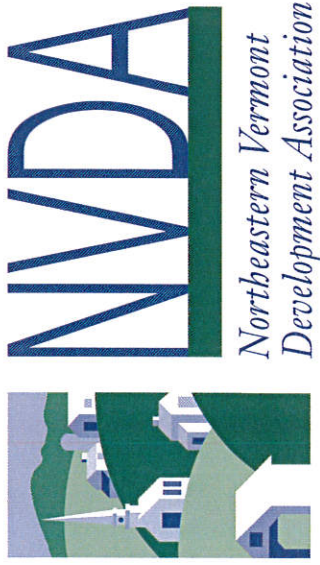




Northeastern Vermont Development Association
Approved by Board of Directors on June 25, 2015

Title VI Plan

Non-Discrimination in Federally Assisted Programs

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I. Introduction

The Northeastern Vermont Development Association (NVDA) receives federal funding to support a number of planning and economic development programs, including transportation, brownfields, Vermont Community Development Program/CDBG, HUD Sustainable Communities, hazard mitigation planning, Intermediary Relending Programs (IRPs), Rural Business Opportunity Grants (RBOGs), Rural Enterprise Grants (REGEs) and other projects. As a subrecipient of such funding, this organization is subject to State and Federal rules and regulations that prohibit discrimination in all activities, whether federally funded or not.

Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related Federal and State statutes and regulations, prohibit discrimination and provide that no person in the United States shall, on the grounds of race, color, national origin, gender, age, low income status, or mental or physical disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. It is the policy of the Northeastern Vermont Development Association (NVDA) to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related federal and state statutes and regulations.

In addition to Title VI of the Civil Rights Act of 1964 NVDA ensures that no person shall, on the grounds of race, color, religion, sex, sexual orientation, age, national origin, marital status, disability, veteran's status, gender identity or any other category now or in the future protected under local, state or federal law be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity whether receiving federal assistance or not.

A key element for addressing Title VI at the planning phase is having an effective public involvement process. That process must be proactive and provide complete information, timely public notice, full public access to key decisions and an opportunity for early and continuing involvement. A public involvement process should also include a process for seeking out and considering the needs of those who are traditionally ignored or underserved (e.g. by existing transportation systems).

The purpose of this document is to serve as a system of procedures and mechanisms to assure nondiscrimination in all of NVDA's programs, activities and services, whether Federally-funded or not (49 CFR 21.7 & 23 CFR 200.5(p)).

II. Authorities

As a recipient of federal funding assistance, the following rules and regulations among others, as amended apply to the activities of this organization:

- *Title VI of The Civil Rights Act of 1964*: 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. (42 USC § 2000d)
- *Civil Rights Restoration Act of 1987*: Restored original intent & scope of Title VI to include all programs & activities of Federal-aid recipients and contractors whether federally funded or not.
- *Executive Order 12250: DOJ Leadership & Coordination of Nondiscrimination Laws*: The U.S. Attorney General shall coordinate the implementation and enforcement by Executive agencies of various nondiscrimination provisions of (a) Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.); (b) Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.); (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794); (d) Any other provision of Federal statutory law which provides, in whole or in part, that no person in the United States shall, on the ground of race, color, national origin, handicap, religion, or sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.
- *Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*: Each Federal agency shall conduct its programs, policies, and activities [including those of recipients (see FHWA Order 6640.23(2)(h))] that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination under, such, programs, policies, and activities, because of their race, color, or national origin.
- *Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency (LEP)*: Presidential directive to federal agencies to ensure meaningful access to services for LEP people. An LEP person does not speak English as primary language and has limited ability to read, speak, write or understand English. Failure to provide LEP person services or meaningful access to services [may] constitute national origin discrimination
- Section 504 of the 1973 Rehabilitation Act (29 USC 790) Handicap/Disability: No QUALIFIED HANDICAPPED PERSON shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits

- of, or be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance.
- 1973 Federal-aid Highway Act (23 USC 324) Sex: 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.
- 1975 Age Discrimination Act (42 USC 6101) Age: 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.
- 49 CFR Part 21: Nondiscrimination in Federally-Assisted Programs of the Department of Transportation: 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 receiving Federal financial assistance from the Department of Transportation.
- 23 CFR Part 200: Title VI Program and Related Statutes: To provide guidelines for: (a) Implementing the Federal Highway Administration (FHWA) Title VI compliance program under Title VI of the Civil Rights Act of 1964 and related civil rights laws and regulations, and (b) Conducting Title VI program compliance reviews relative to the Federal aid highway program.
- 1970 Uniform Act (42 USC 4601): Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970: The Uniform Act, provides important protections and assistance for people affected by Federally funded projects. This law was enacted by Congress to ensure that people whose real property is acquired, or who move as a result of projects receiving Federal funds, will be treated fairly and equitably and will receive assistance in moving from the property they occupy.

This Plan as written applies to all activities of this organization. As a result a number of other authorities apply depending upon the activities involved. For example 24 Code of Federal Regulation (CFR) Part 1 applies to all HUD related work, 40 CFR Part 7 applies to EPA-funded work, Section 204 of Executive Order 11246 of September 24, 1965 applies to USDA Rural Development funded work, etc.

III. NVDA Nondiscrimination Policy

It is the policy of the Northeastern Vermont Development Association (NVDA) to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related federal

and state statutes and regulations. NVDA prohibits discrimination and requires that no person shall, on the grounds of race, color, religion, sex, sexual orientation, age, national origin, marital status, disability, veteran's status, gender identity or any other category now or in the future protected under local, state or federal law be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity whether receiving federal assistance or not.

IV. Organizational Structure

The Executive Director of NVDA is responsible for ensuring the implementation of this Title VI Plan. The Title VI Coordinator, on behalf of the Executive Director, is responsible for the overall management of the Title VI programs, and serves as the Title VI Liaison Officer, DBE Liaison Officer, LEP Coordinator, and ADA Coordinator. The day-to-day administration of the plan lies with the Title VI Coordinator (hereafter referred to as "Coordinator") under the direct supervision of the Executive Director of NVDA.

NVDA is headed by Executive Director, David Snedeker. Judith Butson, Business Manager, serves the role of Title VI Coordinator.

V. Requirements

As part of this Title VI Program, NVDA complies with certain reporting requirements and provides the Vermont Agency of Transportation (VTRANS), Federal Highway Administration (FHWA) or other applicable State or Federal agencies the following information in compliance with these reporting requirements.

1. Provide Title VI Assurances

NVDA will submit its Title VI Assurance as part of its Certifications and Assurances submission to VTRANS and FHWA. While NVDA does not currently have any subrecipients, should sub-recipients exist in the future, NVDA will require receipt of Title VI Assurances from sub-recipients prior to passing through FHWA funds.

A copy of the Title VI Assurance included in the Annual Certifications and Assurances submission to VTRANS and FHWA is included in Appendix A.

2. Prepare and Submit a Title VI Plan

This document constitutes the Title VI Program Plan for NVDA.

3. Notify Beneficiaries of Protection under Title VI

In order to notify the public regarding its Title VI obligations, NVDA has developed this Plan and posted information on the organization's website, including how to get more information on non-discrimination obligations and procedures for filing a discrimination complaint against NVDA. A Title VI Policy is included in Appendix B. This policy is posted at NVDA offices, and is accessible on NVDA website at www.nvda.net.

4. Develop Title VI Complaint Procedures and Complaint Form

NVDA has developed procedures for investigating and tracking Title VI complaints that may be filed against NVDA and for making these procedures available to members of the public upon request. Should NVDA have

any sub-recipients in the future, sub-recipients shall be required to have such procedures in place and shall be encouraged to adopt NVDA's complaint investigation and tracking procedures. A copy of NVDA's Title VI Complaint Procedures is included in Appendix C. The Title VI complaint procedures were adopted by NVDA Board.

5. Record and Report Title VI Investigations, Complaints, and Lawsuits

In compliance with 49 CFR Section 21.9(b), NVDA (and any sub-recipient) shall prepare and maintain a list of any active investigations conducted by entities other than the FTA or FHWA, lawsuits, or complaints naming NVDA (or sub-recipient) alleging discrimination on the basis of race, color, national origin, sex, creed, disability or income status. This list shall include the date the investigation, lawsuit, or complaint was filed and received by NVDA, a summary of the allegation(s), the status of the investigation, lawsuit or complaint, and actions taken by NVDA (or sub-recipient) in response to the investigation, lawsuit, or complaint. NVDA's form for recording this information is included in Appendix D. The list shall comprise all of the records of active investigations, lawsuits, and complaints recorded on these forms. During the processing of active investigations, lawsuits, or complaints, the Title VI Coordinator shall update the record form as necessary. Upon resolution and closure of an investigation, lawsuit or complaint, the Title VI Coordinator shall record such closure on this form.

To date, no Title VI complaints, investigations or lawsuits have been filed against NVDA.

6. Promote Inclusive Public Participation

The content and considerations of Title VI, the Executive Order on LEP, and the VTRANS LEP Guidance are integrated into this Plan by reference.

Public participation is vital to NVDA. It helps provide NVDA the broadest spectrum of relevant information available prior to its decision-making and offers the public an opportunity to raise concerns that can be considered along with discussion of technical, political and economic merit.

Of particular importance in the pursuit of public participation is the identification of audiences which would be affected by or have a business or other affinity with the issues under consideration. All views should be heard and their participation likewise encouraged. In this context, minority views include not only ethnic groups but also others whose perspectives may not be fully reflected by larger segments of the public.

Through the regional planning and economic development process, NVDA and partner agencies will thoroughly analyze the three Federally established fundamental environmental justice principles:

- To avoid, minimize or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, of programs, policies and activities on minority populations and low-income populations;

- To ensure full and fair participation by all potentially affected communities in the transportation decision-making process; and
- To prevent the denial of, reduction of, or significant delay in the receipt of transportation benefits by minority and low-income populations.

NVDA actively seeks to solicit the comments and engage the interests of the public through the participation process. It then is the responsibility of NVDA and VTRANS to balance the public's needs and desires with resources available to address those needs and desires. NVDA Staff are directed to incorporate appropriate activities to make public communications and outreach a part of the agency's overall planning and economic development activities. In addition to required public hearings, such activities may include: representative task forces or advisory committees; public meetings and workshops, presentations and discussions with special interest organizations, forums or conferences that provide information about issues and processes and the opportunity for input from the public; opinion polls, surveys, focus groups and interviews to acquire information; and use of the media and reports to disseminate information.

Specific outreach efforts designed to gather input on the needs of underrepresented populations in NVDA region in recent years include, though are not limited to, the following:

- Surveys or focus group meetings with health and human service agencies regarding the transportation needs of the client populations with whom they work.
- Surveys of riders of Rural Community Transportation (RCT), the regional public transit provider serving NVDA region and beyond.
- Organizing and facilitating regular monthly regional stakeholder meetings for administering funding dedicated to serving elders and persons with disabilities.

NVDA seeks to reduce or eliminate language, mobility, temporal, and other obstacles that may prevent minority, disability, low-income and other under-represented populations from fully participating in the planning and economic development process. It is the policy of NVDA to locate all public meetings in facilities that are structurally accessible or provide an opportunity for individuals to request special accommodations. Meetings of NVDA Board and/or Executive Committee are usually held at 6 pm on the fourth Thursday of each month – at various locations, which are posted on NVDA's website – www.nvda.net. We offer individuals requiring special accommodations the opportunity to call us in advance in order to allow NVDA to make appropriate arrangements.

7. Demographic Profile

NVDA has prepared a demographic analysis of Minority, Low Income and Limited English Proficiency populations of the fifty five (55) communities that currently make up NVDA planning and economic development region. Demographic data used in this profile are drawn from the 2010 U.S. Census or 2008-2012 or the 2005-2009 American Community Survey (ACS) 5-year data compilation. Any difference in data was driven by the availability of data for our region at the time of the writing of this plan. This plan will be updated on a regular basis and this demographic information will be updated over time.

Note that there are significant concerns regarding the ACS data, which represent a much smaller survey sample, even with a 5-year compilation, than the old Census Long Form, from which information on income and poverty have previously been drawn. While the ACS data provide useful annual snapshots at the national, state and county levels, they contain very high margins of error for small towns, and especially for small sub-populations within towns. That said, they represent the best data available for these measures since the 2000 Census.

Minority Populations. There are generally very small minority populations in NVDA region. Table 1 -3 below shows minority populations in each town based on 2008-2012 ACS data. Newport City, Derby, Lyndon, and St. Johnsbury exhibit the highest proportion of minority residents.

Table 1 Caledonia County Minority Population

Town	Total Population	White Alone	Black or African American Alone	American Indian and Alaska Native Alone	Asian Alone	Native Hawaiian and Other Pacific Islander Alone	Some Other Race	Two or More Races
Barnet	1,735	1,664	5	3	7	0	12	44
Burke	1,736	1,691	45	0	0	0	0	0
Danville	2,258	2,206	0	0	28	0	21	3
Groton	1,025	1,005	0	0	0	0	0	20
Hardwick	3,014	2,927	0	26	0	0	0	61
Kirby	461	452	0	0	1	0	1	7
Lyndon	5,953	5,656	104	12	77	0	2	102
Newark	488	484	0	0	0	0	1	3
Peacham	743	743	0	0	0	0	0	0
Ryegate	1,192	1,176	0	0	0	0	0	16
Sheffield	490	487	0	0	0	0	0	3
St. Johnsbury	7,623	7,260	72	35	138	18	0	100
Stannard	282	265	0	0	0	0	2	15
Sutton	1,062	1,056	0	1	0	0	0	5
Walden	956	939	4	0	3	0	0	10
Waterford	1,443	1,412	0	4	6	3	2	16
Wheelock	709	701	0	3	0	0	4	1
Caledonia County	31,170	30,124	230	84	260	21	45	406
Vermont	625,498	596,251	5,804	1,855	7,891	130	1,936	11,631

Source: ACS 5 yr 2008-2012-B02001 Caledonia Race

Table 2 Essex County Minority Population

Town	Total Population	White Alone	Black or African American Alone	American Indian and Alaska Native Alone	Asian Alone	Native Hawaiian and Other Pacific Islander Alone	Some Other Race	Two or More Races
Averill	5	5	0	0	0	0	0	0
Avery's Gore	0	0	0	0	0	0	0	0
Bloomfield	189	189	0	0	0	0	0	0
Brighton	923	895	8	9	5	0	0	6
Brunswick	91	91	0	0	0	0	0	0
Canaan	1,129	1,120	6	0	0	0	3	0
Concord	1,266	1,193	9	20	9	0	10	25
East Haven	312	296	0	0	0	0	0	16
Ferdinand	36	36	0	0	0	0	0	0
Granby	75	75	0	0	0	0	0	0
Guildhall	231	225	0	0	0	0	0	6
Lemington	122	122	0	0	0	0	0	0
Lewis	0	0	0	0	0	0	0	0
Lunenburg	1,437	1,381	11	0	5	0	0	40
Maidstone	187	182	0	0	0	0	0	5
Norton	164	164	0	0	0	0	0	0
Victory	139	139	0	0	0	0	0	0
Warner's Grant	0	0	0	0	0	0	0	0
Warren's Gore	10	10	0	0	0	0	0	0
Essex County	6,316	6,123	34	29	19	0	13	98
Vermont	625,498	596,251	5,804	1,855	7,891	130	1,936	11,631

ACS: 5yr 2008-2012-B02001 Essex Race

Table 3 Orleans County Minority Population

Town	Total Population	White Alone	Black or African American Alone	American Indian and Alaska Native Alone	Asian Alone	Native Hawaiian and Other Pacific Islander Alone	Some Other Race	Two or More Races
Albany	865	854	0	0	0	0	0	11
Barton	2,790	2,727	37	3	13	0	3	7
Brownington	878	871	0	0	0	0	0	7
Charleston	857	844	0	8	0	5	0	0
Coventry	1,171	1,116	11	9	0	0	17	18
Craftsbury	1,207	1,158	16	7	15	0	4	7
Derby	4,614	4,351	43	9	59	0	0	152
Glover	1,104	1,079	0	9	0	0	2	14
Greensboro	739	737	0	0	0	0	0	2
Holland	685	673	0	9	0	0	0	3
Irasburg	1,231	1,222	0	3	4	0	0	2
Jay	693	693	0	0	0	0	0	0
Lowell	915	894	0	6	8	0	0	7
Morgan	813	807	0	0	0	0	0	6
Newport City	4,601	4,356	96	33	11	0	16	89
Newport	1,514	1,496	0	0	0	0	0	18
Troy	1,580	1,573	2	0	0	0	0	5
Westfield	601	596	3	0	2	0	0	0
Westmore	340	325	0	4	0	0	0	11
Orleans County	27,198	26,372	208	100	112	5	42	359
Vermont	625,498	596,251	5,804	1,855	7,891	130	1,936	11,631

Source: ACS 5yr 2008-2012-B02001 Orleans Race

Poverty. According to 2005-2009 ACS data, poverty rates are relatively high, notably in Hardwick, Lyndon, Newark, Peacham, St. Johnsbury, Stannard, Wheelock, Bloomfield, Brighton, Canaan, Concord, East Haven, Granby, Lunenburg, Norton, Albany, Barton, Holland, Morgan, Newport City, and Troy See Table 4-6 below for poverty figures for each town in the region.

Table 5 Population in Poverty in Essex County

Town	Total Population	Below Poverty	% Below Poverty
Averill	0	0	0.0%
Avery's Gore	0	0	0.0%
Bloomfield	206	36	17.5%
Brighton	1,097	206	18.8%
Brunswick	94	6	6.4%
Canaan	1,144	259	22.6%
Concord	1,346	196	14.6%
East Haven	294	46	15.6%
Ferdinand	14	0	0.0%
Granby	75	12	16.0%
Guildhall	231	17	7.4%
Lemington	90	0	0.0%
Lewis	0	0	0.0%
Lunenburg	1,390	189	13.6%
Maidstone	112	2	1.8%
Norton	249	50	20.1%
Victory	74	4	5.4%
Warner's Grant	0	0	0.0%
Warren's Gore	0	0	0.0%
Essex County	6,416	1,023	15.9%
Vermont	599,059	65,749	11.0%

Source S1701: Poverty Status in the Past 12 Months ACS 2009 5 yr Data Compilation

Table 6 Population in Poverty in Orleans County

Town	Total Population	Below Poverty	% Below Poverty
Albany	823	154	18.7%
Barton	2,816	483	17.2%
Brownington	846	117	13.8%
Charleston	757	58	7.7%
Coventry	1,045	84	8.0%
Craftsbury	1,068	91	8.5%
Derby	4,744	419	8.8%
Glover	1,215	76	6.3%
Greensboro	701	75	10.7%
Holland	733	172	23.5%
Irasburg	1,163	129	11.1%
Jay	438	17	3.9%
Lowell	915	117	12.8%
Morgan	498	82	16.5%
Newport City	4,755	1,049	22.1%
Newport	1,464	205	14.0%
Troy	1,791	284	15.9%
Westfield	421	54	12.8%
Westmore	273	23	8.4%
Orleans County	26,466	3,689	13.9%
Vermont	599,059	65,749	11.0%

Source S1701: Poverty Status in the Past 12 Months ACS 2009 5 yr Data Compilation

Limited English Proficiency (LEP). According to 2008-2012 ACS data, there are very low numbers of residents who have limited English proficiency. Table 7-9 below summarizes 2008-2012 ACS data on populations that speak other languages and have limited ability to speak English. The highest proportion of LEP populations in the region are generally along the northern tier of the region where French is a relatively common second language. Examples are Norton 13.1%, Canaan 8.7%, Jay 4.2%, Troy 3.85% and Newport 3.09%. Most towns in the region are at or below 1% of LEP.

Table 7 Caledonia County Population for Limited English Proficiency for age 5 yrs and older

Town	Total Population	English Only	Spanish	Spanish	French	French	Italian	Italian	Portuguese	Portuguese	Chinese	Chinese	Japanese	Japanese	LEP Hungarian	LEP Total	All LEP % of Total
Barnet	1,653	1,595	17	0	29	0	0	0	0	0	0	0	0	0	0	0	0.0%
Burke	1,641	1,612	0	0	23	0	0	0	0	0	0	0	0	0	0	0	0.0%
Danville	2,113	2,097	5	0	5	5	6	0	0	0	0	0	0	0	0	5	0.2%
Groton	983	951	11	0	3	0	4	4	0	0	0	0	0	0	0	4	0.4%
Hardwick	2,814	2,748	0	0	56	8	10	0	0	0	0	0	0	0	0	8	0.3%
Kirby	452	438	6	2	5	0	0	0	0	0	0	0	0	0	0	2	0.4%
Lyndon	5,669	5,424	153	13	73	23	0	0	0	0	0	0	0	0	0	36	0.6%
Newark	474	461	1	1	8	6	0	0	0	0	0	0	0	0	0	7	1.5%
Peacham	709	684	6	0	10	0	0	0	0	0	0	0	0	0	3	3	0.4%
Ryegate	1,103	1,085	0	0	0	0	11	0	0	0	0	0	0	0	0	0	0.0%
St. Johnsbury	7,195	6,892	89	7	67	26	14	0	9	0	68	60	0	0	0	93	1.3%
Sheffield	484	478	2	0	0	0	4	0	0	0	0	0	0	0	0	0	0.0%
Stannard	253	239	0	0	14	0	0	0	0	0	0	0	0	0	0	0	0.0%
Sutton	964	943	0	0	13	0	0	0	0	0	0	0	0	0	0	0	0.0%
Walden	934	906	11	0	4	0	2	0	1	1	0	0	3	3	0	4	0.4%
Waterford	1,403	1,347	5	0	17	3	3	0	0	0	0	0	0	0	0	3	0.2%
Wheelock	674	658	0	0	13	3	0	0	0	0	0	0	0	0	0	3	0.4%
Caledonia County	29,518	28,558	306	23	340	74	54	4	10	1	68	60	3	3	6	168	0.6%
Vermont	593,823	562,546	6,422	1,705	9,543	1,800	684	133	342	130	1520	901	332	112	49	5	0.8%

Source: B16001: LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER

2008-2012 American Community Survey 5-Year Estimates

Table 8 Essex County Population for Limited English Proficiency for age 5 yrs and older

Town	Total Population	English Only	Spanish	LEP Spanish	French	LEP French	Portuguese	LEP Portuguese	Russian	LEP Russian	Polish	LEP Polish	Chinese	LEP Chinese	Other Asian Languages	LEP Other Asian Languages	Total LEP	All LEP % of Total
Averill	5	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Avery's Gore	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Bloomfield	189	180	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Brighton	891	802	0	0	83	31	0	0	0	0	0	0	3	3	0	0	34	3.8%
Brunswick	86	82	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Canaan	1,086	779	21	2	283	89	1	1	2	2	0	0	0	0	0	0	94	8.7%
Concord	1,206	1,185	11	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
East Haven	302	296	3	3	0	0	0	0	0	0	3	0	0	0	0	0	3	1.0%
Ferdinand	36	29	0	0	7	3	0	0	0	0	0	0	0	0	0	0	3	8.3%
Granby	75	75	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Guildhall	228	223	3	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Lemington	108	100	0	0	8	3	0	0	0	0	0	0	0	0	0	0	3	2.8%
Lewis	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Lunenburg	1,349	1,285	8	0	43	3	3	3	0	0	0	0	0	0	3	3	9	0.7%
Maidstone	185	177	0	0	6	4	0	0	0	0	2	2	0	0	0	0	6	3.2%
Norton	160	115	2	0	43	21	0	0	0	0	0	0	0	0	0	0	21	13.1%
Victory	129	127	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Warner's Grant	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13.1%
Warren's Gore	10	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Essex County	6,045	5,470	48	5	488	154	4	4	4	4	4	4	3	3	3	3	169	2.8%
Vermont	593,823	562,546	6,422	1,705	9,543	1,800	342	130	631	123	629	98	1520	901	524	313	5,070	0.9%

Source: B16001: LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER

2008-2012 American Community Survey 5-Year Estimates

Table 9 Orleans County Population for Limited English Proficiency for age 5 yrs and older

Town	Total Population	English Only	Spanish	Spanish	French	French	German	German	Scandinavian	Scandinavian	LEP	Russian	Serbo-Croatian	Serbo-Croatian	Other Slavic Languages	Other Slavic Languages	Other Indic Languages	LEP Other Indic Languages	Chinese	Chinese	LEP Korean	Other and unspecified Languages	LEP Other and unspecified Languages	All LEP % of Total		
Albany	826	785	4	0	6	0	15	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0.24%		
Barton	2,638	2,516	12	0	82	15	13	0	0	0	0	0	0	0	0	0	0	0	10	4	3	0	0	19	0.72%	
Brownington	836	790	0	0	42	9	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	1.08%		
Charleston	829	819	0	0	10	3	0	0	0	0	0	0	0	0	0	0	0	0	3	3	0	0	0	6	0.72%	
Coventry	1,098	1,028	41	13	20	13	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	26	2.37%	
Craftsbury	1,149	1,091	18	9	20	0	2	0	0	0	2	2	0	0	0	0	3	3	11	11	0	0	0	25	2.18%	
Derby	4,392	4,046	8	0	325	69	5	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	74	1.68%	
Glover	1,047	995	7	2	33	13	0	0	0	0	2	2	0	0	2	2	0	0	0	0	0	0	0	19	1.81%	
Greensboro	714	669	0	0	16	0	10	0	8	4	1	1	0	0	2	2	0	0	0	0	0	0	7	0.98%		
Holland	656	586	0	0	70	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	1.07%		
Irasburg	1,175	1,118	10	0	42	12	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12	1.02%		
Jay	643	590	10	5	36	22	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	27	4.20%		
Lowell	876	805	29	3	30	6	9	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	12	0.00%		
Morgan	734	710	9	0	15	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	3	5	0.68%	
Newport City	4,357	4,098	55	10	204	22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	32	0.73%		
Newport	1,457	1,323	4	0	126	41	0	0	0	0	0	0	4	4	0	0	0	0	0	0	0	0	45	3.09%		
Troy	1,453	1,333	0	0	78	42	3	3	4	0	0	0	0	0	0	0	0	0	0	0	2	2	0	2	3.09%	
Westfield	584	532	3	0	43	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0.90%		
Westmore	332	308	9	0	7	3	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Orleans County	25,796	24,142	219	42	1,205	279	82	10	15	4	8	8	4	4	4	4	3	3	24	18	5	2	38	14	388	1.50%
Vermont	593,823	562,546	6,422	1,705	9,543	1,800	2,213	291	315	23	631	123	1426	771	262	36	960	558	1,520	901	585	181	223	11	6,400	1.08%

Source: B16001: LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER

2008-2012 American Community Survey 5-Year Estimates

8. Annual Work Plan

NVDA's Executive Director and Title VI Coordinator will monitor and review all Title VI activities. Over the next year, these activities will include:

- Review NVDA office policies and procedures to identify necessary changes required to comply with this Title VI Nondiscrimination Plan.
- Review and update procurement documents (RFP, RFQ) and contract provisions to comply with Title VI Nondiscrimination requirements.
- Provide Title VI training for staff.
- Monitor and evaluate the effectiveness of the Title VI Plan annually.

9. Required Title VI Contract Provisions

Procedures to ensure Title VI provisions are included in all Federally-funded contracts regardless of tier (Appendix A of USDOT Order 1050.2). Nondiscrimination is required in the selection and retention of all subcontractors, as well as with the procurement of materials and leases of equipment. Notification of Title VI/nondiscrimination obligations will be provided to each potential subcontractor or supplier in all applicable Requests for Proposal, Requests for Qualifications and/or contracts. There will be no discrimination in NVDA's employment practices in accordance with Employment Policies.

10. Providing Assistance to Subrecipients

NVDA is itself a sub-recipient of Federal assistance, with VTRANS serving as the primary recipient and passing through FHWA SPR funding to the region.

NVDA does not have sub-recipients per se. NVDA does enter into contracts with municipalities and private consulting firms involving Federal funding. In all cases these contracts incorporate standard Certifications and Assurances related to Title VI Civil Rights responsibilities.

11. Monitoring Subrecipients

Should NVDA at some point in the future have formal subrecipients of Federal funding, NVDA recognizes the obligation to ensure those subrecipients are in compliance with Title VI requirements, and would undertake the following activities to ensure that compliance:

- a) Document the process for ensuring that all subrecipients are complying with the general reporting requirements of this plan, as well as other requirements that apply to the subrecipient based on the type of entity and the number of fixed route vehicles it operates in peak service if a transit provider.
- b) Collect Title VI Programs from subrecipients and review programs for compliance.

12. Opportunity for Disadvantaged Business Enterprises (DBE's)

It shall be the policy of NVDA to ensure nondiscriminatory opportunity for Disadvantaged Business Enterprises (DBEs), as defined in 49 CFR Part 26, and to afford DBE's the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds. Consequently, the DBE requirements of 49 CFR Part 26 and 23 CFR, Chapter 1, Part 230, Subpart b apply to all contracts. Contracts should include as a minimum the following assurance:

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

13. Participation by Small Business Enterprises

It is NVDA's policy to promote small business participation in all contracts and procurement opportunities. The rules set forth in Code of Federal Regulations, Title 13, Sections 121.401 through 121.413, apply to all Federal procurement programs for which status as a small business is required or advantageous.

14. Requirement to Provide Additional Information upon Request

NVDA will provide information other than that required by Circular 4702.1B to FTA upon request, should it be necessary to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI.

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APPENDIX A.1

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances DOT

Order No. 1050.2A

Northeastern Vermont Development Association (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 (FHWA) and Vermont Agency of Transportation (VTTrans), it is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 USC § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 CFR Part 21 (entitled *Non-discrimination In Federally-Assisted Programs of the Department Of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964*);
- 28 CFR 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 FHWA.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination 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 non-discrimination 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 Federally assisted programs:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (c) of 49 CFR § 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 programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"NVDA, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 USC §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair 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.2 and A.6 of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix A.3 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 A.4 and Appendix A.5 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, NVDA also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA access to records, accounts, documents, information, facilities, and staff. NVDA also recognize that NVDA must comply with any program or compliance reviews, and/or complaint investigations conducted by the FHWA. NVDA must keep records, reports, and submit the material for review upon request to FHWA, or its designee in a timely, complete, and accurate way. Additionally, NVDA must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

NVDA gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the VTrans Transportation Planning Initiative. This ASSURANCE is binding on NVDA, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the VTrans Transportation Planning Initiative. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

by David M. Snedeker
David M. Snedeker, Executive Director

DATED: 6/25/15

APPENDIX A.2

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, FHWA and VTrans, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. Non-discrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FHWA or VTrans to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the *FHWA or VTrans*, as appropriate, and will set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FHWA or VTrans may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FHWA or VTrans may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX A.3

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that NVDA will accept title to the lands and maintain the project constructed thereon in accordance with (*Name of Appropriate Legislative Authority*), the Regulations for the Administration of FHWA and VTrans, and the policies and procedures prescribed by the FHWA of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 USC §2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the (*Title o(Recipient)*) all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto NVDA and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on NVDA, its successors and assigns.

NVDA, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will 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 with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [.] [and]* (2) that NVDA will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[,] and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX A.4

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by NVDA pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, NVDA will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, NVDA will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of NVDA and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX A.5

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by NVDA pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, NVDA will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, NVDA will there upon revert to and vest in and become the absolute property of NVDA and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX A.6

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 USC § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 USC § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 USC § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 USC § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 USC § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 USC §§ 12131-12189) as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 USC § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education

programs or activities (20 USC 1681 et seq).

APPENDIX B

Title VI Nondiscrimination Policy

It is the policy of Northeastern Vermont Development Association (NVDA) to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related federal and state statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of race, color, national origin, gender, age, or mental or physical disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.

NVDA has designated the Business Manager as the Title VI Coordinator. For more information about your Title VI rights or to file a formal complaint of discrimination, contact:

Title VI Coordinator
Northeastern Vermont Development Association
P.O. Box 630
St. Johnsbury, VT 05819-0630
(802) 748-1222
Judy.Butson@nvda.net

In an effort to ensure nondiscrimination in all of its federal-aid programs, services and activities, NVDA maintains a written Title VI Complaint Procedure to investigate, respond to, and resolve, Title VI complaints. In addition, all instances of alleged discrimination submitted in writing in the form of a Title VI Complaint, will be recorded and tracked and include the following information: date complaint filed, a summary of allegations, investigative status, further actions and follow-up, and final resolution. Individuals who feel they have been discriminated against in violation of Title VI must file a completed complaint form within 180 days with NVDA Title VI Coordinator.

Complaint Procedures: (see attached)

Complaint Form: (see attached)

NVDA strives to ensure nondiscriminatory access to all programs, services, and activities by all interested transportation stakeholders and to ensure that no person is excluded from participating in, denied the benefits of, or subjected to either intentional or unintentional discrimination under any program, service, or activity receiving federal assistance or funding.

For more information, visit VTTrans' Title VI Program website at: <http://www.aot.state.vt.us/civilrights/VTransTitleVI.htm>.

Translations of this and other key documents are provided at no cost when requested.


David M. Snedeker, Executive Director

6/25/15
Date

APPENDIX C

Title VI Complaint Procedures

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, national origin, gender, age, or mental or physical disability, may file a complaint with Northeastern Vermont Development Association (NVDA).

The mailing address for written complaints is as follows:

Title VI Coordinator
Northeastern Vermont Development Association
P.O. Box 630
St. Johnsbury, VT 05819-0630

Complaints may also be submitted by telephone or fax. Contact numbers are as follows:

Phone: (802) 748-1222
Fax: (802) 748-1223

Electronic submission of complaints is also permitted. All complaints related to Title VI discrimination should be addressed to, Title VI Coordinator, at the following address: Judy.Butson@nvda.net

Written or faxed complaints must be signed by the complainant. Complaints submitted by telephone or e-mail, or unsigned written or faxed complaints, must be followed by a complaint in writing, signed by the complainant or his/her representative within 10 business days of the initial verbal/electronic/unsigned complaint. If the complainant requires assistance to submit a written document, NVDA staff will interview the complainant and assist the person in converting verbal complaints to writing. This document must be signed by the complainant or his/her representative. Federal and state laws require that the complaint be filed within 180 days of the alleged incident of discrimination.

Once the complaint has been submitted in writing, NVDA will pursue the following steps in addressing the complaint:

1. NVDA staff will initiate a Title VI Complaint Form (see below).
2. Essential information on the form includes the following:
 - a. Date of the incident that is the subject of the complaint;
 - b. Time of the incident;

- c. Location of the incident; and,
 - d. Circumstances of the incident in as much detail as is available, including description of the issues, and the names and job titles of those individuals perceived as parties in the complaint.
3. The completed form, along with the initial complaint letter and a summary of any other communication, will be submitted to the Executive Director of NVDA for review. The Executive Director will determine the jurisdiction and acceptability of the complaint and any need for additional information. After any additional information is procured, the Executive Director will determine whether to accept or reject the complaint.
 4. The complainant will be provided with a written notification that NVDA has either accepted or rejected the complaint.
 5. A complaint may be rejected for one or more of the following reasons:
 - a. More than 180 days passed between the alleged incident and the filing of the initial complaint;
 - b. The allegation does not involve a basis covered under Title VI, such as race, color, or national origin;
 - c. The allegation does not involve NVDA or one of its subrecipients of federal funds;
 - d. The complainant fails to respond to repeated requests for additional information needed to process the complaint; or,
 - e. The complainant cannot be located after reasonable attempts.
 6. An accepted complaint will be assigned a case number and be logged in a database maintained by NVDA identifying the complainant's name, date of incident, alleged harm, and the race, color, national origin, gender, age or disability of the complainant.
 7. The Title VI Coordinator will initiate an investigation of the complaint, assisted by other members of NVDA as necessary, and complete a report within 90 days of the acceptance of the complaint. The report shall include a narrative description of the incident, identification of the persons interviewed, findings, and recommendations for disposition.
 8. The report will be reviewed by the Executive Director of NVDA and referred to legal representation, if deemed appropriate. The Executive Director will accept or reject the recommendation for disposition, in consultation with legal representation, and if the individuals involved are found to be in noncompliance with Title VI, remedial actions will be determined.
 9. The results of the investigation and the Executive Director's determination will be mailed to the complainant. Notice shall include information regarding appeal rights of the complainant and instructions for initiating such an appeal. Notice of appeal to NVDA's Executive Committee shall be made within 30 days of the mailing of the Executive Director's determination and shall include at a minimum the grounds for appeal, relief requested and any other relevant information.

10. Within 30 days following NVDA's determination and/or resolution or the appeal to the Executive Committee, if the complainant is dissatisfied with the determination and/or resolution set forth by NVDA, the same complaint may be submitted to the Vermont Agency of Transportation (VTrans) for investigation. Complainant will be advised to contact the Vermont Agency of Transportation, Office of Civil Rights & Labor Compliance, One National Life Drive, Montpelier, VT 05633-5001.
11. A copy of the complaint and NVDA's investigation report, letter of finding and remedial action plan, if any, will be submitted by NVDA to VTrans within 60 days following NVDA's determination and/or resolution or the appeal, if any, to the Executive Committee.
12. A summary of the complaint resolution will be added to the database at NVDA and this information will be included as part of the next Title VI update to VTrans.



For Office Use

Date Received: _____

Case #: _____

APPENDIX D
Title VI Discrimination Complaint Form

Name: _____ Phone #: _____ Email: _____

Address (Street No., PO Box, etc.): _____ Town, State, Zip Code: _____

Date and time of incident: _____ Location of Incident: _____

Summary of the Complaint (Explain as briefly and clearly as possible how you were discriminated against, who was involved, including names and titles, and other relevant information.):

Witness(es): _____ Witness contact information: _____

Attach any additional written information

Signature: _____ Date: _____

Please return this form to: **Title VI Coordinator**
Northeastern Vermont Development Association
P.O. Box 630
St. Johnsbury, VT 05819-0630
Telephone #: (802) 748-1222
Fax #: (802) 748-1223
Email: Judy.Butson@nvda.net

PO Box 630 36 Eastern Avenue, Suite 1 St. Johnsbury, Vermont 05819-0630 802 748-5181 Fax: 802 748-1223

The regional planning and development commission serving The Northeast Kingdom: Caledonia, Essex and Orleans Counties

NVDA is an equal opportunity lender, provider and employer

For Office Use

Discussions with complainant; Name: _____ Date: _____

Details of discussions: _____

Person taking report information: _____

Additional information required: Yes No Date requested: _____ Received: _____

Jurisdiction: NVDA Other (specify): _____

Complaint accepted: Yes No Date: _____

Report completed within 90 days: ☐ Yes ☐ No

Findings: _____

Actions taken: _____

Signature of Executive Director: _____ Date: _____