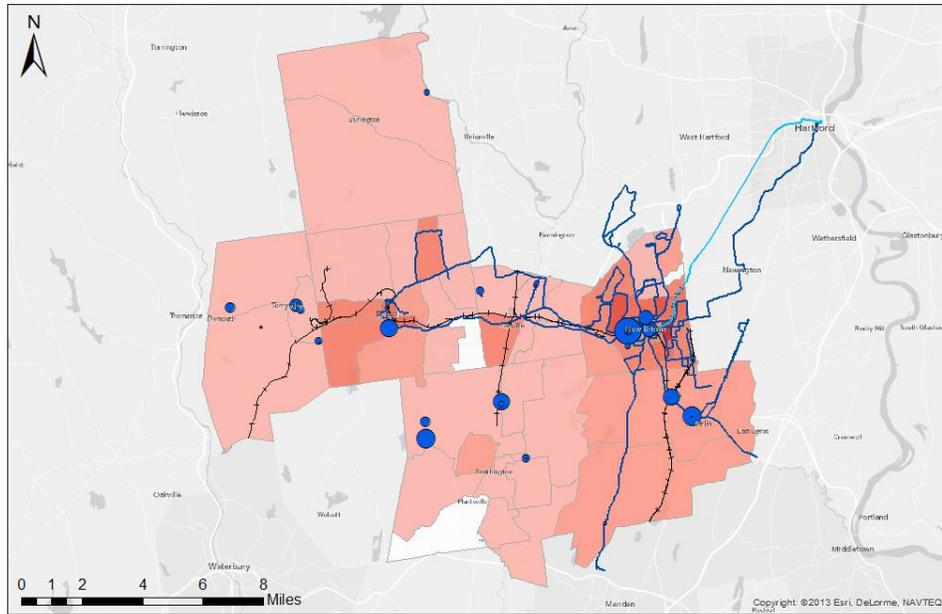
LEP Population	No. of Projects	Funding	Percent of Funding
< .5%	8	\$3,518,000	11.4%
.5% - 1%	1	\$300,000	1.0%
1% - 2%	10	\$7,506,000	24.3%
2% - 4%	5	\$7,651,000	24.8%
4% - 12%	8	\$11,924,000	38.6%
Total	32	\$30,899,000	100.0%



Transportation Project Locations and People of Color within the Central Connecticut Region



Non-White-Only Residents	No. of Projects	Funds	Percent of Funding
2% - 5%	14	\$4,981,000	16.1%
6% - 10%	9	\$11,562,000	37.4%
11% - 20%	1	\$2,432,000	7.9%
21% - 35%	5	\$7,020,000	22.7%
36% - 54%	3	\$4,904,000	15.9%
Total	32	\$30,899,000	100.0%



Transportation Project Locations and Residents Living Under the Poverty Line within the Central Connecticut Region

Population Below Poverty Line	No. of Projects	Funds	Percent of Funding
0%	0	\$0	0.0%
0.1% - 5%	19	\$11,324,000	36.7%
5.1% - 10%	5	\$7,651,000	24.8%
10.1% - 20%	7	\$10,324,000	33.4%
20.1% or more	1	\$1,600,000	5.2%
Total	32	\$30,899,000	100.0%

COMPLAINT PROCESS AND FORMS

CCRPA logs of all complaints. Separate processes to address for general complaints and Title VI/EJ/LEP complaints have been instituted. Complaint forms are available online at CCRPA's website; the form shown in *Appendix B: complaint form* (p. 18) is for reference.

This section lays out the process CCRPA follows to address Title VI/EJ/LEP complaints, while ensuring due process for complainants and respondents. This process does not preclude CCRPA from attempting to resolve complaints informally.

This Appeals Process applies to all complaints filed under Title VI of the Civil Rights Act of 1964, Executive Order 12898 regarding Environmental Justice, and Executive Order 13166 regarding Limited English Proficiency relating to any federally-funded program or activity administered by CCRPA or its subrecipients, consultants, and contractors. The process does not deny the right of the complainant to file complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. It does not include punitive damages or compensatory remuneration for the complainant. Intimidation or retaliation of any kind is prohibited by law.

CCRPA will make reasonable efforts to obtain early resolution of complaints at the lowest level possible. The option of informal mediation between the affected parties and CCRPA's Title VI Coordinator may be utilized for resolution at any stage of the process. The Title VI Coordinator will make reasonable efforts to pursue a resolution to the complaint.

CCRPA's Transportation Committee serves as its MPO Appeals Board.

PROCEDURE FOR FILING A FORMAL TITLE VI, EJ, OR LEP COMPLAINT WITH CCRPA

1. Any person who believes s/he has been subjected to discrimination prohibited under Title VI, Executive Order 12898, and/or Executive Order 13166 may file a complaint with CCRPA's Title VI Coordinator. The Coordinator will determine the jurisdiction of the complaint, acceptability, the need for additional information, and investigate the merit of the complaint. Complaints against CCRPA should be referred to the Title VI Coordinator for proper disposition. In cases in which the complaint is against one of CCRPA's subrecipients of federal funds, CCRPA may assume jurisdiction to investigate and adjudicate the case. CCRPA may provide itself or obtain services to review or investigate matters.

2. In order to be accepted, a formal complaint must meet the following criteria:
 1. The complaint must be in writing and signed and dated by all complainant(s).
 2. The complaint must be filed within 180 calendar days of the alleged occurrence(s) or when the alleged discrimination became known to the complainant.
 3. The complaint must be filed no later than 5 years after the alleged occurrence(s).
 4. The allegation(s) must involve a covered basis such as race, religion, color, national origin, or sex.
 5. The allegation(s) must involve an MPO-related program or activity of a Federal-aid recipient, subrecipient, consultant, or contractor.
 6. The complainant must accept reasonable resolution based on CCRPA's administrative authority (reasonability to be determined by CCRPA).
3. The formal complaint must include:
 1. The location and date of the alleged act of discrimination.
 2. The date when the complainant became aware of the alleged discrimination.
 3. Identity of the person(s) alleged to have discriminated against the complainant, including job titles of the person(s), and the organizations represented by the person(s).
 4. A detailed description of the incident.
4. The Title VI Coordinator shall notify the complainant and MPO Appeals Committee in writing within 21 calendar days of receipt of the complaint. The complaint will receive a case number and all information pertaining to the case will be logged into CCRPA's records.
5. The notification shall include a determination of complaint acceptance. Complaints failing to meet criteria 2(a) through (f) shall be deemed nonjusticiable and dismissed accordingly.
6. A complaint may also be dismissed for the reasons listed below.
 1. The complainant requests the withdrawal of the complaint.
 2. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
 3. The complainant cannot be located after reasonable attempts.
 4. The complaint is frivolous or harassing.
7. In cases where the Title VI Coordinator accepts a complaint and assumes its investigation (or appoints an investigator):

1. The Coordinator or investigator shall provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 14 calendar days from the date of the Title VI Coordinator's written notification of receipt of the complaint to furnish his/her response to the allegations.
 2. The Coordinator or investigator shall prepare an investigative report that includes a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
 3. The investigative report shall be sent to the MPO Appeals Committee and CCRPA's Executive Director. The Appeals Committee and Executive Director will review the report and associated information and will provide feedback to the Investigator within 60 calendar days. The report will be modified as needed and made final for its release.
 4. CCRPA will notify the parties of its final decision.
 5. CCRPA's final investigative report and a copy of the complaint shall be forwarded to the Office of Civil Rights or equivalent office at the relevant federal agency (e.g., FHWA, FTA) within 7 calendar days of final report completion.
8. If the complainant is not satisfied with the results of the investigation and final report, he or she will be advised of the right to appeal to the U.S. Department of Transportation (USDOT). The complainant has 180 calendar days after CCRPA's final resolution to appeal to USDOT. Unless the facts not previously considered come to light, reconsideration of appeal to CCRPA will not be available.

CONFLICT OF INTEREST STIPULATIONS

1. Should the complaint allege discrimination by the Title VI Coordinator against the complainant, the MPO Appeals Committee shall appoint an Ad Hoc Coordinator to investigate and address the complaint. The complainant and Ad Hoc Coordinator shall follow the process laid out above, with the temporary Coordinator standing in for the Title VI Coordinator.
2. Should the complaint allege discrimination by specific members of the MPO Appeals Committee, those members shall recuse themselves. Should recusals render a quorum of the MPO Appeals Committee impossible, the Central Connecticut Regional Planning Agency Board shall serve in lieu of the Committee.

CONTACT INFORMATION

Questions and comments may be directed in writing to CCRPA's Title VI Coordinator at:

Cheri Bouchard-Duquette
225 N Main St Ste 304
Bristol, CT 06010-4993
cheri@ccrpa.org

Additionally, Connecticut Department of Transportation Title VI complaints may be filed directly to:

Title VI Coordinator
CT Department of Transportation
2800 Berlin Turnpike
Newington, CT 06131-7546

Federal Transit Administration (FTA) Title VI complaints may be filed directly to:

Title VI Program Coordinator
East Building, 5th Floor, TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Federal Highway Administration (FHWA) Title VI complaints may be filed directly to:

Investigations & Adjudication Team Director
FHWA Office of Civil Rights
1200 New Jersey Avenue, SE, Suite E-81
Washington, DC 20590

APPENDIX A: ENDORSEMENT

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

Serving Berlin, Bristol, Burlington, New Britain, Plainville, Plymouth, and Southington

225 North Main Street, Suite 304, Bristol, CT 06010-4993 · tel/fax: 860-589-7820 · <http://ccrpa.org>



RESOLUTION No. 20140318

ENDORSEMENT OF TITLE VI, LEP, AND EJ PROGRAM

WHEREAS,

the **Central Connecticut Regional Planning Agency** is committed to ensuring that no person is excluded from participation, denied benefits, or otherwise subjected to discrimination under any program or activity, on the basis of race, color, national origin, sex, age, or disability, and

WHEREAS,

the **Central Connecticut Regional Planning Agency**, as a recipient and sub-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 (including Executive Order on Environmental Justice and Executive Order on Limited English Proficiency) in all programs and activities, and

WHEREAS,

the **Central Connecticut Regional Planning Agency** has prepared a Title VI Program in accordance with federal regulations and the Federal Transit Administration Circular 4702.1B,

Now, THEREFORE BE IT RESOLVED,

the **Central Connecticut Regional Planning Agency** continues to endorse the Title VI Program which has been updated for compliance with latest federal regulations and authorizes the **Central Connecticut Regional Planning Agency** Executive Director to provide any required assurances to State and federal agencies.

CERTIFICATE

The undersigned duly qualified and acting Secretary of the **Central Connecticut Regional Planning Agency** certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the **Central Connecticut Regional Planning Agency** on **March 18th, 2014**.

DATE: 3-18-14

March 18th, 2014

BY: 

Ken Cockayne, Secretary

APPENDIX B: COMPLAINT FORM

Complaint forms are available online at CCRPA's website. The form here is for reference.

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MPO Appeals Process complaint form

Please give your name and contact information.

Name: _____
Street Address: _____
City/State/Zip Code: _____
Phone: _____

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

- Race, Color, Ethnicity National Origin Limited English Low-income
 Sex Age Disability Other reason

What date(s) and location(s) did the alleged discrimination take place?

Please list names and contact information of any witnesses.

Who allegedly discriminated against you? Please provide the name(s) of the individual(s), the job title of the person(s), and the agency(ies) represented by the person(s).

Please provide a description of the incident(s). Include how you feel that you were discriminated against and how other people, if any, were treated differently. Use additional pages as necessary.

Have you filed this complaint with any other local, state, or federal agency? Yes No

If yes, please provide the name of the agency and the contact person at that agency.

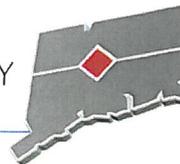
Signature and date: _____

You may include any additional pages and information pertaining to your complaint.

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RESOLUTION No. 20140318

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WHEREAS,

the **Central Connecticut Regional Planning Agency**, as a recipient and sub-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 (including Executive Order on Environmental Justice and Executive Order on Limited English Proficiency) in all programs and activities, and

WHEREAS,

the **Central Connecticut Regional Planning Agency** has prepared a Title VI Program in accordance with federal regulations and the Federal Transit Administration Circular 4702.1B,

Now, THEREFORE BE IT RESOLVED,

the **Central Connecticut Regional Planning Agency** continues to endorse the Title VI Program which has been updated for compliance with latest federal regulations and authorizes the **Central Connecticut Regional Planning Agency** Executive Director to provide any required assurances to State and federal agencies.

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