



Southeastern Massachusetts Metropolitan Planning Organization Language Access Plan

SRPEDD

Southeastern Regional Planning
& Economic Development District



Prepared by
SRPEDD
88 Broadway
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& Economic Development District

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2004 Census Test		United States Census 2010	
LANGUAGE IDENTIFICATION FLASHCARD			
<input type="checkbox"/>	ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic	
<input type="checkbox"/>	Քանզո՞ւմ է՞ք ձեր հայրենի լեզու արարողու՞մը, եթէ հայերէն լեզու կը օգտագործէք:	2. Armenian	
<input type="checkbox"/>	যদি আপনি বাংলা পড়েন বা বলেন তা হলে এখানে দাগ দিন।	3. Bengali	
<input type="checkbox"/>	ឈ្មោះអ្នកប្រើប្រាស់: អ្នកប្រើប្រាស់ ខ្មែរ ។	4. Cambodian	
<input type="checkbox"/>	Mofka i kalleson ya yangin, tuntu'gana' nancitai pai tuntu'gna' kumantos Chamorro.	5. Chamorro	
<input type="checkbox"/>	如果你能讲中文或讲中文，请选择此框。	6. Simplified Chinese	
<input type="checkbox"/>	如果你能读中文或读中文，请选择此框。	7. Traditional Chinese	
<input type="checkbox"/>	Oznacite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8. Croatian	
<input type="checkbox"/>	Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech	
<input type="checkbox"/>	Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch	
<input type="checkbox"/>	Mark this box if you read or speak English.	11. English	
<input type="checkbox"/>	اگر خواندن و نوشتن فارسی بلد هستید این مربع را علامت بزنید.	12. Farsi	

CS-3309 U.S. DEPARTMENT OF COMMERCE
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The Southeastern Massachusetts Metropolitan Planning Organization (SMMPO) through the Southeastern Regional Planning and Economic Development District (SRPEDD) operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related 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, or national origin** (including **limited English proficiency**), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance. Related federal nondiscrimination laws administered by the Federal Highway Administration, the Federal Transit Administration, or both prohibit discrimination on the basis of **age, sex, and disability**. These protected categories are contemplated within SRPEDD's Title VI Programs consistent with federal interpretation and administration. Additionally, SRPEDD provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with US Department of Transportation policy and guidance on federal Executive Order 13166.

Individuals seeking additional information or wishing to file a Title VI/Nondiscrimination complaint may contact the SRPEDD Title VI/Nondiscrimination Coordinator at the contact information here. All such complaints must be received, in writing, within 180 days of the alleged discriminatory occurrence. A complaint may be filed with the following:

Southeastern Massachusetts Metropolitan Planning Organization (SMMPO)
Title VI Coordinator
SRPEDD
88 Broadway, Taunton, MA 02780
Phone: 508 824-1367 or dial 711 to use MassRelay
Email: lcabral@srpedd.org

The MassDOT Title VI Specialist

MassDOT Office of Diversity and Civil Rights
10 Park Plaza, Suite 3800, Boston, MA 02116
Phone: 857-368-8580 or 7-1-1 for Relay Service.
Email: MassDOT.CivilRights@state.ma.us

The MassDOT Office of Diversity and Civil Rights – Investigations Unit

Assistant Secretary of Diversity & Civil Rights, MassDOT
10 Park Plaza, Suite 3800, Boston, MA 02116
Email: odcrcomplaints@dot.state.ma.us

Massachusetts Public Accommodation Law (M.G.L. c 272 §§92a, 98, 98a) and Executive Order 526 section 4 also prohibit discrimination in public accommodations based on religion, creed, class, race, color, denomination, sex, sexual orientation, nationality, disability, gender identity and expression, and veteran’s status, and SRPEDD and the SMMPO assures compliance with these laws. Public Accommodation Law concerns can be brought to SRPEDD’s Title VI / Nondiscrimination Coordinator or to file a complaint alleging a violation of the state’s Public Accommodation Law, contact the Massachusetts Commission Against Discrimination (MCAD) within 300 days of the alleged discriminatory conduct.

The SMMPO is equally committed to implementing federal Executive Order 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.” In this capacity, the SMMPO identifies and addresses disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. The SMMPO carries out this responsibility by involving minority and low-income individuals in the transportation process and considering their transportation needs in the development and review of the SMMPO’s transportation plans, programs and projects.

English: If this information is needed in another language, please contact SRPEDD’s Title VI Coordinator by phone at (508) 824-1367.

Portuguese: Caso esta informação seja necessária em outra idioma, favor contar o coordenador em Título VI do SRPEDD pelo telephone (508) 824-1367.

Spanish: Si necesita esta información en otro idioma, por favor contacte al coordinador de SRPEDD del Título VI al (508) 824-1367.

Haitian / French Creole: Si yo bezwen enfòmasyon sa a nan yon lòt lang , tanpri kontakte Koòdonatè Tit VI SRPEDD a pa telefòn nan (508) 824-1367.

Introduction

Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d, *et seq.* states: ***“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.”*** This includes any person who is not proficient in the English language.

The SMMPO is committed to complying with all civil rights laws, including Title VI of the Civil Rights Act of 1964 (Title VI), which requires us to ensure that individuals with Limited English Proficiency (LEP) have meaningful access to our programs, activities and services. The term **Limited English Proficient (LEP)** does not refer to persons who are bilingual but rather persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English ‘less than very well’ or at all.

On August 11, 2000, President Clinton issued Executive Order 13166, titled “Improving Access to Services by Persons with Limited English Proficiency.” Executive Order 13166 requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to limited English proficiency, cannot fully and equally participate in or benefit from those programs and activities. Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including Metropolitan Planning Organizations such as the Southeastern Massachusetts Metropolitan Planning Organization (SMMPO).

The Executive Order also states that recipients, such as the SMMPO, must ***“take reasonable steps to ensure ‘meaningful’ access [to LEP individuals] to their programs and activities by LEP persons.”*** This plan outlines these reasonable steps to provide meaningful access to LEP persons that are available to the general public.

In the SMMPO region, according to the 2010-2014 American Community Survey (ACS), 43,495 people, out of the total population of 588,109, an average of 7.40% of the population, has a limited ability to speak, write or understand English and is, therefore, considered Limited English Proficient or LEP.

The LEP 4-Factor Analysis

The Federal Transit Administration (FTA) provides guidance to grantees, including the SMMPO, on how to comply with Title VI regulations, as well as to ensure grantees provide meaningful language access to persons who are limited English proficient with FTA Circular 4702.1B (revised 10-1-12). This document also requires recipients, such as the SMMPO, to develop a language access plan to meet language access needs. This needs assessment, as defined by U.S. Department of Transportation, is based on the analysis of four factors, as follows.

- 1.) the number or proportion of LEP persons in the eligible service population;
- 2.) the frequency with which LEP individuals come in contact with programs, activities & services;
- 3.) the importance of the programs, activities & services to LEP persons; and
- 4.) the resources available to the agency.

The first two factors are used to identify persons who need language assistance. The remaining two factors are used to determine appropriate language assistance measures.

The four-factor analysis is the recommended tool to assess language needs to ensure meaningful access to LEP individuals as required by Executive Order 13166. SRPEDD, as staff to the SMMPO, developed this Language Access Plan (LAP) to help identify reasonable steps, based on the four-factor analysis, to provide language assistance for LEP persons seeking meaningful access to SMMPO programs, benefits, and services.

The First Factor

The first factor to consider is “the number or proportion of LEP persons in the eligible service population.” The greater number or proportion of LEP persons speaking a particular language encountered in the service population, the more likely it is that language services are needed for those persons. This is determined by applying the “Safe Harbor” provision. Once again, LEP persons are those who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English ‘less than very well’ or at all.

The ‘Safe Harbor’ provision states that the translation of vital written materials is necessary if a language group comprises 5% or 1000 individuals or more of the total population being served. Surpassing this threshold is an indication that language services are likely needed for those persons.

According to the 2010-2014 ACS data, the total number of LEP persons in the SMMPO region is 43,495, which represent 7.40% of the region’s population. The LEP populations we identified meeting the U.S. DOT definition of LEP Safe Harbor thresholds in the region (more than 5% or 1,000 individuals) are Portuguese or Portuguese Creole, Spanish or Spanish Creole and French (Haitian) Creole. The number of Portuguese or Portuguese Creole speakers is 25,214 (4.29%), the number of Spanish or Spanish Creole speakers is 10,138 (1.72%) and the number of French (Haitian) Creole speakers is 1,625 (0.28%). This is illustrated in the Table below entitled Languages Spoken by LEP Persons in the SRPEDD Region.

Languages Spoken by LEP Persons in the SRPEDD Region

Language	Total population age 5+ that speaks the specified language	Total population age 5+ that speaks English 'less than very well'	Percentage of total population age 5+ that speaks English 'less than very well'
Portuguese or Portuguese Creole	62,365	25,214	4.29%
Spanish or Spanish Creole	24,008	10,138	1.72%
French (Haitian) Creole	3,062	1,625	0.28%

The largest percentage of LEP speakers in the SMMPO region reside in the cities of New Bedford (17.27%), Fall River (13.74%) and Taunton (8.20%), and in the towns of Acushnet (7.84%) and Dartmouth (6.85%). The average of LEP persons for the SMMPO region is 7.40%. Please refer to the table below, entitled SRPEDD Limited English Proficiency 2010-2014 ACS Tracts.

SRPEDD routinely maps minority, low-income (below poverty level) and LEP populations / areas down to the Census tract for our Transportation Evaluation Criteria, for public outreach purposes, for the Title VI submissions of our regional transit agencies, for transit route equity analyses and evaluations, for Title VI based project distribution equity analysis and for other general planning purposes. SRPEDD defines a Title VI/EJ community and Title VI/EJ Census tracts as such if they are greater than the regional average for LEP which is 7.4%.

SRPEDD Limited English Proficiency 2010-2014 ACS Tracts

City/Town	Total Population 5+	LEP Population 5+	Percent LEP
Acushnet	9,950	780	7.84%
Attleboro	40,622	2,268	5.58%
Berkley	6,132	16	0.26%
Carver	11,191	76	0.68%
Dartmouth	33,477	2,293	6.85%
Dighton	6,570	69	1.05%
Fairhaven	15,290	372	2.43%
Freetown	8,590	285	3.32%
Fall River	83,320	11,446	13.74%
Lakeville	10,396	171	1.64%
Mansfield	22,096	512	2.32%
Marion	4,763	42	0.88%
Mattapoisett	5,983	148	2.47%
Middleborough	22,184	374	1.69%
New Bedford	88,710	15,322	17.27%
North Attleboro	26,955	326	1.21%
Norton	18,635	366	1.96%
Plainville	8,190	54	0.66%
Raynham	12,690	474	3.74%
Rehoboth	11,252	266	2.36%
Rochester	5,102	152	2.98%
Seekonk	13,730	596	4.34%
Somerset	17,560	952	5.42%
Swansea	15,507	613	3.95%
Taunton	52,830	4,332	8.20%
Wareham	21,365	355	1.66%
Westport	15,019	835	5.56%
TOTAL	588,109	43,495	
REGIONAL AVERAGE			7.40%

The Second Factor

The second factor to consider is “the frequency with which LEP individuals come in contact with programs, activities & services.” Previous experience, as well as an informal survey of staff, identified the most frequent contact with LEP persons occurs at public meetings, especially those involving transit service or local transportation projects, and face-to-face transit surveys. The most visible and accessible conduits to information concerning programs, activities, projects and services are the SRPEDD website, Facebook page and Twitter feed.

Materials regularly disseminated to the public, including meeting notices, meeting materials, and public outreach brochures are translated into Safe Harbor languages as a routine part of our public outreach efforts.

We also regularly provide interpreters at public meetings, without formal request, especially those located in areas with a high LEP population, such as New Bedford, Fall River, Taunton, Acushnet and Dartmouth. All electronic and paper surveys, for all transportation efforts (The Regional Transportation Plan, safety and corridor studies, transit services, bike and ped, etc.) are also routinely translated into Portuguese, Spanish and Haitian Creole. Translated public meeting notices include an offer of reasonable accommodations, including language assistance and/or auxiliary aids and services free of charge upon request and as available, including contact information for SRPEDD’s Title VI Coordinator. There is a laminated poster including the Title VI Notice of Non-Discrimination Rights and Protections in English, Portuguese, Spanish and Haitian Creole, posted in 4 locations in our office building. These posters are also posted at every public meeting held outside of our office.

The SRPEDD website offers Google Translate, a service which supplies a choice of 100 languages for a translated version of the website. The website also includes a static link to the page that contains all Title VI related information and documents, including the SMMPO’s Title VI Complaint Process and the Title VI Complaint forms. Facebook and Twitter each provide their own translation services. SRPEDD also contracts with Language Line, a service that provides on-demand, phone interpreter services in over 170 languages. All staff members were instructed on how to use this service and provided an instruction sheet.

Following requests from several communities for LEP, (as well as minority, and low-income) information, SRPEDD staff completed the creation of LEP, minority, and low-income maps for each community within the SMMPO / SRPEDD region. These maps were also posted on the SRPEDD website. This may assist them in identifying the under-represented populations in their communities and where they are located.

The Third Factor

The third factor to consider is “the importance of the programs, activities & services to LEP persons.” All of the SMMPO’s activities, information, programs and services are important and language assistance to LEP persons is carefully considered in each one.

There is a variety of both formal and informal input that adds valuable information to the analysis used to determine the language access steps the SMMPO takes. The first is data analysis, and the most prevalent languages spoken by LEP populations in the region were identified as Portuguese, Spanish and Haitian Creole using Census data. The mapping of LEP populations, down to the Census tract level for every community in the SRPEDD region, helps us specifically identify areas and neighborhoods with a prevalence of LEP populations.

Another useful avenue of input is the varied experience of the SRPEDD staff. We have staff members who are first generation Americans, staff members who are bilingual and those who speak English as a second language. We also have staff members who have a deep and personal knowledge of LEP neighborhoods and communities from living within the region, some for all or most of their lives.

As part of our strategy to solicit input from the public and other sources, we have regular contact and conversations with LEP and other social service advocates in our region relating to the issues of the most concern to LEP populations. Among these advocates, are the directors of the Community Economic Development Center and the Immigrants Assistance Center, and members of the South East Regional Coordinating Council On Transportation (SERCCOT).

SERCCOT is a group of 90 representatives, including SRPEDD, from transit, transportation provider organizations, planning agencies, state agencies, Independent Living Centers, Councils on Aging, businesses, educational institutions, transportation advocates, and consumers. This group meets regularly to prioritize and communicate unmet needs, and to increase awareness and access to existing services for transportation throughout the region.

During these ongoing contacts and conversations several issues are repeatedly mentioned and believed to be the issues of greatest concern to LEP populations. The top issues are quality housing, transportation, especially transit services, and jobs. Other areas of concern are English for Speakers of Other Languages (ESOL) classes, legal assistance, and health care.

SRPEDD regularly translates informational and educational materials, as well as surveys, into the Safe Harbor languages of Portuguese, Spanish and Haitian Creole. These outreach materials

are a valid means in which to make contact and engage with traditionally underserved populations, especially persons with Limited English Proficiency. SRPEDD staff has also gone door-to-door, specifically in LEP neighborhoods, to distribute translated meeting notices and other information to ensure that the opportunity to participate is made available. Pedestrian and safety brochures for older adults with a large font and graphics, is translated into all Safe Harbor languages and distributed to Councils on Aging in the region and to the agencies mentioned above.

Traditional techniques are not always effective in LEP and other traditionally underserved populations. The practice of translating printed outreach materials and offering different options of participation, including those options not requiring direct contact, is especially important with these populations. These practices inform, as well as invite participation with populations that are often intimidated by any type of bureaucracy and would not otherwise seek out this information.

The Greater Attleboro Taunton Regional Transit Authority (GATRA) and the Southeastern Regional Transit Authority (SRTA), both members of the SMMPO, provide their own protocol to ensure meaningful access to the benefits, services, information, and other important portions of activities for individuals who are Limited English Proficient (LEP). These protocols may include but may not be limited to, translations of bus schedules, specific vital documents and bi-lingual staff available for interpretations as needed. We have shared contact and other information with both RTA's for both MassRelay and the UMass translation services upon request, and one of their bi-lingual staff has coordinated with our staff to provide interpretation for transit related public meetings.

The Fourth Factor

The fourth factor to consider is “the resources available to the agency.” Our resources are limited by our budgetary constraints but we manage to provide translations and interpretation services regularly, and in many instances, due to both staff abilities and thoughtful budgeting.

Informational and outreach brochures and flyers are regularly translated for distribution among LEP populations, including brochures involving pedestrian and bicycle safety. Meeting notices and other meeting materials, such as comment sheets and cards, surveys, display items, posters, maps and especially signage, are also routinely translated into Portuguese, Spanish and French (Haitian) Creole.

Translated comment cards including the survey link and QR readers to directly connect to the survey, are often distributed prior to the meeting, offering the opportunity to comment without attending the meeting. These cards are translated to offer information, as well as the opportunity to participate, especially important among populations that are often intimidated by any type of bureaucracy and would not otherwise seek out this information or the opportunity to participate.

Some of the translations are completed in-house by staff if possible but professional translators have been contracted for longer outreach materials. If a request for translation is beyond our limited budget, every effort will be made to provide the information requested, in any language.

Since professional translation services for a document of any significant length would place an undue financial burden on the SMMPO's already constrained resources, alternatives will be considered if and when requests for translations are made. For instance, if a translation request is made for a document of significant length, a summary will be completed and then translated; or specific or pertinent text included in a document of significant length will be edited and translated to provide the necessary or particular information being sought.

LEP Efforts

According to the 2010-2014 ACS data, an average of 7.40% of persons in the SRPEDD region have a limited ability to read, speak, write, or understand English. The SMMPO has proactively taken the initiative to make both interpretations and translations routinely available to ensure meaningful access to LEP persons.

There are several bilingual staff members at SRPEDD. Three of the staff are conversationally fluent in Portuguese and are more than capable of providing interpreter services. One of the staff is proficient in the Portuguese written language and two are intermediate. All three are capable of simple written translations. One additional staff member is an intermediate Portuguese speaker. One staff member is conversationally fluent and proficient/fluent in written Spanish. These staff members have provided informal assistance, e.g. during Title VI transit surveys, going door-to-door for public outreach, etc. and have attended meetings to provide interpreter services as necessary. An additional staff member is conversationally fluent in French and intermediate in written French, and two are fluent in Chinese (Cantonese, Mandarin, Hanzhou [Wu] and Hakka dialects).

The Greater Attleboro Taunton Regional Transit Authority (GATRA) and the Southeastern Regional Transit Authority (SRTA), both members of the SMMPO, each have employees who speak Portuguese and Spanish. GATRA has 5 employees who speak Portuguese, 5 who speak Spanish and 1 who speaks both Portuguese and Spanish. SRTA has 1 employee who speaks Spanish.

SRPEDD's website provides Google Translate as its translation tool for users. SRPEDD also contracts with Language Line, a service that provides on-demand, phone interpreter services in over 170 languages. All staff members were instructed on how to use this service and provided an instruction sheet.

SRPEDD has translated several vital documents into Portuguese, Spanish and French (Haitian) Creole including a Notice to Beneficiaries of Title VI Rights and the accompanying Complaint Process and Complaint Forms. We regularly translate public outreach materials and public surveys into the 'Safe Harbor' languages. We translate meeting notices or post them in html on the website to be easily translatable with Google Translate.

The SMMPO will continue to be proactive to ensure meaningful access to LEP persons. This written plan is part of the SMMPO's Title VI program and will be reviewed and updated accordingly.