



Mt. Washington Valley Economic Council

Title VI Policy

53 Technology Lane
Suite #100
Conway, NH 03818
April 2020

I. INTRODUCTION

MT. WASHINGTON VALLEY ECONOMIC COUNCIL'S COMMITMENT TO CIVIL RIGHTS

This update of the **Mt. Washington Valley Economic Council, or MWVEC**, Title VI Program has been prepared to ensure that the level and quality of **MWVEC's services** are provided in a nondiscriminatory manner and that the opportunity for full and fair participation is offered to **MWVEC's** clients and community members. Additionally, through this program, **MWVEC** has examined the need for services and materials for persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English.

While it is a matter of principle that **MWVEC** is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or subjected to discrimination in the receipt of any of **MWVEC's** services on the basis of race, color or national origin, the contents of this program have been prepared in accordance with Section 601 of Title VI of the Civil Rights Act of 1964 and Executive Order 13116 (Improving Access to Services for Persons with Limited English Proficiency).

"No person shall, on grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance." - Civil Rights Act of 1964

Under the Civil Rights Act of 1964, and as a recipient of federal funding under the programs of the Federal Transit Administration (FTA) of the U.S. Department of Transportation (US DOT), **MWVEC** has an obligation to ensure that:

- The benefits of its services are shared equitably throughout the service area;
- The level and quality of services are sufficient to provide equal access to all clients in its service area;
- No one is precluded from participating in **MWVEC's** service planning and development process;
- Decisions regarding service changes are made without regard to race, color or national origin and that development and urban renewal benefitting a community as a whole not be unjustifiably purchased through the disproportionate allocation of its adverse environmental and health burdens on the community's minority population; and
- A program is in place for correcting any discrimination, whether intentional or unintentional.

MWVEC does not provide transportation service, but enables service through subrecipient agencies by managing and monitoring the grant funding through the NH DOT Section 5310 Program. The services provided by **MWVEC** are important for the equitable development of the Mt. Washington Valley region. They facilitate cooperation and collaboration between the private and public sectors and bring together business owners, managers, workers, and community members for dialogue. This dialogue and assistance works to create new businesses, grow new jobs, and enable everyone to thrive in the Mt. Washington valley region. The oversight and administrative support they provide to ridership programs covered under the American's with Disabilities Act (ADA) in the region is invaluable.

II. GENERAL REQUIREMENTS

Notice to the Public

To make **MWVEC** clients and those within its area of operation aware of its commitment to Title VI compliance, and their right to file a civil rights complaint, **MWVEC** has presented the following information on its website.

Your Civil Rights

Mt. Washington Valley Economic Council (MWVEC) operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by any unlawful discriminatory practice under Title IV may file a complaint with **MWVEC**. For more information on **MWVEC**'s civil rights program and the procedures to file a complaint, please contact **603-447-6622**; email **jac@mwvec.com** or visit our administrative office at **53 Technology Lane, Suite #100, Conway, NH** from **9-5 Monday through Friday**. For more information about **MWVEC** programs and services, visit <https://mwvec.com/>. A complaint may also be filed directly with the FTA, Office of Civil Rights, 1200 New Jersey Avenue SE, Washington DC 20590. If information is needed in another language, please contact **603-447-6622**.

Discrimination Complaint Procedures

MWVEC has established a process for clients to file a complaint under Title VI. Any person who believes that she or he has been discriminated against on the basis of race, color, or national origin by **MWVEC** may file a Title IV complaint by completing and submitting the agency's Title VI Complaint available at our administrative offices or on our website <https://mwvec.com/>.

Mt. Washington Valley Economic Council Title VI Complaint Form		 Mt. Washington Valley Economic Council	
MWVEC ensures full and fair participation by affected populations in program decisions, and ensure that policies and programs of the MWVEC avoid producing disproportionately negative effects on minority and low income populations. If you wish to file a complaint, please complete the form below and explain as clearly as possible what happened and why you believe you were discriminated against.			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
E-Mail Address:			
Representative Name (if Applicable):		Relationship to Complainant:	Telephone:
Mailing address, City, State, Zip Code:			
Date of Alleged Discrimination (Month, day, Year): _____			
You were discriminated against on the basis of (check all that apply):			
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> Age	<input type="checkbox"/> Family Status
<input type="checkbox"/> Retaliation	<input type="checkbox"/> National Origin	<input type="checkbox"/> Sex	<input type="checkbox"/> Disability
			<input type="checkbox"/> Religion
			<input type="checkbox"/> Other
Please explain as clearly as possible what happened and how you were discriminated against. Indicate all who were involved and be sure to include how other persons were treated differently than you. Please attach any written material pertaining to your case.			
Signature:			Date:

Submit form to:
Jac Cuddy, Executive Director
53 Technology Lane, Suite #100, Conway, NH
Electronically to: jac@mwvec.com

The Procedure

If you believe that you have received discriminatory treatment by the MWVEC on the basis of race, color or national origin, you have the right to file a complaint with the MWVEC **Executive Director**.

Methods of filing a complaint:

Complete the Complaint Form, and send to:

Jac Cuddy, Executive Director 53 Technology Lane, Suite #100 Conway, NH jac@mwvec.com

Verbal complaints are accepted and transcribed by Jac Cuddy. To make a verbal complaint, call 603-447-6622 and ask for the **Executive Director**.

MWVEC investigates complaints received no more than **180 days after** the alleged incident. **MWVEC** will process complaints that are complete. Once the complaint is received, **MWVEC** will review it and the complainant will receive an acknowledgement letter informing them whether the complaint will be investigated by **MWVEC**. The MWVEC will notify the New Hampshire DOT within five days of receiving a complaint.

MWVEC has up to **thirty days** to investigate the complaint. If more information is needed to resolve the case, the **MWVEC** may contact the complainant. The complainant has thirty days from the date of the letter to send requested information to the investigator assigned to the case.

If **MWVEC's** investigator is not contacted by the complainant or does not receive the additional information within thirty days, **MWVEC** can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, one of two letters will be issued to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.

A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has ten days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at:

Federal Transit Administration
Office of Civil Rights
1200 New Jersey Avenue SE
Washington, DC 20590

Active Lawsuits, Complaints or Inquiries Alleging Discrimination

MWVEC maintains a list of active investigations conducted by FTA and entities other than FTA, including lawsuits and complaints naming **MWVEC** that allege discrimination on the basis of race, color or national origin. This list includes the date that the transit-related Title VI investigation, lawsuit or complaint was filed; a summary of the allegation(s); the status of the investigation,

lawsuit or complaint, and actions taken by **MWVEC** in response, or final findings related to the investigation, lawsuit, or complaint.

As of the writing of this program, there are zero (0) complaints pending which allege discrimination on the grounds of race, color, national origin or any other form of discrimination.

Active Lawsuits, Complaints or Inquiries Alleging Discrimination

Type (Investigation, Lawsuit, Complaint)	Date	Summary of Complaint	Status	Action(s) Taken
	September	None		

III. Mt. WASHINGTON VALLEY ECONOMIC COUNCIL’S PUBLIC PARTICIPATION PLAN

The Mt. Washington Valley Economic Council does not operate a transit system. MWVEC’s role is limited primarily to financial management, oversight and monitoring to ensure that subrecipients of FTA program funds meet Title VI requirements. MWVEC has little direct contact with LEP persons.

MWVEC continues to be proactive in ensuring that subrecipients comply with federal requirements. Its systems include:

- Collection of monthly transportation reports approved by the subrecipient’s management.
- Attend any audit/review meetings conducted by the DOT involving its subrecipients.
- Ensure a current Title VI policy, adopted by the subrecipient’s Board of Directors, is on file.

MWVEC ensures all outreach strategies, communications and public involvement efforts for other MWVEC services comply with Title VI. MWVEC makes a concerted effort to involve members of all social, economic, and ethnic groups in the public participation process.

IV. MT. WASHINGTON VALLEY ECONOMIC COUNCIL’S PUBLIC PARTICIPATION PROCESS

The Mt. Washington Valley Economic Council does not operate a transit system. MWVEC’s role is limited primarily to financial management, oversight and monitoring to ensure that subrecipients of FTA program funds meet Title VI requirements. MWVEC has little direct contact with LEP persons.

However, regarding other MWVEC services, MWVEC makes a concerted effort to involve members of all social, economic, and ethnic groups in the public participation process. To promote public outreach and involvement, MWVEC employs the following strategies and activities, as appropriate:

- Distribution of brochures, flyers and posters at public venues
- Public service announcements on local television and radio stations
- Social media
- Direct mailing
- Website notices
- Print – Newspapers and other periodicals
- Email – newsletters, Constant contact
- Legal Notices

When determining locations and schedules for public meetings, MWVEC will:

- Schedule meetings at times and locations that are convenient and accessible for minority and LEP communities;
- Meetings will be held when public transportation is running, or can be made available upon request;
- Employ different meeting sizes and formats including town hall type meeting formats;
- Coordinate with community organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities;
- Provide opportunities for public participation through means other than written communication, such as one-on-one interviews or use of audio or video recording devices to capture oral comments.
- When MWVEC is aware that LEP individuals are likely to attend a meeting, MWVEC will take reasonable steps to provide appropriate language assistance services to ensure LEP individuals can meaningfully participate in the meeting.

V. DECISION MAKING BODIES

Board of Directors

MWVEC is governed by a Board of Directors which oversees day-to-day operations of the corporation, and supervises and evaluates the performance of the Executive Director. The MWVEC membership base elects eighteen (18) of the thirty (30) members on the board of directors for three-year terms. The remaining directors are nominated annually by the board of selectmen of the towns of Albany NH, Bartlett NH, Brownfield ME, Chatham NH, Conway NH, Eaton NH, Freedom, NH, Fryeburg ME, Jackson NH, Madison NH, Ossipee NH, and Tamworth NH. Ten (10) members of the Board of Directors will constitute a quorum for both regular and special meetings. Members of the board may participate in any meetings via teleconference or similar means.

MWVEC's Board of Directors is composed of at-large representatives and representatives from:

Albany, NH	Bartlett, NH	Brownfield, ME	Chatham, NH
Conway, NH	Eaton, NH	Freedom, NH	Fryeburg, ME
Jackson, NH	Madison, NH	Ossipee, NH	Tamworth, NH

The MWVEC nominating committee has an established objective to mix representation on the board to come from a variety of institutions and organizations including the private sector, educational, economic, social service, and environmental interests. The Board of Directors includes a six-member Executive Committee including a Chairperson, Chairperson-Elect, Vice Chairperson, Secretary, Treasurer and a board member appointed by the Chairperson.

Membership is open to all interested persons aged 18 and older, corporations, partnerships, associations, foundations, clubs, businesses, and other organizations which are headquartered within the geographic boundary of the MWVEC service area. Discussion of inviting new members and involving community members in MWVEC's activities regularly takes place at meetings of the Board of Directors.

VI. GRANTS, REVIEWS AND CERTIFICATIONS

Pending Applications for Financial Assistance

None

Service Changes in the Past 3 Years

None

Civil Rights Compliance Reviews in the Past 3 Years

MWVEC has not been the subject of any such reviews.

Recent Annual Certifications and Assurances

MWVEC executed its most recent Certifications and Assurances to the FTA in March 2020.

Contact

For additional information on the **MWVEC** Title VI Plan, or its efforts to comply with the Civil Rights Act of 1964 or Executive Order 13166 Improving Access to Services for Persons with Limited English Proficiency, please contact:

Jac Cuddy, Executive Director
53 Technology Lane, Suite #100
Conway, NH 03818
Electronically to: jac@mwvec.com

MWVEC uses the information obtained from the US Census Bureau to determine the specific language services that are appropriate for its service area.

VII. LANGUAGE ASSISTANCE PLAN

MWVEC is committed to providing quality services to all citizens, including those who do not speak English as their primary language, and who have a limited ability to read, speak, write, or

understand English. These individuals may be considered Limited English Proficient, or “LEP,” and may be entitled to language assistance.

As a recipient of Federal Transportation Funding, MWVEC must take reasonable steps to ensure meaningful access to its programs and activities by LEP persons. The U.S. Department of Transportation recommends analyzing the following four factors to determine the level and extent of language-assistance measures required within the grantee’s area of responsibility:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;
2. The frequency with which LEP individuals come in contact with the program;
3. The nature and importance of the program, activity, or service provided by the program to people’s lives; and
4. The resources available to the grantee/recipient or agency, and costs.

Factor 1 - Number of LEP Persons in Service Region

The first step in determining the appropriate components of a Language Assistance Plan is understanding the proportion of LEP persons who may encounter MWVEC services, their literacy skills in English and their native language, the location of their communities and neighborhoods and, more importantly, if any are underserved as a result of a language barrier.

To do this, MWVEC evaluated the level of English literacy and to what degree people in its service area speak a language other than English and what those languages are. Data for this review is derived from the United States Census and the American Community Survey 2018.

Service Area Overview

MWVEC’s primary service area encompasses approximately 993 square miles of Carroll County, NH and is home to a population speaking more than five different languages. Of the total service area population, 241 or 1% of residents report speaking English less than very well. The most populous groups in the category are shown below.

Population Estimate January 1, 2018 47,524

Race and Hispanic Origin

- White alone, percent 97%
- Black or African American alone, percent 0%
- American Indian and Alaska Native alone, percent 0%
- Asian alone, percent 1%
- Native Hawaiian and Other Pacific Islander alone, percent, 0%
- Two or More Races, percent 1.0%
- Hispanic or Latino, percent 1.0%
- White alone, not Hispanic or Latino, percent 96%

Factor 2 - Frequency of LEP Use

There are virtually no clients of the LEP population that come into contact with MWVEC's services. If a client of the LEP population does come into contact with MWVEC, the staff at MWVEC would do everything possible to accommodate the LEP client.

Factor 3 - The Importance of MWVEC's Service to People's Lives

Access to the services provided by MWVEC are important to small businesses but are not critical services to people's lives.

Factor 4 - Resources and Costs for LEP Outreach

The intent of this policy is to find a balance that ensures meaningful access by LEP persons to MWVEC's services while not imposing undue burdens on MWVEC. Specific steps to be taken, in terms of translation or language interpretation, will depend on the situation at the time. Costs are predominantly associated with translation services.

Outcome

As MWVEC staff rarely comes in contact with LEP persons in their work, and they monitor their subrecipients who provide direct transportation service, the ability to provide language assistance on an as-needed basis is appropriate to their role. Resources such as Google Translate, asking a friend or relative of the LEP who can translate, or hiring interpretation services are all tools that staff can use in providing program assistance.