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1.0 Introduction

This Public Involvement Plan establishes guidance by which the Southwest Region Planning Commission (SWRPC) ensures effective public involvement in the regional planning process. SWRPC recognizes the value of public involvement as a democratic process that increases public awareness, contributes to information gathering on local needs and concerns, and benefits the overall decision-making process.

Additionally, SWRPC is required to abide by federal non-discrimination laws as a condition to receiving federal funding. This Plan reflects best practices and assures the Commission’s due diligence towards meeting the statutory requirements as set forth in the latest Federal and State legislation (see Attachment A).

SWRPC provides local assistance on planning issues to member municipalities. In addition, SWRPC is a public planning agency that responds to statutory requirements, contractual obligations of several State agencies, and the needs of member communities. First and foremost, SWRPC responds to the needs of member communities as identified by state law.

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Access to the processes and materials prepared by the SWRPC is available to the public. In the context of this Plan, the public is identified as those with an interest in community development outcomes in the **34 towns** that comprise the Southwest Region of New Hampshire. It includes:

- All residents regardless of their race, color, national origin, sex, age, disability, creed, marital status, familial status, or sexual orientation;
- All owners of property or business interests; and,
- All organizations representing the above mentioned, not to exclude elected representatives or agents thereof.

This Public Involvement Plan applies to all planning activities conducted by SWRPC\(^2\). These regional planning activities are often supported by Federal and State funds and include:

**POLICY** - A policy is a decision-making process that outlines the priorities for the expenditure of state and federal funds. Policy recommendations are typically incorporated in various SWRPC plans and documents that are developed in conjunction with the SWRPC governing body—its Board of Directors—and/or its established advisory committees.

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\(^2\) For a more complete description of planning activities conducted by SWRPC, please refer to SWRPC’s website at: http://swrpc.org/about.
PLANS AND STUDIES – Plans and studies are used to identify regional issues and possible solutions. This process requires the collection of data, analysis, and presentation of the results. Planning studies are conducted by Commission staff often with the aid of an oversight body such as an advisory committee as needed.

PROJECT DEVELOPMENT – Project development is the process by which the scope, limits, design, and other developmental aspects of a project are determined. SWRPC is involved in this process through convening, facilitating, advising, and assisting its local, state, and federal partners.

PROGRAMS – SWRPC has a diverse work program made up of six major program areas: Local Planning Assistance, Natural Resources Planning, Community and Economic Development, Transportation Planning, Emergency Management Planning, and Geographic Information Systems. SWRPC programs encompass a wide range of activities including, but not limited to, community master planning, site plan review, capital improvement planning, subdivision reviews, ordinance preparation, interpretation of state and local planning requirements, grant administration, cartographic support, and geographic information system (GIS) applications. These programs are deliberated by the four advisory committees and Board of Directors in conjunction with state and federal agencies.

An SWRPC Fall Commission Meeting.
2.0 Policy, Goals and Principles of the Public Involvement Plan

PUBLIC INVOLVEMENT POLICY

The policy of SWRPC Public Involvement Plan is to provide all interested and potentially affected individuals, businesses and community representatives the opportunity to participate in the regional planning decision-making process regardless of their race, color, national origin, sex, age, disability, creed, marital status, familial status, or sexual orientation. Additionally, the public should have the ability to provide comments, insight and information pertinent to the subject on draft documents, policies, and programs prior to their adoption.

GOALS

The main goal of the Public Involvement Plan is to pro-actively seek public involvement in order to assure that the outcome of regional planning activities accurately reflect the needs and concerns of the residents of Southwest New Hampshire. Four other primary goals of this process are:

1. To encourage and ensure full and fair participation by all potentially affected persons in the decision-making process; and

2. To incorporate the needs and concerns of the public into the regional planning process; and

3. To identify and address disproportionately high and adverse health, environmental, social, and economic effects of programs, policies and activities to the public, including minority and/or low-income populations; and

4. To prevent the denial of, reduction of, or significant delay in the receipt of program benefits to disproportionately affected groups, including minority and/or low-income populations.

PRINCIPLES OF THE PUBLIC INVOLVEMENT PLAN

The following principles serve as a guide to support the goals identified above:

1. OUTREACH AND EDUCATION - The planning process should be inclusive, accessible and understandable to the general public.
a. Information should be presented in a *clear and readable manner*;
b. Information should be presented in a manner that *educates the public*;
c. Information should be presented in a clear, concise manner using *graphics and visual aids* as may be beneficial;
d. Documents should be made available at a *public place* such as the SWRPC office; and,
e. Documents should also be made available *electronically* via the SWRPC website and disseminated via the internet.

2. **ENGAGEMENT WITH THE PUBLIC** - The public should have the opportunity to participate and be engaged in the decision-making process.

   a. Meetings should be held in *conveniently accessible* locations at opportune times of the day;
   b. The public should receive *adequate notice* as to meetings and the availability of information;
   c. The public should be afforded adequate opportunities to *comment* on planning material (e.g. updates to plans) for a period of at least 30 days from posting of a notice, unless stated otherwise by applicable law; and,
   d. Public testimony and input should be recorded and filed.

3. **CONSIDERATION BY DECISION MAKERS** - Public comments and concerns should be adequately considered by SWRPC staff, relevant advisory committees, and/or the BOD.

   a. The information collected through the Public Involvement Process should be presented by staff to relevant advisory committees and/or the BOD;
   b. Written and oral comments should be incorporated as an appendix to the plans and filed at the SWRPC office;
   c. Comments which warrant immediate inclusions, such as typographical or factual mistakes should be made by staff; and,
   d. Comments and suggestions as to the contents of the document, policy decision, or other content should be reviewed by staff and the relevant advisory committee and/or the BOD and addressed as appropriate.

Commission staff will attempt to respond to all comments received via writing, including e-mails, acknowledging receipt and a brief summary of how it has been considered.
3.0 Identification of Barriers to Involvement

In order to comply with public involvement statutes (see Attachment A), Commission staff will attempt to identify and mitigate the barriers which might currently prevent segments of the Region’s population from participating in the regional planning decision-making process.

Minorities, low-income individuals, the elderly/disabled, and those with low-literacy or limited English proficiency are less likely to participate in the public process due to socioeconomic and physical barriers. These populations are also more likely to be disproportionately affected by decisions due to their dependence on social services. The following methods will be used to locate these populations and identify barriers which prevent their effective involvement in the decision-making process:

IDENTIFYING AND LOCATING TARGETED POPULATIONS

Using GIS analysis of the latest United States Census Bureau American Community Survey (ACS) data, the location of areas with concentrations of minority, low-income, and elderly populations are identified (see Maps 1-3). Due to the relative demographic homogeneity of the Region, along with its low-density and rural character, the exact locations and numbers of these populations are difficult to pinpoint using geographic areas defined by the Census Bureau. These maps will be used as a resource for public involvement.

MINORITY POPULATIONS

In order to comply with Title VI of the Civil Rights Act requirements, SWRPC will attempt to identify and pro-actively seek the input from minority individuals in the Region. According to the Census Bureau, the Region has 4,747 (4.7%) people who do not describe themselves as being ‘white alone, not Hispanic or Latino’ (2010-2014 American Community Survey 5-Year Estimates). This percentage is far below the national average of 37.2% being of a racial or ethnic minority. Please refer to Map 1 for locations of concentrated minority populations.

Minority populations may feel out of place, uncomfortable or otherwise unwelcomed to participate in a community discussion. These barriers could be overcome through thoughtful design and distribution of public notices and a meeting facilitator who consciously welcomes and involves minority individuals. At no time should anyone, especially authority figures, be allowed to make disparaging comments towards minority individuals.
LOW-INCOME HOUSEHOLDS AND INDIVIDUALS

In order to comply with Environmental Justice provisions, SWRPC will attempt to identify and pro-actively engage input from low-income individuals. An individual or household is classified as low-income if their income, adjusted for family size, is 150% or less of the federal poverty line.\(^3\) Approximately 15.4% of the population within the Southwest Region is considered low-income. Please refer to Map 2 for locations of concentrated low-income populations.

Low-income individuals may have difficulty in attending meetings due to incompatible work schedules and obtaining transportation or childcare. Attempts should be made to provide meeting opportunities that mitigate these barriers. Please refer to Section 4 of this document for more information on public meetings.

THOSE REQUIRING ACCOMMODATIONS

In order to comply with Americans with Disabilities Act (ADA) provisions, SWRPC will attempt to solicit and accommodate input from individuals with physical and/or mental impairments, including those brought about by advanced age. While data on aging is easily available, disability data is more difficult to obtain due to medical privacy issues. However, Commission staff is well aware of the importance of participation of this group of individuals through work with non-profits such as Monadnock Developmental Services (MDS). Please refer to Map 3 for locations of concentrated aging populations.

Barriers to participation from this group are typically physical in nature. Mobility impairments represent a common barrier to participation. Sensory impairments such as hearing and vision loss should also be addressed through alternative modes of communications. Please refer to Section 4 of this document for more information on public meetings and how ADA compliance is addressed in venue location.

LOW-LITERACY AND LIMITED ENGLISH PROFICIENCY POPULATIONS

In addition to the above-mentioned barriers to effective public participation, language is perhaps the biggest impediment to communication between the public and decision

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makers. Language barriers include low-literacy levels (closely correlated to low-income\textsuperscript{4}) and limited English proficiency of minority and immigrant populations.

Low-literacy is defined as less than a 5\textsuperscript{th} grade reading and comprehension level.\textsuperscript{5} While data regarding low-literacy is not available for the Region, Census data shows that 8\% of the Region’s residents who are 25 years and older have an educational attainment level below a high-school diploma and an additional 34\% of the Region’s residents’ highest educational attainment is a high school diploma or equivalent (2010-2014 American Community Survey 5-Year Estimates). An individual’s reading level is usually 3 to 5 grades lower than their highest educational attainment.\textsuperscript{6} Using these metrics, about 42\% of the adult population has an 8\textsuperscript{th} grade reading level. Please refer to Section 5 of this document for more information regarding methods to accommodate low-literacy individuals.

The Region has approximately 148 individuals that have some difficulty with English (2010-2014 American Community Survey 5-Year Estimates). This is equivalent to approximately 0.15\% of all people in the Region. The Census Bureau categorizes these persons as “linguistically isolated.”

Federal law prohibits national origin discrimination and requires meaningful access to limited English proficiency persons in federal and federally assisted programs and activities. Executive Order 13166, ”Improving Access to Services for Persons with Limited English Proficiency” requires recipients of Federal funds to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so limited English proficiency persons can have meaningful access to them (see Attachment A).

The policy of SWRPC is to take reasonable steps to provide meaningful access to limited English proficiency individuals. The policy is to reduce instances which language will not prevent staff from communicating effectively with limited English proficiency persons and that limited English proficiency will not prevent people from accessing SWRPC processes.


In order to meet recent federal requirements in accommodating members of the public with limited English proficiency, SWRPC will provide the following accommodations:

- Develop a list of SWRPC staff proficiency beyond English to be maintained by the organization.
- Seek language services through local community resources such as Keene State College. SWRPC will attempt to match such services to particular needs of individuals attempting to access services.
- If local organizations are unable to provide such assistance for individuals with limited English proficiency, the following list of possible resources may be considered:
  - New Hampshire’s Department of Education 2015-2016 Directory of NH Translators (603-271-2034)
  - Language Bank (603-224-8111 or 800-244-8119) for on-site interpretation assistance
  - Language Line (1-800-752-6096)
- In cases where interpretation is needed for only written materials, or in an effort to help identify the type of assistance needed, Google’s online foreign language translation tool may be helpful and can be accessed on the Internet at https://translate.google.com/.

SWRPC will attempt to accommodate those with low-English proficiency on an as-needed basis. SWRPC staff will strive to communicate plans, notices, and policies to anyone who initiates contact. If a language barrier does arise, SWRPC will make efforts to find suitable resources to bridge the language gap.

### 4.0 Pro-Active Methods of Public Involvement

#### MEETING VENUES

SWRPC will make reasonable attempts to hold public meetings in centrally located venues easily accessed by residents of the region. Meeting rooms should be ADA accessible when possible and offer adequate parking and ADA accessible bathrooms.

SWRPC routinely hosts public meetings at its office located at 37 Ashuelot Street in Keene. This location is centrally located within the context of Southwest New Hampshire and is ADA accessible.
In situations where meetings are sub-regional or local in scope, the SWRPC has a number of identified meeting locations throughout the Region to facilitate enhanced access to the local population. As a town member organization, the SWRPC has the flexibility of working with towns in the Region to meet in town-owned facilities or other local community institutions.

**TRANSPORTATION FOR NON-DRIVERS**

SWRPC has developed and maintained the Southwest Region Community Transportation Directory as a resource to connect interested stakeholders with limited mobility to community transportation services including taxis, ridesharing services, volunteer driver services and other available community transportation agencies.

**PROJECT SPECIFIC ADVISORY COMMITTEES**

From time to time, SWRPC forms Advisory Committees to gain public input for the purposes of aiding in the development of specific planning projects. These committees are made up of stakeholders focused on a particular issue and/or project or program. All meetings should be open to the public. These meetings should also be held close to the communities they affect if applicable and as may be accommodated.
SWRPC advisory committee meetings represent a key decision-making point in the planning process. Standing advisory committees include:

- Brownfields Advisory Committee
- Economic Development Advisory Committee
- Natural Resources Advisory Committee
- Transportation Advisory Committee

As such, public awareness and inclusion in these meetings is an essential part of the Public Involvement Plan. SWRPC meetings are regularly scheduled meetings that are advertised on the SWRPC website and in SWRPC Happenings, a periodic e-communication, and Highlights of Commission Activities, SWRPC’s monthly newsletter.7

By using electronic mailing lists, SWRPC reaches target audiences with announcements of upcoming events, meeting information, newsletters, summary reports and other information about agency activities.

SWRPC’s Board of Directors and advisory committee membership will strive to reflect the demographic make-up of the region. Project-specific public participation should be designed and documented as appropriate.

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7 Commission Highlights may be found at the SWRPC homepage: [http://www.swrpc.org](http://www.swrpc.org). Archived newsletters may be found at [http://www.swrpc.org/highlights/highlights_archive](http://www.swrpc.org/highlights/highlights_archive).
NON-SWRPC PUBLIC MEETINGS

SWRPC on occasion aids state agencies and others in hosting public meetings for our region. In these cases, SWRPC will aid in advertising these meetings and abide by the Public Involvement Plan principles.

NOTIFICATION

Public notices should be distributed via the SWRPC website, the bimonthly email newsletter, and the monthly newsletter, when appropriate. Notifications should be posted at least 24 hours prior to the meeting, and should include the date, time, and place of the meeting. Additional methods of public notice such as press releases and meeting announcements are used in many instances.

Public notifications and notices should include directions to the venue and contact information to request assistance regarding special accommodations due to a disability or language barrier.

PUBLIC RECORDS

The State of New Hampshire dictates that public records must be made available for inspection by the public. These records include the minutes, agendas, documents, and records used in the decision-making process and those describing the expenditure of public funds. SWRPC will ensure that the provisions of NH RSA 91-A (Access to Public Records and Meetings) are followed.8

5.0 Publications

The final outcome of the regional planning process is often in the form of a published document. These publications should not only reflect the public comments and suggestions.

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gathered through the public involvement process, but should also be easily accessed and understood by the average person.

**AVAILABILITY**

Publications should be published both in hard copy and electronically. These publications should be made available on the SWRPC website and in its office for public review. Copies should also be distributed in public locations such as the Keene Public Library.

Electronic versions published on the internet should be easily downloaded and viewed. SWRPC will try to make files manageable by limiting their sizes and making them available on a widely used file format, such as pdf.

**READABILITY AND COMPREHENSIBILITY**

All publications should strive to be readable and comprehensible by the public. The average person reads at an 8th grade reading level. The following recommendations should be followed in order to increase the readability and comprehensibility of a document:

- **TOPIC** - An individual will read at a higher level if the topic is made interesting. Regional issues should be set within the context of its effects on the Region, local area, and its residents.

- **LEGIBILITY** - Fonts should not be too small, crowded or faint.

- **SENTENCE LENGTH AND REDUNDANCY** - Short sentences and redundancy help people read at higher levels.

- **FORMAT** - White space and illustrations are appealing and aid in comprehension. Inset boxes should also be used to break up the layout of a page.

- **DENSITY OF INFORMATION** - New ideas should not be concentrated. Too many new concepts at once can be difficult to digest and discourage the reader.
**LANGUAGE** - Esoteric and technical jargon should be reserved for appendices. Where such jargon is essential to the document, all words and acronyms should be clearly defined and explained.

**GRAPHICS** - Publications should strive to use visualizations such as GIS maps, graphs, charts, and pictures to communicate concepts and ideas.

### 6.0 Complaint and Periodic Review Process

The following procedures should be used to inform the public of Title VI obligations:

**NOTICE TO PUBLIC OF TITLE VI PROCEDURES**

SWRPC will provide public notice that it conducts regional planning under the nondiscrimination requirements as outlined in Title VI of the Civil Rights Act of 1964. This notice will also inform the public that more information is available by contacting SWRPC, at which time a copy of this document will be provided (see Attachment B).

**TITLE VI COMPLAINT PROCESS**

Any member of the public will be allowed to file a complaint against SWRPC if they believe that it has violated Title VI obligations. All complaints will be forwarded to the Executive Director upon receipt, and a copy shall be forwarded to the appropriate funding agency (for example, complaints of Title VI discrimination within transportation planning activities will be forwarded to NH DOT Bureau of Human Resources – Office of Civil Rights and Labor Compliance). The SWRPC Board of Directors will then discuss the complaint with assistance from said agency to determine its merits (see Attachment C).
Upon completion of these initial steps, a response to the originator of the complaint shall be sent from the Executive Director of SWRPC informing them if a violation has in fact taken place. SWRPC will work with the relevant state or federal agency to remedy all violations as appropriate on a case-by-case basis. In cases where the procedures outlined in the Public Involvement Plan are flawed and lead to a violation, the Plan should be reviewed and updated to address these issues as soon as possible. All complaints and associated documentation shall be kept on file for a period of 5 years regardless of its outcome.

**PERIODIC REVIEW**

The Public Involvement Plan should be reviewed periodically by SWRPC staff, project-specific advisory committees and the Board of Directors no less frequently than every 5 years and revised as necessary. The effectiveness of the procedures set herein should be reviewed and updated to meet best practices and evolving SWRPC planning requirements.

A public review and comment period should run for a period of no less than 45 days for all changes made to the Public Involvement Plan. Public participation is encouraged in this periodic review process.
CASE STUDY:
MONADNOCK REGION FUTURE

In 2012, SWRPC developed Monadnock Region Future, a document that provides a vision for the future of the Monadnock Region. The document is a resource for communities to use in local decision making and planning and to stimulate regional collaboration. The outreach methods used during the development of the Monadnock Region Future Plan serve as a compelling example for how planning staff can creatively involve the public throughout the planning process.

“Monadnock Region Future was the most robust public involvement effort in the history of the agency. Where appropriate and to the extent that resources are available, SWRPC will try to emulate the public involvement principles that were used for that project on future projects.”
- Tim Murphy, SWRPC Executive Director

To ensure a collaborative and inclusive planning process, SWRPC staff worked with a designated leadership team, the planning commission’s board of directors, and its advisory committees. The leadership team included members from diverse industries, organizations, and towns within the region and met routinely to share feedback with the SWRPC staff. SWRPC also launched an extensive public outreach initiative. SWRPC recognized that a high level of public participation and engagement is the most powerful way to assess the region’s assets, opportunities, and challenges.

Important components of SWRPC’s public involvement efforts included:
- Hosting public community conversations scattered throughout the region;
- Conducting a series of topic-oriented focus groups with diverse organizations
- Developing and distributing surveys at public events
- Using web-based tools such as an online survey and map to provide an alternate way for public to share input; and
- Placing suggestion boxes at frequently visited places like general stores, post offices and town halls throughout the region.

SWRPC wrote the plan so that it would be interesting and understandable to the public. It did this by applying concise language, avoiding technical terminology, and incorporating illustrations and photos. According to Tim Murphy “We planners work in a profession that includes a lot of technical jargon, and we depend on a variety of complex data sets to describe planning challenges. When we set out to write Monadnock Region Future we made a concerted effort to ‘tell a story’ about the Monadnock Region using easy to understand language, pictures and graphics.”

SWRPC believes that its extensive public outreach process and its approach to writing the plan resulted in a better regional plan. Spending extra time to interact with the public and local leaders helped SWRPC develop a regional future vision that accurately represented the diverse views, needs, and opinions of the communities within the Monadnock Region.
Attachment A - Public Involvement Statutes

**Title VI of the Civil Rights Act of 1964 (Title VI)**

No person in the United States shall, on the ground of race, color, national origin, sex, age, disability, or creed be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

**Federal Actions to Address Environmental Justice in Minority and Low-Income Populations (Environmental Justice)**

To the greatest extent practicable and permitted by law, each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States.

**Americans with Disabilities Act (ADA)**

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

**Title IX of the Education Amendments of 1972 - Patsy Mink Equal Opportunity in Education Act**

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

**The Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users (SAFETEA-LU):**

This Federal legislation suggests that the transportation planning process pro-actively involve the public by providing full access to information and timely notice to meetings. The decision-making process should be transparent and open to public participation. This statute also requires Metropolitan areas to develop and utilize a ‘Public Participation Plan’ to explicitly demonstrate consideration of public input, especially from those traditionally underserved sections of the population.

**Fixing America’s Surface Transportation (FAST) Act**

The FAST Act mandates that metropolitan planning processes include a pro-active public participation process. This process should be employed throughout the
development of transportation plans and transportation improvement programs and provide opportunities for the public to engage in the decision-making process. Public meetings should be held at convenient times and locations and timely notice of meetings should occur. All documents should be written in a format and style that is comprehensible by any person. The FAST Act emphasizes the use of visual tools to engage citizens in the planning process.

**Executive Order 13166 – Improving Access to Services for Persons With Limited English Proficiency:**

Executive Order 13166 requires each federal agency that provides financial assistance to develop Limited English Proficiency (LEP) guidance for its recipients on the obligation to provide meaningful access to limited English proficient individuals. Recipients of federal financial assistance are to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

**State of New Hampshire State Commission for Human Rights (RSA 354-a)**

The general court hereby finds and declares that practices of discrimination against any of its inhabitants because of age, sex, race, creed, color, marital status, familial status, physical or mental disability or national origin are a matter of state concern, that such discrimination not only threatens the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state and threatens the peace, order, health, safety and general welfare of the state and its inhabitants. In addition, the agencies and councils so created shall exercise their authority to assure that no person be discriminated against on account of sexual orientation.

**State of New Hampshire Right-to-Know Law (RSA 91-a)**

The State of New Hampshire dictates that public records must be made available for inspection by the public. These records include the minutes, agendas, documents, and records used in the decision-making process and those describing the expenditure of public funds.
Southwest Region Planning Commission
Title VI Notice to Public

The Southwest Region Planning Commission (SWRPC) hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all related statutes. Title VI and related statutes prohibiting discrimination in Federally assisted programs require that no person in the United States of America shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice regarding the SWRPC’s programs has a right to file a formal complaint with SWRPC. Any such complaint must be in writing and submitted to the SWRPC Executive Director within one hundred eighty (180) days following the date of the alleged occurrence. For more information regarding civil rights complaints, please contact:

SWRPC
37 Ashuelot Street
Keene, NH 03431
(603) 357-0557
FAX: (603) 357-7440
Attachment C - NH DOT Title VI Complaint and Investigation Procedure

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, for alleged discrimination in any program or activity administered by The New Hampshire Department of Transportation (NH DOT).

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the NH DOT may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statues may file a written complaint to the following address:

Title VI Coordinator
New Hampshire Department of Transportation
P.O. Box 483, 7 Hazen Drive
Concord, NH 03302-0483
Phone: (603) 271-6070
TTY Access: (800) 735-2964

The following measures will be taken to resolve Title VI complaints:

1.) A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant’s name, address and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin, sex, disability, age), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.

2.) In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the NH DOT Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the NH DOT Title VI Coordinator will assist the Complainant in converting the verbal allegations to writing.

3.) The Department will investigate complaints filed with the Department against contractors, consultants, or other sub-recipients. Complaints filed directly with the Department against the Department shall be forwarded to the appropriate Federal agency for investigation.

4.) When a complete complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within five (5) days by registered mail. At the same time, the complaint will be forwarded to the State of New Hampshire Attorney General’s Office and to the appropriate Federal agency.
5.) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be notified within 15 business days from receipt. The Complainant will be provided 60 business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

6.) Within 15 business days from receipt of a complete complaint, the NH DOT will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Commissioner or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
   a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
   b. If the complaint is to be investigated, the notification shall state the grounds of the NH DOT’s jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.

7.) When the NH DOT does not have sufficient jurisdiction, the Commissioner or his/her authorized designee will refer the complaint to the appropriate State of Federal agency holding such jurisdiction.

8.) If the complaint has investigative merit, the Commissioner or his/her authorized designee will assign an investigator. A complete investigation will be conducted, and an investigative report will be submitted to the Commissioner within 45 days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations.

9.) The Commissioner or his/her authorized designee will issue letters of finding to the Complainant and Respondent. Where appropriate, these letters will include conciliatory measures. A copy of the investigative report shall be forwarded to the respective Federal agency within 60 days from receipt of the complaint. If the investigation is delayed for any reason, the investigator will notify the appropriate authorities, and an extension will be requested.

10.) If the Complainant is dissatisfied with the NH DOT’s resolution of the complaint, he/she has the right to file a complaint with the:

Departmental Office of Civil Rights U.S. Department of Transportation
1200 New Jersey Ave, S.E.,
Washington, D.C. 20590
(202) 366-4648
(202) 366-5992
TTY Access: (202) 366-9696
DC Relay: (202) 855-1000