



SRPEDD
Southeastern Regional Planning
& Economic Development District

**Southeastern Massachusetts
Metropolitan Planning Organization
(SMMPO)**

Language Access Plan



Updated October 2022

**DICAS DE
SEGURANÇA
PARA PEÕES**

**ESPERE POR O
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SUA VIDA DEPENDE DISSO

88 Broadway
Taunton, MA 02780
508 824-1367
www.srpedd.org



SRPEDD
Southeastern Regional Planning
& Economic Development District



SRPEDD

Southeastern Regional Planning
& Economic Development District

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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" and [Executive Order 13985](#) (2021) entitled "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government."

In this capacity, the SMMPO identifies and addresses disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on low-income and minority, including BIPOC, Asian or Pacific Islander populations, as well as religious minorities, LGBTQ+ persons, Limited English Proficient (LEP) persons or those who have a disability. The SMMPO carries out this responsibility by the consistent, fair, just, and impartial treatment of all individuals, and by involving underserved 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 via email at lcabral@srpedd.org or by phone at (508) 824-1367 ext 235.

Portuguese: Caso esta informação seja necessária em outra idioma, favor contar o coordenador em Título VI do SRPEDD por e-mail em lcabral@srpedd.org ou pelo telephone (508) 824-1367 ext 235.

Spanish: Si necesita esta información en otro idioma, por favor contacte al coordinador de SRPEDD del Título VI por correo electrónico a lcabral@srpedd.org o al (508) 824-1367 ext 235.

Haitian / French Creole: Si yo bezwen enfòmasyon sa a nan yon lòt lang, tanpri kontakte Koòdonatè Tit VI SRPEDD pa imel nan lcabral@srpedd.org oswa a pa telefòn nan (508) 824-1367 ext 235.

Traditional Chinese: 如果需要使用其他語言瞭解資訊, 請聯繫馬薩諸塞州東南部 大都會規劃組織《民權法案》第六章協調員, 通過電子郵件 lcabral@srpedd.org 或 電話508-824-1367, 轉235。

Simplified Chinese: 如果您需要其他语言的信息, 请联系 马萨诸塞州东南部 都市规划组织《民权法案》第六章协调员, 通过电子邮件 lcabral@srpedd.org 或 电话508-824-1367, 转235。

Mon Khmer Cambodian: (Khmer):

ប្រសិនបើព័ត៌មាននេះត្រូវការជាភាសាផ្សេង សូមទាក់ទងអ្នកសម្របសម្រួល Title VI របស់
SRPEDD តាមរយៈអ៊ីម៉ែល lcabral@srpedd.org ឬ តាមទូរស័ព្ទនៅ (508) 824-1367 ផ្នែកបន្ថែម
235។

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 SMMPO is equally committed to implementing federal Executive Order 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” and [Executive Order 13985](#) (2021) entitled “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.”

In this capacity, the SMMPO identifies and addresses disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on low-income and minority, including Black, Indigenous & Persons of Color (BIPOC), Asian or Pacific Islander populations, as well as religious minorities, LGBTQ+ persons, Limited English Proficient (LEP) persons or those who have a disability. The SMMPO carries out this responsibility by the consistent, fair, just, and impartial treatment of all individuals, and by involving underserved individuals in the transportation process and considering their transportation needs in the development and review of the SMMPO’s transportation plans, programs and projects.

Executive Order 13166 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 2015-2019 American Community Survey (ACS), 42,989 people, out of the total population of 590,379, an average of 7.28% 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 nature and importance of the programs, activities & services provided by the program to people’s lives; 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 the 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 and Executive Order 13985. 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, activities, 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, not well or not 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 2015-2019 ACS data, the total number of LEP persons in the SMMPO region is 42,989, which represent 7.28% of the region’s population. The LEP populations identified as 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 23,417 (3.98%), the number of Spanish or Spanish Creole speakers is 10,813 (1.84%), the number of French (Haitian) Creole speakers is 1,812 (0.31%), the number of Chinese speakers is 1,225 (0.21%), and the number of Mon Khmer Cambodian speakers is 1,006 (0.17%). (To better serve the Chinese speakers, translations of vital materials will be made into both Simplified Chinese and Traditional Chinese bringing the number of Safe Harbor languages to six.) The number of languages spoken by LEP Persons in the SMMPO regions is illustrated in the Table below.

Table 1 - Languages Spoken by LEP Persons in the SMMPO Region

| Language | Total population age 5+ that speaks the specified language | Total population age 5+ that speaks English less than very well or not at all | Percent of total population age 5+ that speaks English less than very well or not at all |
|----------------------------------|---|--|---|
| Portuguese/ Portuguese Creole | 59,419 | 23,417 | 3.98% |
| Spanish/ Spanish Creole | 25,320 | 10,813 | 1.84% |
| French (Haitian) Creole | 3,961 | 1,812 | 0.31% |
| Chinese | 2,232 | 1,225 | 0.21% |
| Mon-Khmer Cambodian | 1,917 | 1,006 | 0.17% |

The largest percentage of LEP speakers in the SMMPO region reside in the cities of New Bedford (17.57%), Fall River (13.22%) and Taunton (8.01%), and in the towns of Acushnet (7.08%) and Dartmouth (6.15%). The average of LEP persons for the SMMPO region is 7.28%. Please refer to the table on the next page, entitled SRPEDD Limited English Proficiency 2015-2019 ACS Tracts.

SRPEDD routinely maps minority, low-income (below poverty level), LEP, older adults, and disability populations / areas down to the Census tract for our Transportation Evaluation Criteria, for public outreach purposes, for transit route equity analyses and evaluations, for Title VI based TIP 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 7.28%.

Table 2-SMMPO/SRPEDD Limited English Proficiency 2015-2019 ACS Tracts

| City/Town | Total Population Age 5+ | LEP Population Age 5+ | Percent LEP |
|--------------------|------------------------------------|----------------------------------|--------------------|
| Acushnet | 10,014 | 709 | 7.08% |
| Attleboro | 41,170 | 2,205 | 5.36% |
| Berkley | 6,184 | 45 | 0.73% |
| Carver | 11,166 | 60 | 0.54% |
| Dartmouth | 33,624 | 2,068 | 6.15% |
| Dighton | 6,682 | 81 | 1.21% |
| Fairhaven | 15,252 | 481 | 3.15% |
| Fall River | 83,288 | 11,014 | 13.22% |
| Freetown | 8,687 | 236 | 2.72% |
| Lakeville | 10,578 | 154 | 1.46% |
| Mansfield | 22,288 | 590 | 2.65% |
| Marion | 4,769 | 45 | 0.94% |
| Mattapoisett | 5,984 | 98 | 1.64% |
| Middleborough | 22,426 | 232 | 1.03% |
| New Bedford | 89,080 | 15,651 | 17.57% |
| North Attleborough | 27,319 | 622 | 2.28% |
| Norton | 18,547 | 374 | 2.02% |
| Plainville | 8,270 | 14 | 0.17% |
| Raynham | 12,766 | 488 | 3.82% |
| Rochester | 5,177 | 112 | 2.16% |

| City/Town | Total Population Age 5+ | LEP Population Age 5+ | Percent LEP |
|-------------------------|------------------------------------|----------------------------------|--------------------|
| Rehoboth | 11,289 | 319 | 2.83% |
| Seekonk | 13,883 | 586 | 4.22% |
| Somerset | 17,556 | 898 | 5.12% |
| Swansea | 15,530 | 565 | 3.64% |
| Taunton | 52,628 | 4,218 | 8.01% |
| Wareham | 21,119 | 366 | 1.73% |
| Westport | 15,103 | 758 | 5.02% |
| TOTAL | 590,379 | 42,989 | |
| REGIONAL AVERAGE | | | 7.28% |

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. With changes due to the COVID-19 pandemic, any in-person meeting may be replaced with a virtual/online (all participants attending remotely) or a hybrid meeting (allowing both in-person or remote participation) provided that it is in accordance with current Massachusetts Open Meeting Law. The most visible and accessible conduits to information concerning programs, activities, projects and services are the SRPEDD website and social media accounts including Facebook, Twitter, and Instagram.

All materials that are 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. Meeting notices also include an offer of accommodation, translated into all of the Safe Harbor languages.

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. To provide accessibility at virtual and hybrid meetings, SRPEDD staff can utilize Otter.ai software for live auto captioning for persons who are deaf or hard of hearing and Wordly.ai software for translations for persons who are Limited English Proficient, as requested and needed.

All electronic and paper surveys, for all transportation efforts (the Regional Transportation Plan, safety and corridor studies, transit services, bike and ped efforts, etc.) are also routinely translated into the six Safe Harbor languages. Public meeting notices include translated offers 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, Simplified and Traditional Chinese and Mon Khmer Cambodian, are 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 Notice of Nondiscrimination, the Title VI Complaint Process and the Title VI Complaint forms. Facebook Twitter, and Instagram 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 are 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 can be found posted on the SRPEDD website <https://srpedd.org/data-center/#population> under Environmental Justice. These maps may assist our communities in identifying the under-represented populations in their communities and where they are located for planning and outreach purposes.

The Third Factor

The third factor to consider is "the nature and importance of the programs, activities & services provided by the program to people's lives." Every one of the SMMPO's activities, information, programs and services are important, and language assistance to LEP persons is carefully considered for each one.

There is a variety of both formal and informal input, and anecdotal data, that informs the analysis used to determine the language access efforts taken by the SMMPO. The first is data analysis, and the most prevalent languages spoken by LEP populations in the region were identified as the Safe Harbor languages 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, 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 these neighborhoods and communities in 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 regarding the issues of the most concern to LEP populations. Among these advocates, are the Community Economic Development Center and the Immigrants Assistance Center, as well as other community groups, transit and transportation provider organizations, planning agencies, state agencies, Independent Living Centers, Councils on Aging, businesses, educational institutions, transportation advocates, and consumers.

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

SRPEDD regularly translates informational and educational materials, as well as surveys, into the Safe Harbor languages. 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 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, at outreach events, and to the agencies mentioned above.

SRPEDD staff has also developed both a Scoping Process and a Public Engagement Resource to assist with the public engagement process. The Scoping Process guides public outreach by confirming stakeholders, identifying vulnerable and significant populations, as well as *populations and neighborhoods where languages other than English are spoken*, to inform public engagement practices at the start of a project.

The Public Engagement Resource addresses common barriers to engagement such as *language*, transportation access, limited income, work schedules and childcare, physical access and accessibility, (dis)comfort with technology, and safe/habitual spaces for Minority/BIPOC populations. *It utilizes an engagement plan matrix to identify and reach underserved populations and languages.*

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, and experience mistrust, of any type of government or 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 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. SRPEDD staff has shared contact lists and other information with both RTA's for both MassRelay and the UMass translation services at their 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.” The SMMPO's resources are limited by our budgetary constraints, but staff manages 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 all Safe Harbor languages.

Translated comment cards including the survey link and QR readers to directly connect to the survey, are often distributed prior to a meeting, offering the opportunity to comment without attending the meeting. These materials are translated to offer information, as well as the opportunity to participate. This is especially important among populations that are often

intimidated by, and mistrustful of, any type of government/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 and for vital documents. If a request for a translation is for a language that we cannot accommodate in-house by our staff or is beyond our limited budget, every effort will be made to provide the specific or necessary information requested.

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 to meet a request for information needed 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 specific information being sought.

Additional LEP Efforts

According to the 2015-2019 ACS data, an average of 7.28% 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 yet another is fluent in Chinese.

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 the Safe Harbor language, 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.