

Title VI Program

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Southeastern Massachusetts
Metropolitan Planning Organization



SRPEDD
Southeastern Regional Planning
& Economic Development District

Updated
December 2023

Federal Disclaimer, Title VI and Nondiscrimination Notice of Rights of Beneficiaries

The preparation of this report has been financed in part through grant[s] from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the State Planning and Research Program, Section 505 [or Metropolitan Planning Program, Section 104(f)] of Title 23, U.S. Code through Massachusetts Department of Transportation contract 112309. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation.

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: aduarte@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 ext 235.

Spanish: Si necesita esta información en otro idioma, por favor contacte al coordinador de SRPEDD del Título VI 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 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，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，电话508-824-1367，转235。

Mon Khmer Cambodian: (Khmer):

ប្រសិនបើព័ត៌មាននេះត្រូវការជាភាសាផ្សេង សូមទាក់ទងអ្នកសម្របសម្រួល Title VI របស់ SRPEDD តាមទូរស័ព្ទនៅ (508) 824-1367 ផ្នែកបន្ថែម 235។

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The SMMPO Title VI Response 2022

1. Title VI Assurances

Note: Attached is a copy of MassDOT's Title VI Assurances document. Please sign on the subrecipient signature page and submit to MassDOT.

Signature page attached as #1. FHWA Title VI signed.

2. Certifications and Assurances

Note: The latest version can be downloaded [here](#). Please sign and submit to MassDOT

Signature page attached as #1. FTA Certs & Assurances signed.

3. Title VI Notice

Note: MassDOT has developed an updated Title VI Notice, which is attached. This can be used as a template for the MPO/RPA Notice. Please make sure that the Notice you submit lists the MPO/RPA as a point of contact for receiving Title VI related inquiries and complaints. MassDOT is also providing translated versions of this document to facilitate language access requirements. Translated versions will be provided when they are available from the translation vendor. Please indicate how you plan on disseminating this document.

We have added the SMMPO/SRPEDD contact information to the Civil Rights notice to receive inquiries and complaints. We also translated the notice of language service or reasonable accommodations provided on the notice into our 6 Safe Harbor languages.

We have now received the translated Title VI Notices from MassDOT and have added the SMMPO/SRPEDD contact information to those as well. All these notices have been posted onto the Title VI page of SRPEDD's website.

<https://srpedd.org/title-vi-compliance/> The Title VI Coordinator has informed SRPEDD staff where the notice can be found on our website, as well as in our internal SharePoint. (See Attachment # 2. SMMPO Final Title VI notice.)

4. Complaint Procedures

Note: MassDOT has developed updated Title VI Complaint Procedures, which are attached. This can be used as a template for the MPO/RPA procedures. MassDOT is also providing translated versions of this document to facilitate language access requirements. Translated versions will be provided when they are available from the translation vendor. Please indicate how you plan on disseminating the document.

We have now received the translated Complaint Procedures to meet the Safe Harbor languages requirement and have added the SMMPO/SRPEDD contact information to those as well. These Complaint Procedures and translations have been posted onto the Title VI page of SRPEDD's website. The Title VI Coordinator has informed SRPEDD staff where they can be found on our website, as well as in our internal SharePoint.

We have added the SRPEDD logo to the Complaint Procedures, added "the SMMPO/SRPEDD" as a MassDOT subrecipient, as well as increasing the line spacing in the document to improve readability. (See Attachment 3. Final SRPEDD Title VI Complaint Procedures.)

5. Complaint Form

Note: MassDOT has developed an updated Title VI Complaint Form, which is attached. This can be used as a template for the MPO/RPA form. MassDOT is also providing translated versions of this document to facilitate language access requirements. Please indicate how you plan on disseminating the document.

We have added the SRPEDD logo and contact information to the English, as well as to the translated Complaint Forms that meet our Safe Harbor requirements. (See attachment 4. Khmer Complaint Form and 4. Final SRPEDD Complaint Form as examples.)

We have now received the translated Complaint Forms and have posted all of these onto the Title VI page of SRPEDD's website. The Title VI Coordinator has

informed the staff where these forms and procedures can be found on our website, as well as in our internal SharePoint.

6. Complaint Log

Note: Please provide a log of Title VI related complaints over a one-year lookback period (since July 2021).

As of today, the SMMPO does not have any active Title VI complaint, investigation or lawsuit against it that alleges discrimination on the basis of race, color, and/or national origin or any other protected category under related Federal or State law.

7. Public Participation Plan

Note: MassDOT is working on developing a new Public Participation Plan that will be made available, when complete, to all MPOs/RPAs. This new Plan will capture details regarding MassDOT's approach to virtual, hybrid, and in-person public engagement. For this reporting cycle, please provide a copy of your current Public Participation Plan and an indication of the anticipated schedule and strategy for any upcoming updates to the existing plan.

Our most recent Public Participation Plan, endorsed on April 19, 2022, can be found on SRPDD's website. <https://srpedd.org/transportation/regional-transportation-planning/public-participation-and-title-vi/>

The recent updates in this current plan included the changes involving virtual/online and hybrid meetings provided they are in accordance with the current Massachusetts Open Meeting Law.

Also added was a Project Scoping Process and a Public Engagement Resource developed by SRPEDD staff to assist with the public engagement process. They can both be found at this link. <https://srpedd.org/justice-equity-and-community-development/>

The Project 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.

Language concerning Virtual Public Involvement (VPI) was also added, as well as new equipment such as assistive listening devices, a public address system with wireless microphones, and a Meeting Owl system with a 360° camera. Language concerning new software acquired included live auto captioning for persons who are deaf or hard of hearing, and translations for persons who are LEP.

We are planning on another update to the PPP to address President Biden's Executive Order 13985 including the setting of goals, how public comments are incorporated, measuring the effectiveness of outreach methods and outcomes, and recordkeeping. We are awaiting the release of MassDOT's PPP or similar guidance to plan and complete the next update.

8. Language Assistance Plan

Note: Please make sure that the Four-Factor Analysis in your current Language Assistance Plan is up to date.

The most recent Language Assistance Plan update, completed in October of 2022, is now posted on the SRPEDD website (<https://srpedd.org/title-vi-compliance>), and includes an up-to-date Four-Factor analysis. It is included as Attachment # 17 in this document.

9. Subrecipient Monitoring Process

Note: For those MPOs/RPAs that pass through federal financial assistance to additional subrecipients, please specify how those subrecipients are monitored for Title VI compliance.

The SMMPO's Subrecipient Monitoring Process, drafted in Fall 2023, is included as Attachment # 18 in this document.

10. Title VI Program Approval

Note: Please provide documentation showing the appropriate MPO/RPA official responsible for policy decisions reviewed and approved the Title VI Plan submission. According to each region's bylaws, the appropriate entity could be the Executive Director, the Chair of the Board, or the Board itself.

Updates to the Title VI Plan were presented to the SMMPO at the monthly SMMPO meeting on January 16, 2024, during which the SMMPO voted to approve SRPEDD's 2022 Title VI Program submission and its 2023 updates. The Minutes from this meeting are included as Attachment #19 in this document.

11. Organization and Staffing

Note: Please identify the MPOs/RPAs Title VI Coordinator and an organizational chart that should demonstrate their ready access to the head of the agency.

Andrea Duarte is the Title VI Coordinator for the SMMPO/SRPEDD. (Please see the attachment labeled 9. SRPEDD Organizational Chart 9-14-22.)

12. Program Review Procedures

Note: Please describe how the Title VI Coordinator confirms that Title VI compliance requirements are being met by the MPO/RPA.

The management hierarchy within the SRPEDD Regional Planning Agency organization assists the Title VI Coordinator in the meeting of, and the confirmation of compliance requirements.

The Title VI Coordinator is personally responsible for a good deal of the compliance tasks (posting Title VI Notices, Complaint Procedures & Forms and their translations on the website, etc.), as well as for accessibility compliance (composing an in-house guide entitled "Accessibility, Public Outreach, and Meeting Protocols" for staff, creating various Offers of Accommodations and their translations for meeting notices, etc.) These notices, translations, and a myriad of additional required and/or useful documents are housed in a Title VI folder by the Title VI Coordinator in our SharePoint for staff use and reference. The Title VI

Coordinator is also responsible for the update of the Public Participation Plan, the Language Access Plan and also submits all required Title VI reports.

All SRPEDD management and staff are aware of these responsibilities and often utilize the Title VI Coordinator as the “go-to” for any staff questions or assistance on Title VI issues and questions, as well as for the peer review of documents, meeting notices, etc.

The Title VI Coordinator is often also included in any meetings or discussions at the start of any major study or similar effort to offer input and advice on any public engagement and outreach. The Title VI Coordinator has also served on several in-agency equity committees to ensure compliance in all agency departments with these equity and outreach efforts, especially concerning underserved populations.

13. Data Collection/Reporting/Analysis

Note: Please briefly describe how the MPO/RPA collects, utilizes, and analyzes Title VI related data, such as population demographics.

SRPEDD defines an Environmental Justice tract as such if that tract is greater than SRPEDD’s regional average for Minority/BIPOC and/or Low-income/poverty populations. SRPEDD defines a Title VI tract as such if that tract is greater than SRPEDD’s regional average for Limited English Proficient, Older Adult (65 and above) and Persons with a Disability populations.

SRPEDD staff routinely maps these populations of concern for our Transportation Evaluation Criteria, for public outreach purposes, for the Title VI submissions of our regional transit agencies (if needed), for transit route equity analyses and evaluations, and for other general planning purposes. As part of the requirements for the TIP we have extended these efforts into a regional project distribution/Title VI equity analyses.

The most recent data sources include demographic data from the US Census Bureau’s 2015-2019 American Community Survey (ACS) Five-Year Estimates, as well as the US Census Bureau’s 2010 Decennial Census to conduct the

Environmental Justice (EJ) and Title VI analysis. The analysis includes census tracts that are located within SRPEDD's region of 27 communities. The data was joined to track Geographic Information System (GIS) layers to conduct a spatial analysis.

SRPEDD staff identify minority populations and people with low income as:

- *Minority population: any identifiable people of color group who live in geographic proximity. This includes all people who do not identify as white.*
- *Low-income population: the Census Bureau uses a money income before taxes threshold that varies by family size and composition to determine who is in poverty. (More information on how the US Census Bureau calculates poverty thresholds is available on the Census Bureau website at <https://www.census.gov/topics/income-poverty/poverty/guidance/poverty-measures.html>)*

Transportation disadvantaged populations – those who face mobility challenges in the region, including persons with a disability, older adults and LEP persons – are also analyzed as part of the Title VI analysis efforts.

- *Persons with a disability: the ACS covers six disability types: 1) hearing difficulty, 2) vision difficulty, 3) cognitive difficulty, 4) ambulatory difficulty, 5) self-care difficulty, and 6) independent living difficulty. Respondents who report any one of the six disability types are considered to have a disability.*
- *Older adult population: any individual that reports an age of 65 or older.*
- *Limited English proficiency (LEP): the ACS defines limited English proficient individuals as the population 5 years or older who self-identify as speaking English "less than very well."*

SPREDD's analysis for EJ and Title VI areas consist of census tracts in which the populations of the groups mentioned above are greater than the SRPEDD's regional average. Our detailed methodology is discussed below.

- *Minority (2010 Census tracts)*
 - *Total population minus total white population equals total minority*
 - *Total minority divided by total population equals SRPEDD's regional average*
 - *SRPEDD's regional average is 10.98%*

- *Any tract greater than or equal to 20.05% is considered a minority/EJ tract*
- *Low Income/poverty (ACS 2015-2019—Table B17001)*
 - *Total population below poverty status (taken directly from ACS) divided by total population equals SRPEDD's regional average*
 - *SRPEDD's regional average is 10.87%*
 - *Any tract greater than or equal to 10.87% is considered a low income/EJ tract*
- *Limited English Proficiency (ACS 2015-2019—Table B16001)*
 - *Total LEP population (age 5+) divided by total population (age 5+) equals SRPEDD's regional average*
 - *SRPEDD's regional average is 7.28%*
 - *Any tract greater than or equal to 7.28% is considered a LEP/Title VI tract*
- *Age 65 and above (2010 Census)*
 - *Total population age 65+ divided by total population equals SRPEDD's regional average*
 - *SRPEDD's regional average is 14.48%*
 - *Any tract greater than or equal to 14.48% is considered a Title VI tract*
- *Disability (2015-2019 ACS tracts)*
 - *Total population with a disability divided by total population equals SRPEDD's regional average*
 - *SRPEDD's regional average is 14.01%*
 - *Any tract greater than or equal to 14.01% is considered a Title VI tract.*

14. Title VI Training

Note: Please identify and describe any Title VI related trainings that MPO/RPA staff have participated in during the last year (since July 2021).

Since July 2021, SRPEDD staff have attended various peer network sessions, trainings, workshops, and webinars, including those hosted/ presented by FHWA's EJ and Equity Screening Tools group, the EDC Virtual Public Involvement group, sessions held by other RPAs, and by private concerns such as MetroQuest, and Monsido. A sampling of subject content of these include: using self-made videos for public outreach, including various cameras and microphones; Virtual Public Engagement for Transportation Planning; STEAP (Screening Tool for Equity Analysis of Projects) which permits rapid screening of potential project locations anywhere in the United States to support Title VI, EJ & other socioeconomic data analyses; PPP updates; PIMA (a virtual platform that allows better management and coordination of public involvement); bridging the digital divide; the pros and cons of Owl cameras for virtual and hybrid meetings; and web accessibility.

15. Dissemination of Title VI Information

Note: Please describe, and provide some examples, of how Title VI related documentation and information is shared with the public.

Title VI documentation and information is available on the SRPEDD website, from a static link at the bottom of every page entitled Title VI/Nondiscrimination Policy. This page includes Complaint Procedures and Forms in Safe Harbor languages, State Nondiscrimination protections, and contact information for MassDOT's Title VI Specialist and SRPEDD's Title VI Coordinator. (Attached and entitled "13. Dissemination - Website & Presentations" are several screen shots from SRPEDD's website displaying the Title VI static link, compliance page, State Nondiscrimination protections, etc.)

Every major transportation planning document, as well as studies, reports, etc. include the Title VI Notice of Nondiscrimination, every meeting invitation, as well as outreach materials includes an Offer of Accommodation, including an offer of translation.

The Title VI Coordinator regularly presents to the public meetings of the Joint Transportation Planning Group, the Southeastern Massachusetts Metropolitan Planning Organization (SMMPO), as well as meetings of the SRPEDD Commission on the Title VI and equity work being completed. This includes updates on the PPP, LAP, and this Title VI annual report to keep them informed. This also includes presentations on current staff work tasks, such as studies, Community Technical assistance, etc. which includes public outreach efforts.

(Attached and entitled “13. Dissemination - Website & Presentations” are several slides from various SMMPO presentations on the update of the Public Participation Plan, Language Assistance Plan and most recently, on this Title VI annual report.)

16. Demographic Profile of Metropolitan Area

Note: This should include identification of the locations of minority populations in the aggregate. In addition to minority populations, the MPO/RPA can also identify low-income and limited English proficient populations as well as the concentration of individuals with disabilities.

Please find attached, entitled “14. SRPEDD Demographic Profile for submission,” a table which includes population totals and percentages by community of Minority, Low-Income, LEP, Persons with Disabilities, and Adults 65 and over in the SRPEDD region. Also attached and numbered as 14 are (5) demographic profile maps of the same underserved populations mentioned above and included on the table.

17. Mobility Needs of Minority Populations

Note: Description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process.

SRPEDD staff (including the Title VI coordinator) developed a Project Scoping Process and a Public Engagement Resource to guide and improve the public engagement process, especially at the start of any project or study. They can both be found at this link. <https://srpedd.org/justice-equity-and-community-development/>

The Project 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 improve and inform public engagement practices at the start of a project or study. 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.

The Evaluation Criteria process for TIP projects assign points to projects that address minority mobility needs and deducts points from projects that do not address these needs. This criterion is meant to ensure meaningful public engagement within our communities and to address mobility options for all. This criterion includes but is not limited to: the outreach efforts made with underserved populations, and if there is any opposition to the project; the positive and/or negative effects of the project on an underserved neighborhood, including increased transportation options, air quality, traffic calming, and pedestrian facilities; improvements provided by the project to mobility and access to industrial parks, employment centers, transit connections and pre-emption for transit vehicles.

The Equity Analysis of TIP projects, conducted annually, reveals the number and locations of TIP projects that are within, directly connect, or serve Minority populations, and if any of these projects place any disparate impacts or disproportionate burdens on any of our underserved populations.

In coordination with the RTA's in our region, routes and services are regularly evaluated to consider Minority and other EJ/Title VI populations, and transit surveys are regularly distributed to evaluate the needs on routes serving Minority and other EJ/Title VI populations.

18. Demographic Maps and Charts of Funding Distribution

Note: Demographic maps that overlay the percent minority and non-minority populations as identified by Census or ACS data, at Census tract or block group level, and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes, including Federal funds managed by the MPO as a designated recipient. Please analyze the investments from the current TIP and current UPWP.

Staff created demographic maps and charts displaying the distribution of federal funds from the current TIP and the current UPWP with the data that was available to utilize. (See attached items all labeled as # 16: Demographic Map Minority w TIP; TIP Funding allocation w Minority; Demographic Map Minority w UPWP; and UPWP Funding Allocation w Minority.)

19. Analysis of MPO Transportation System Investments, Identifying and Addressing any Disparate Impacts

Note: An analysis the funding distribution provided above that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact.

The SMMPO administers its planning process with measures in place, particularly with our public engagement efforts, our Evaluation Criteria process, and our Equity Analysis, that will identify and/or mitigate any possible disparate impact that would affect members of a group identified by their race, color, or national origin. If any project, especially one located within, near or serving an underserved population or community, does not adequately address public outreach, mobility, air quality, and any number of additional criteria, then the proponent is strongly advised by SRPEDD staff to address these issues before advancing the project.

The results of the SMMPO Evaluation Criteria Process, along with the critical project status and readiness, are all part of a continuing, cooperative process among the RPAs, RTAs, MassDOT and District 5 office used to assist in the process of placing projects in the TIP queue for funding. This process should also identify and/or mitigate any disparate impact. However, the role of the SMMPO is to advise and guide communities and/or proponents of projects.

Attachments # 1

Signature Pages-

FHWA Title VI

FTA Certifications and Assurances

By signing this Assurance, the Massachusetts Department of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by FHWA. You must keep records, reports, and submit the material for review upon request to FHWA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

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

SIGNED FOR THE RECIPIENT:

Jamey Tesler Date

Acting Secretary/CEO

Massachusetts Department of Transportation

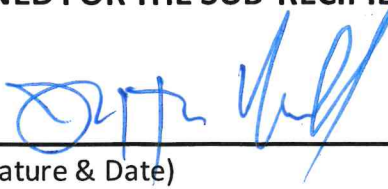
SUBRECIPIENT TITLE VI/NONDISCRIMINATION ASSURANCES

The _____ (hereinafter referred to as the "Sub-Recipient"), hereby agrees that, as a condition of receiving any Federal financial assistance from the United States Department of Transportation (U. S. DOT), Federal Highway Administration (FHWA), from the Commonwealth of Massachusetts, through its Department of Transportation (Recipient), it is subject to and must comply with the Acts and Regulations detailed in this document.

This Assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the FHWA Program and is binding on it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the FHWA Programs. The person or persons whose signature appears below are authorized to sign this assurance on behalf of the Sub-Recipient.



SIGNED FOR THE SUB-RECIPIENT:

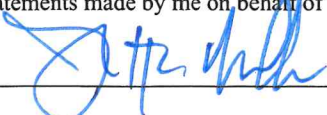
 12-1-22

(Signature & Date)

JEFFREY W. HALL, EYE D.V.M., SVPEDS

(Print Name & Title)

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature  Date: 12-1-22

Name JEFFREY WALKER Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature _____ Date: _____

Name _____ Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

Attachment # 2

SRPEDD Civil Rights Notice

Civil Rights Notice to the Public

The Southeastern Massachusetts Metropolitan Planning Organization (SMMPO) complies with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin (including limited English proficiency). Related federal and state nondiscrimination laws prohibit discrimination on the basis of age, sex, disability & additional protected characteristics. The **SMMPO** is committed to nondiscrimination in all activities.

Individuals who believe they have been discriminated against may file a complaint with the SMMPO, and/or Massachusetts Department of Transportation (MassDOT) or the Massachusetts Bay Transportation Authority (MBTA) at:

SMMPO Title VI Coordinator

Southeastern Regional Planning and Economic Development District (SRPEDD)

88 Broadway, Taunton, MA 02780

Phone: 508 824-1367 or dial 711 to use MassRelay

Email: aduarte@srpedd.org

MassDOT/MBTA Title VI Specialists

Office of Diversity and Civil Rights – Title VI Unit

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 or MBTAcivilrights@mbta.com

Complaints may also be filed directly with the United States Department of Transportation at:

U.S. Department of Transportation

Office of Civil Rights

1200 New Jersey Avenue, SE

Washington, DC 20590

Website: civilrights.justice.gov/

For additional information, language service requests, or reasonable accommodations visit mass.gov/nondiscrimination-in-transportation-program, mbta.com/titlevi, or srpedd.org/title-vi-compliance.



SRPEDD
Southeastern Regional Planning
& Economic Development District

Translation

English: Discrimination is prohibited at the SMMPO/MassDOT/MBTA. If you believe discrimination has occurred you have the right to file a complaint. For translations of this notice visit srpedd.org/title-vi-compliance.

Portuguese: A discriminação é proibida no SMMPO/MassDOT/MBTA. Se você acredita que ocorreu discriminação, você tem o direito de registrar uma reclamação. Para traduções deste aviso, visite srpedd.org/title-vi-compliance

Spanish: La discriminación está prohibida en SMMPO/MassDOT/MBTA. Si cree que se ha producido discriminación, tiene derecho a presentar una queja. Para las traducciones de este aviso visite srpedd.org/title-vi-compliance

Haitian Creole: Diskriminasyon entèdi nan SMMPO/MassDOT/MBTA. Si w kwè gen diskriminasyon, ou gen dwa pou w pote yon plent. Pou tradiksyon avi sa a vizite srpedd.org/title-vi-compliance

Chinese Simplified: (mainland & Singapore): SMMPO/MassDOT/MBTA 禁止歧视。如果您认为发生了歧视，您有权提出投诉。有关此通知的翻译，请访问 srpedd.org/title-vi-compliance

Chinese Traditional: (Hong Kong & Taiwan): SMMPO/MassDOT/MBTA 禁止歧視。如果您認為發生了歧視，您有權提出投訴。有關此通知的翻譯，請訪問 srpedd.org/title-vi-compliance

Khmer: ការរើសអើងត្រូវបានហាមឃាត់នៅ SMMPO/MassDOT/MBTA ។ ប្រសិនបើអ្នកជឿថាការរើសអើងបានកើតឡើង អ្នកមានសិទ្ធិដាក់ពាក្យបណ្តឹង។ សម្រាប់ការបកប្រែនៃសេចក្តីជូនដំណឹងនេះ សូមចូលមើល srpedd.org/title-vi-compliance

Attachments # 3

SRPEDD Title VI Complaint Procedures



Title VI Complaint Procedures

Purpose and Applicability

The purpose of this document is to establish procedures for the processing and disposition of both discrimination complaints filed with the Southeastern Massachusetts Metropolitan Planning Organization (SMMPO)/Southeastern Regional Planning and Economic Development District (SRPEDD) or directly with the Massachusetts Department of Transportation (MassDOT) or the Massachusetts Bay Transportation Authority (MBTA), and discrimination complaints that MassDOT /MBTA have the delegated authority to process under Title VI of the Civil Rights Act of 1964 (Title VI) and related state and federal nondiscrimination authorities, including the Americans with Disabilities Act (ADA).

The processing of discrimination complaints will follow the steps outlined below and are further detailed throughout this document.

Step 1: Complainant submits their complaint.

Step 2: MassDOT/MBTA issues the complainant an acknowledgment letter.

Step 3: Complaint is assigned to, and reviewed by, an investigator.

Step 4: Investigator conducts interviews of complainants, witnesses, and the respondent.

Step 5: Investigator reviews the evidence and testimonies to determine whether a violation has occurred.

Step 6: Complainant and Respondent are issued a letter of resolution or a letter of finding and offered appeal rights.

Step 7: Once the appeal period has expired, the investigation is closed.

The procedures describe an administrative process aimed at identifying and eliminating discrimination in federally funded programs and activities. The procedures do not provide an avenue for relief for complainants seeking individual remedies, including punitive

damages or compensatory remuneration; they do not prohibit complainants from filing complaints with other state or federal agencies; nor do they deny complainants the right to seek private counsel to address acts of alleged discrimination.

The procedures described in this document apply to MassDOT/MBTA and their subrecipients, (including the SMMPO/SRPEDD), contractors, and subcontractors in their administration of federally funded programs and activities.

As part of their efforts to comply with Title VI, subrecipients of federal financial assistance through MassDOT/MBTA are encouraged to adopt these complaint procedures. In so doing, these subrecipients acknowledge their obligation to afford members of the public with an opportunity to file complaints alleging violations of nondiscrimination policies in place across their organization and in their programs, services, and activities. In accordance with federal guidance, subrecipients of transit-related funds understand they have the authority to process Title VI complaints and will inform their recipients, MassDOT/MBTA, of complaints received and the outcome of investigations as the matters are resolved.

Subrecipients of highway-related funds further understand they do not have the authority to investigate Title VI violation claims filed against their organization (where their organization is the respondent or party alleged to have violated Title VI). All such claims will be forwarded to the MassDOT/MBTA Office of Diversity and Civil Rights (ODCR) to determine the appropriate investigative authority. Highway-funding subrecipients retain the right to consider Title VI violation allegations as a matter of Assurance and/or internal policy compliance but are precluded from making determinations as to possible violations of Title VI. MassDOT/MBTA encourages all subrecipients to communicate with ODCR's Title VI Specialists, the Director of Title VI and Accessibility, and/or the Director of Investigations when/if Title VI complaints are received to ensure proper handling.

Definitions

Complainant – A person who files a complaint with MassDOT/MBTA.

Complaint – Written, verbal or electronic statement concerning an allegation of discrimination that contains a request for the receiving office to take action. Where a complaint is filed by a person with a disability, the term complaint encompasses alternative formats to accommodate the complainant's disability.

Discrimination – That act or inaction, whether intentional or unintentional, through which a person in the United States, solely because of race, color, national origin, or bases covered by other nondiscrimination authorities, such as gender, age, or disability,

has been subjected to unequal treatment or disparate impact under any program or activity receiving federal assistance.

Operating Administrations – Agencies of the U.S. Department of Transportation, including the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Federal Rail Administration (FRA), the National Highway Traffic Safety Administration (NHTSA), and the Federal Motor Carrier Safety Administration (FMSCA), that fund transportation programs or activities.

Respondent – The person, agency, institution, or organization alleged to have engaged in discrimination.

Filing of Complaints

This section details MassDOT/MBTA's procedures for processing Title VI discrimination complaints (on the basis of race, color, or national origin, including language) and complaints alleging discrimination on the basis of additional federal nondiscrimination provisions (on the basis of age, sex, and disability). Federal law and regulations governing Title VI of the Civil Rights Act of 1964 (Title VI) places the overall coordination authority for the investigation of civil rights complaints in the United States Department of Justice, which works collaboratively with federal agencies that carry out this responsibility. In the transportation sector, this investigative authority rests with the US Department of Transportation (US DOT) and its agencies for the different modes of transportation, including the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). In coordination with USDOT requirements, FHWA and FTA have established regulations and guidance that require recipients and subrecipients of federal financial assistance to establish procedures for processing Title VI complaints filed with these organizations.

The procedures described below, modeled on recommended complaint procedures promulgated by the US Department of Justice (US DOJ), are designed to provide a fair opportunity to have complaints addressed that respect due process for both complainants and respondents. In addition to the formal complaint resolution process detailed herein, MassDOT/MBTA shall take affirmative steps to pursue informal resolution of any and all Title VI complaints, when possible.

The Complaint Process

1. Who can file a complaint?

ANY member of the public, along with all MassDOT/MBTA customers, applicants, contractors, or subrecipients who believe that they themselves, a third party, or a class of

persons were mistreated or treated unfairly because of their race, color, or national origin (including limited English proficiency) in violation of Title VI of the Civil Rights Act of 1964, related federal and state laws and orders, or MassDOT/MBTA's Anti-Discrimination/Harassment Prevention (ADHP) Policy. Retaliation against a member of the public on the basis of race, color, or national origin is also prohibited under Title VI and the ADHP Policy.

2. How do I file a complaint?

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: aduarte@srpedd.org

MassDOT/MBTA Title VI Specialists

Office of Diversity and Civil Rights – Title VI Unit
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 or MBTAcivilrights@mbta.com

MassDOT/MBTA, Assistant Secretary and Chief Diversity Officer

Office of Diversity and Civil Rights – Investigations Unit
10 Park Plaza, Suite 3800
Boston, MA 02116
Phone: (857) 368-8580
Email: odcrcomplaints@dot.state.ma.us

MBTA Customer Call Center: (617) 222-3200

The Call Center staff will seek to obtain basic information about the matter from the caller, and details of the call will be forwarded to the Office of Diversity and Civil Rights for processing according to these procedures.

U.S. Department of Transportation

Office of Civil Rights
1200 New Jersey Avenue, SE
Washington, DC 20590
Website: civilrights.justice.gov/

Please note:

- When FTA receives a Title VI complaint regarding MassDOT/MBTA, a subrecipient, or a contractor, the FTA may request the matter be investigated by MassDOT/MBTA.
- If a Title VI complaint is filed with MassDOT that alleges a violation by MassDOT's Highway Division, then it will be forwarded to the local FHWA Division Office which will then forward the complaint to the FHWA Headquarters Office of Civil Rights (HCR) for processing.
- If a Title VI complaint is received by MassDOT that is filed against a subrecipient of the MassDOT Highway Division, then MassDOT may process and investigate the complaint or may refer to HCR for investigation.
- If FMCSA receives a complaint filed against MassDOT, FMCSA will forward the complaint to MassDOT for a written response. This allows MassDOT to either resolve the complaint or to provide a written response to the allegations. The written response is used to determine what steps FMCSA will take to process the complaint.

3. What do I need to include in a complaint?

A Title VI/Nondiscrimination Complaint form is available electronically on the [MassDOT Title VI website](#), the [MBTA Title VI website](#), the [SMMPO Title VI website](#) or in hardcopy at the offices of the SMMPO or MassDOT/MBTA Office of Diversity and Civil Rights. Alternatively, a complainant may submit correspondence in an alternative format that should include:

- Your name, signature and, current contact information (i.e., telephone number, email address and postal mailing address);
 - The name and badge number (if known and applicable) of the alleged perpetrator;
 - A description of how, when, and where the alleged prohibited conduct occurred;
 - A detailed description of why you believe you were treated differently;
 - Names and contact information of any witnesses; and
 - Any other information you believe is relevant to your complaint.
- A. In cases where the complainant is unable to provide a written statement, a verbal complaint may be made to the Office of Diversity & Civil Rights (ODCR). Complainants will be interviewed by a Civil Rights Investigator (CRI). If necessary, the CRI will assist the person in converting the verbal complaint to writing. All complaints should be signed by the complainant.

- B. Anonymous complaints may be filed in the same manner. Anonymous complaints shall be investigated in the same manner as any other complaint.
- C. Complaints will be accepted in any recognized language. Multi-lingual complaint forms are available.

4. How long do I have to file a complaint?

- A. A complaint alleging violation of Title VI and/or MassDOT/MBTA's ADHP policy should be filed no later than one hundred and eighty (180) days from the date of the alleged violation.
- B. Complaints alleging violations of state or federal law must be filed within the time frames established by statute, regulation, or case law – in certain instances up to three hundred (300) days from the date of the alleged violation.

5. How will my complaint be handled?

When a complaint is received, it is assigned to a Civil Rights Investigator (CRI). The CRI will:

- A. Determine Jurisdiction: ODCR has jurisdiction if the complaint:
 - 1) involves a statement or conduct that violates:
 - i. MassDOT/MBTA's legal obligation and commitment to prevent discrimination, harassment, or retaliation on the basis of a protected characteristic with regard to any aspect of the Agency's service to the public;
 - ii. or
The commitment made by subrecipients and contractors working with MassDOT/MBTA to adhere to MassDOT/MBTA policies;
 - AND
 - 2) is timely filed.
- B. Acknowledge receipt of the complaint and provide jurisdictional determination within ten (10) business days of receipt of the complaint.

- 1) If the CRI determines that any complaint does not have the potential to establish a civil rights violation, then the CRI shall notify the complainant and Title VI Specialist in writing of its finding and the matter shall be closed.
- C. Conduct a thorough investigation of the allegations contained in the complaint in accordance with the MassDOT/MBTA Internal Complaint Procedures.

6. Findings and Recommendations?

At the conclusion of the investigation, the CRI will transmit to the complainant and the respondent one of the following three letters based on the findings:

- A. A letter of resolution that explains the steps the respondent has taken or will take to comply with Title VI.
- B. A letter of finding that is issued when the respondent is found to be in compliance with Title VI. This letter will include an explanation of why the respondent was found to be in compliance and provide notification of the complainant's appeal rights.
- C. A letter of finding that is issued when the respondent is found to be in noncompliance.

This letter will include each violation referenced as to the applicable regulations, a brief description of findings/recommendations, the consequences of failure to achieve voluntary compliance, and an offer of assistance in devising a remedial plan for compliance, if appropriate.

7. Can I appeal a Finding?

If a complainant or respondent does not agree with the findings of the CRI then he/she/they may appeal to the Assistant Secretary and Chief Diversity Officer. The appealing party must provide any **new information that was not readily available during the course of the original investigation that would lead MassDOT/MBTA to reconsider its determinations**. The request for an appeal and any new information must be submitted within thirty (30) days of the date the letter of finding was transmitted. After reviewing this information, MassDOT/MBTA will respond either by issuing a revised letter of resolution or by informing the appealing party that the original letter of resolution or finding remains in force.

Attachments # 4

SRPEDD Complaint Forms

Mon Khmer Cambodian & English



ពាក្យបណ្តឹងស្តីពីភាពរើសអើង

សូមផ្តល់ព័ត៌មានខាងក្រោម ដើម្បីអោយយើងខ្ញុំធ្វើការលើបណ្តឹងរបស់អ្នក។ ពាក្យបណ្តឹងនេះមានទម្រង់ផ្សេងៗគ្នា និងមានជាច្រើនភាសា។ ប្រសិនបើអ្នកចង់បានសេវាកម្មទាំងនោះ ឬជំនួយផ្សេងៗទៀតក្នុងការបំពេញពាក្យបណ្តឹង សូមប្រាប់យើងខ្ញុំ។

ឈ្មោះ: _____

អាសយដ្ឋាន: _____

លេខទូរស័ព្ទ: (ផ្ទះ) _____ (កន្លែងការងារ) _____ (ដៃ) _____

អ៊ីមែល: _____

សូមបង្ហាញពីប្រភេទនៃភាពរើសអើងដែលអ្នកចោទប្រកាន់:

ប្រភេទទាំងឡាយណាដែលត្រូវបានការពារដោយមាត្រាទីVI នៃច្បាប់សិទ្ធិស៊ីវិលឆ្នាំ1964:

☐ អម្បូរ ☐ ពណ៌សម្បុរ ☐ ប្រភពកំណើត (រួមទាំងសមត្ថភាពប្រើភាសាអង់គ្លេសមានកម្រិត)

ប្រភេទផ្សេងទៀតដែលត្រូវបានការពារដោយដីការ/ច្បាប់រដ្ឋ ឬ/និងដីការ/ច្បាប់សហព័ន្ធដែលពាក់ព័ន្ធ:

☐ ពិការភាព ☐ អាយុ ☐ ភេទ ☐ ទំនោរផ្លូវភេទ ☐ សាសនា ☐ ដូនតា

☐ យេនឌ័រ ☐ ជាតិសាសន៍ ☐ អត្តសញ្ញាណយេនឌ័រ ☐ ការបង្ហាញយេនឌ័រ ☐ ជំនឿ ☐

អតីតយុទ្ធជន ☐ ប្រវត្តិ ☐ ប្រាក់ចំណូលទាប

តើនរណាជាមនុស្សដែលអ្នកចោទប្រកាន់ថាជាអ្នករងគ្រោះពីភាពរើសអើង?

☐ អ្នក ☐ បុគ្គលទីបី ☐ មនុស្សមួយក្រុម

សូមផ្តល់ឈ្មោះបុគ្គល និង/ឬអង្គភាពដែលអ្នកចោទប្រកាន់ពីភាពរើសអើង:

តើអ្នកអនុញ្ញាតអោយអ្នកស៊ើបអង្កេតបង្ហាញឈ្មោះនិងព័ត៌មានផ្ទាល់ខ្លួនរបស់អ្នកទៅកាន់បុគ្គលផ្សេងទៀត ទាក់ទងនឹងបញ្ហានេះដែរឬទេ ប្រសិនបើព័ត៌មានទាំងនេះជួយដល់ការស៊ើបអង្កេត និងដោះស្រាយបណ្តឹងរបស់អ្នក?

☐ បាទ/ចាស ☐ ទេ

សម្បើមរាប់បណ្តឹងរបស់អ្នក៖ អ្នកគួរសរសេរព័ត៌មានលម្អិតជាក់លាក់ដូចជា ឈ្មោះ កាលបរិច្ឆេទ ពេលវេលា សាក្សី
និងព័ត៌មានផ្សេងទៀត ដែលអាចជួយយើងខ្ញុំក្នុងការស៊ើបអង្កេតការចោទប្រកាន់របស់អ្នក។ សូមសរសេរទាំង
ឯកសារទាំងឡាយណាដែលទាក់ទងនឹងបណ្តឹងនេះ។ អ្នកអាចសរសេរលើក្រដាសផ្សេងបន្ថែមទៀត
ដើម្បីពន្យល់ពីបណ្តឹងរបស់អ្នក រួចភ្ជាប់មកជាមួយ។

តើអ្នកធ្លាប់បានសរសេរបណ្តឹងនេះទៅកាន់ភ្នាក់ងារផ្សេងទៀតដែរឬទេ (សហព័ន្ធរដ្ឋ រដ្ឋ ឬតំបន់)?

☐ បាទ/ចាស ☐ ទេ

ប្រសិនបើធ្លាប់ សូមបញ្ជាក់៖ _____

តើអ្នកធ្លាប់បានដាក់ពាក្យបណ្តឹងទៅកាន់តុលាការអំពីបញ្ហានេះដែរឬទេ?

☐ បាទ/ចាស ☐ ទេ

ប្រសិនបើធ្លាប់ សូមភ្ជាប់ពាក្យបណ្តឹងនោះមកជាមួយ។

ហត្ថលេខា៖ _____ កាលបរិច្ឆេទ៖ _____

សូមផ្ញើទៅកាន់៖ អ្នកសម្របសម្រួលមាត្រាទីVI,

Title VI Coordinator, Southeastern Regional Planning and Economic
Development District, 88 Broadway, Taunton, MA 02780

Title VI Coordinator, MassDOT Office of Diversity and Civil Rights, Suite
3800, 10 Park Plaza, Boston, MA 02116

សូមផ្ញើអ៊ីម៉ែលទៅកាន់៖ Aduarte@srpedd.org

MassDOT.CivilRights@state.ma.us



Discrimination Complaint Form

Please provide the following information in order for us to process your complaint. This form is available in alternate formats and multiple languages. Should you require these services or any other assistance in completing this form, please let us know.

Name: _____

Address: _____

Telephone Numbers: (Home) _____ (Work) _____ (Cell) _____

Email Address: _____

Please indicate the nature of the alleged discrimination:

Categories protected under *Title VI of the Civil Rights Act of 1964*:

☐ Race ☐ Color ☐ National Origin (including limited English proficiency)

Additional categories protected under related Federal and/or State laws/orders:

☐ Disability ☐ Age ☐ Sex ☐ Sexual Orientation ☐ Religion ☐ Ancestry

☐ Gender ☐ Ethnicity ☐ Gender Identity ☐ Gender Expression ☐ Creed

☐ Veteran's Status ☐ Background ☐ Low-Income

Who do you allege was the victim of discrimination?

☐ You ☐ A Third Party Individual ☐ A Class of Persons

Name of individual and/or organization you allege is discriminating:

Do you consent to the investigator sharing your name and other personal information with other parties to this matter when doing so will assist in investigating and resolving your complaint?

☐ Yes ☐ No

[illegible]

☐ Yes ☐ No

If yes, please identify: _____

☐ Yes ☐ No

If yes, please provide a copy of the complaint.

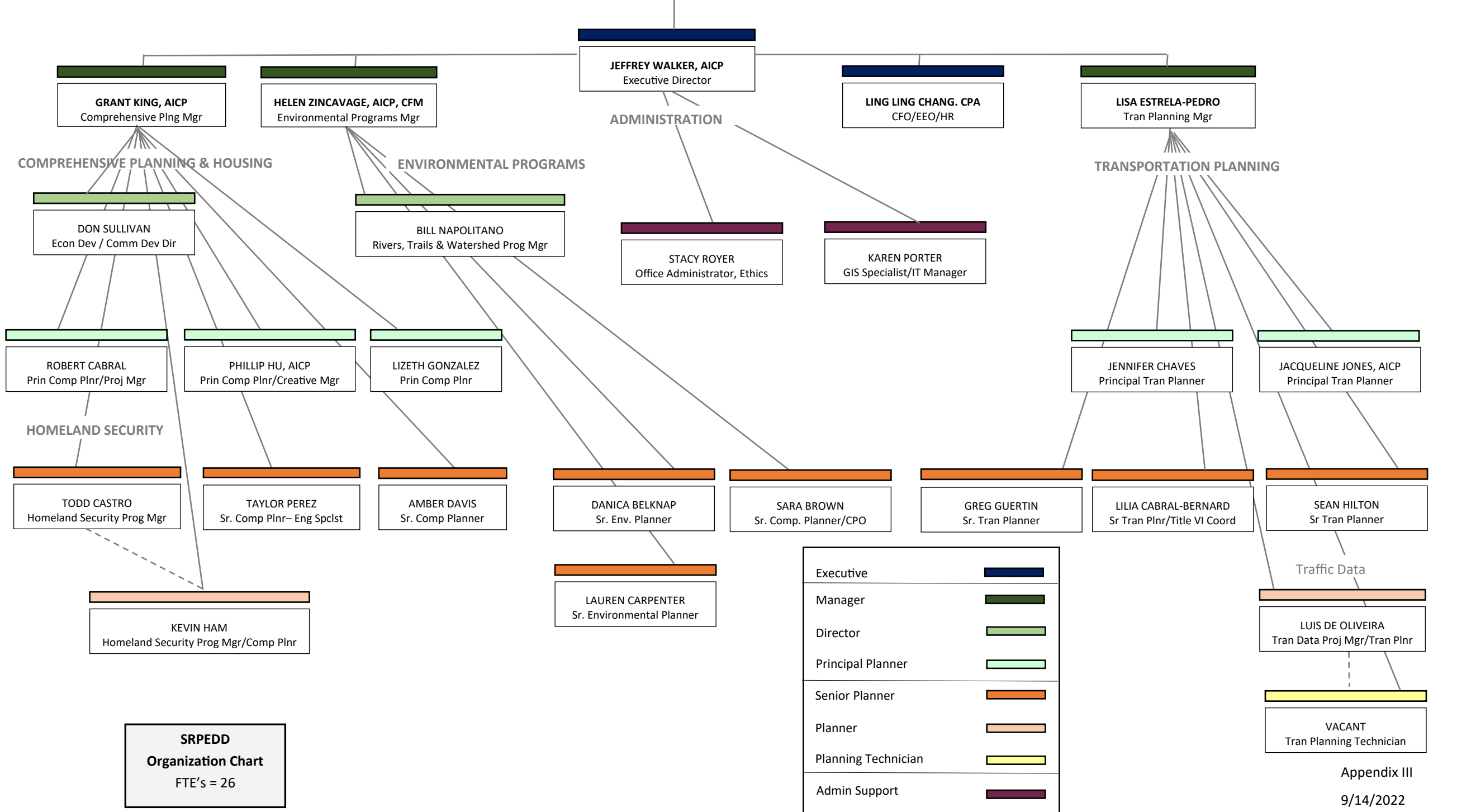
Signature: _____ Date: _____

Mail to: Title VI Coordinator, Southeastern Regional Planning and Economic Development District, 88 Broadway, Taunton, MA 02780
Title VI Coordinator, MassDOT Office of Diversity and Civil Rights, Suite 3800, 10 Park Plaza, Boston, MA 02116

Email to: Aduarte@srpedd.org
MassDOT.CivilRights@state.ma.us

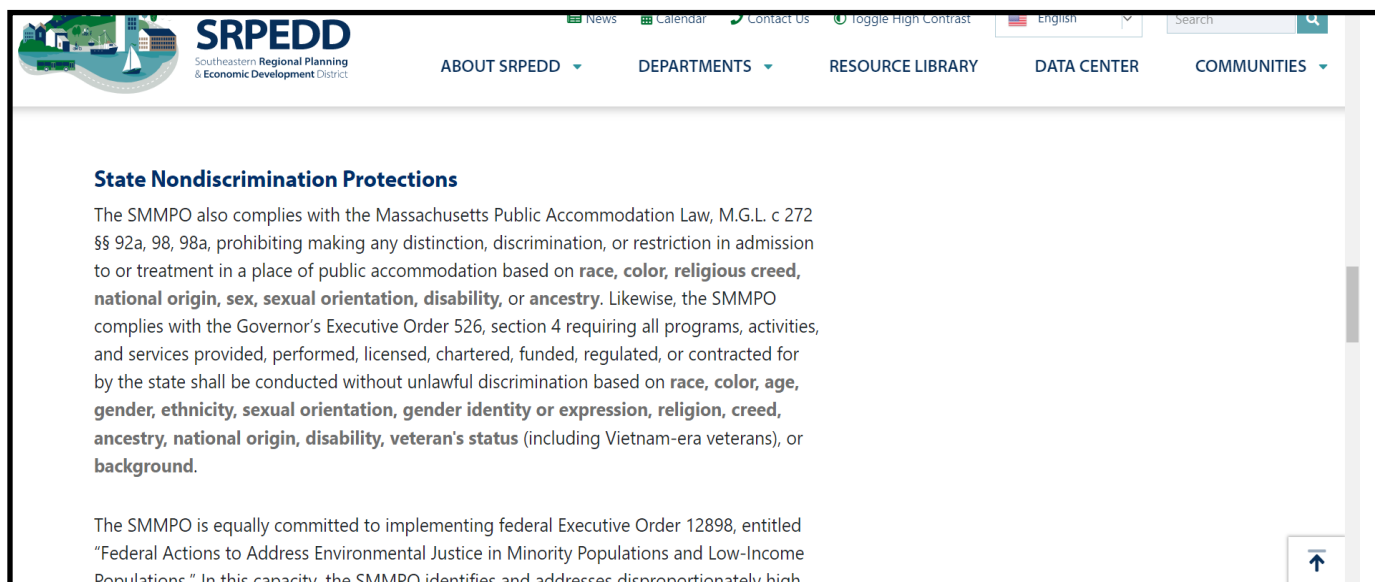
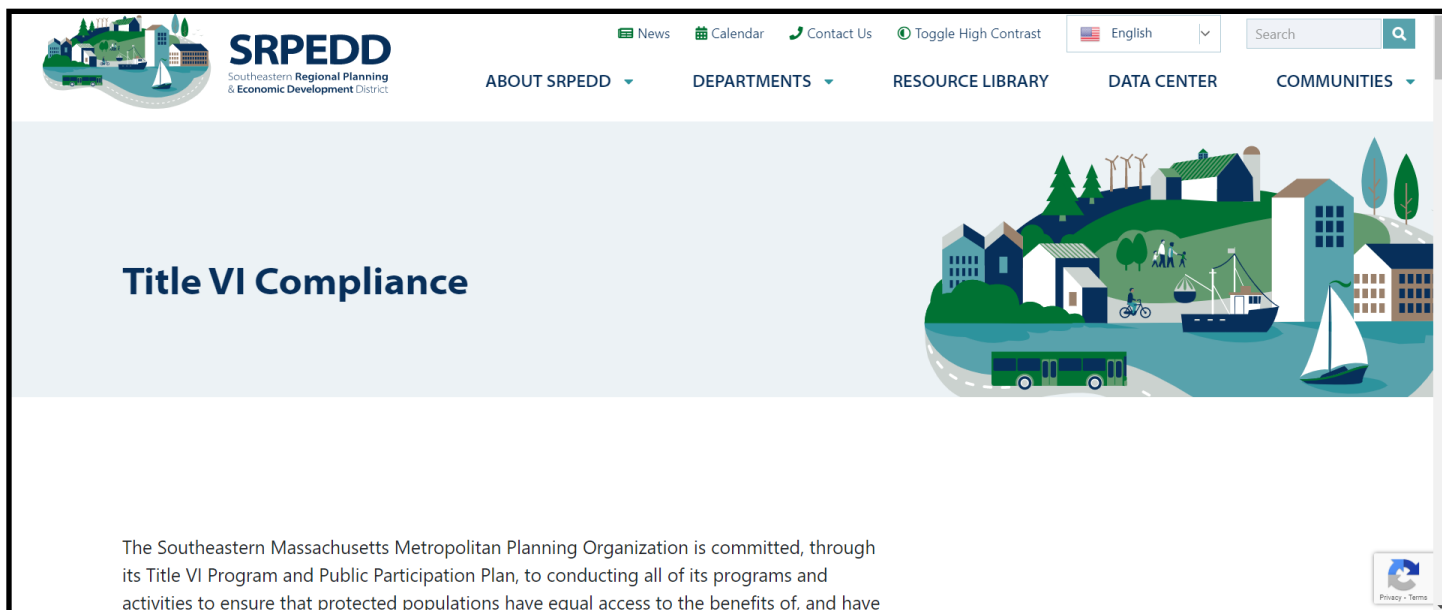
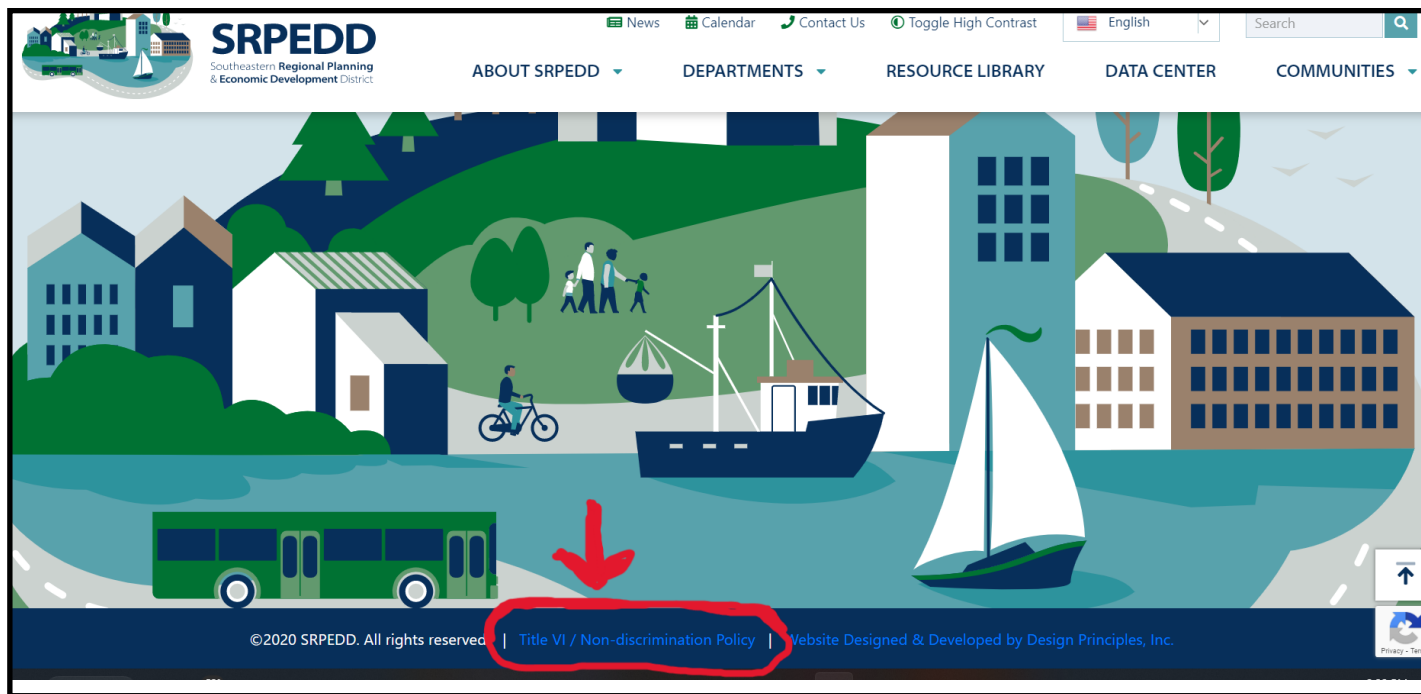
Attachments # 9

SRPEDD Organizational Chart



Attachment # 13

Websites and Presentations





compliance with US Department of Transportation policy and guidance on federal Executive Order 13166. Southeastern Regional Planning and Economic Development District (SRPEDD), operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI

[Title VI Notice of Rights to Beneficiaries- English](#)

[Title VI Notice of Rights to Beneficiaries - Portuguese](#)

[Title VI Notice of Rights to Beneficiaries - Spanish](#)

[Title VI Notice of Rights to Beneficiaries - Haitian Creole](#)

Complaint Filing

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



What's been added in this 2022 update?

- Virtual/online and hybrid meetings.
- A Scoping Process and Public Engagement Resource.
- Virtual Public Involvement (VPI) is the use of digital technology to engage individuals or to visualize projects and plans.
- New equipment: Assistive listening devices, Public Address System with wireless microphones, Meeting Owl with a 360° camera.
- New software: Live auto captioning for persons who are deaf or hard of hearing, and translations for persons who are LEP.

SRPEDD Project Development: Resources for Scoping a Comprehensive Public Engagement Process

Guiding Principles that Motivate Public Engagement

In all of our projects, the SRPEDD team recognizes the foundational role that public participation must play in crafting the vision and strategies that our plans embody. We remind ourselves that meaningful public participation is essential in achieving plans that are:

- **Authentic.** The plan will reflect the real views of members of the community rooted in their true experience of place, leading to better decision-making.
- **Legitimate.** The plan is the result of a process that conforms to our norms of participatory government and represents as wide a spectrum of viewpoints as possible, seeking out input from traditionally underrepresented groups.
- **Informative.** The planning process presents data that set a common factual baseline upon which participants can build their conclusions.
- **Collaborative.** The process encourages dialogue across different points of view and treats the public as a partner in defining and refining a future vision for the community.
- **Predictable.** The plan is more likely to be implemented and remain a living document because it was prompted by the needs and aspirations of engaged citizens.

Common Barriers to Engagement

While our intent is to reach as many local residents and stakeholders as possible in public engagement campaigns, it can be extremely challenging to do so. In our experience, here are some of the more common barriers to participation:



Language Barriers



Transportation Access



Limited Incomes



Work Schedules



Childcare Responsibilities



Physical Access at Event



(Dis)comfort with Technology



Safe/Habitual Spaces for BIPOC Populations

Proactive Public Engagement Planning to help address Barriers

We have created these resource documents to assist in creating a proactive public engagement plan that aims to reach traditionally underserved groups in planning. We suggest using this resource in the following way:

1. Review the menu of sample public engagement options on pages 3+
2. Reference these options while collaboratively completing the engagement plan matrix on page 2

Page 1

Language Assistance Plan (LAP)

We are required to translate vital documents into languages identified as Safe Harbor thresholds in the SMMPO region which is more than 5% or more than 1,000 persons. The average of LEP persons in the SMMPO region is 7.28%.

The largest percentage of LEP speakers are in:

New Bedford - 17.57%

Fall River - 13.22%

Taunton - 8.01%

Acushnet - 7.08%

Dartmouth - 6.15%

These languages were previously Portuguese, Spanish, and French (Haitian) Creole. The new Census data has added Chinese, and Mon Khmer Cambodian.



SMMPO Meeting November 15, 2022

Title VI Annual Report

Some items for this year's submittal-

- Submit signed Certification and Assurances (FHWA & FTA) that state that we comply with all Title VI requirements.
- Describe how we will disseminate new translated Complaint Procedures & Forms.
- List any and all Title VI related training taken by staff.
- Submit the updates of the PPP (April 2022 & tbd) and LAP (October 2022, discussed in previous slide)
- Demographic profile of the region, including minority, low-income, LEP, older adults and persons with disabilities.

Title VI

"No person 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."

Civil Rights Act, 1964

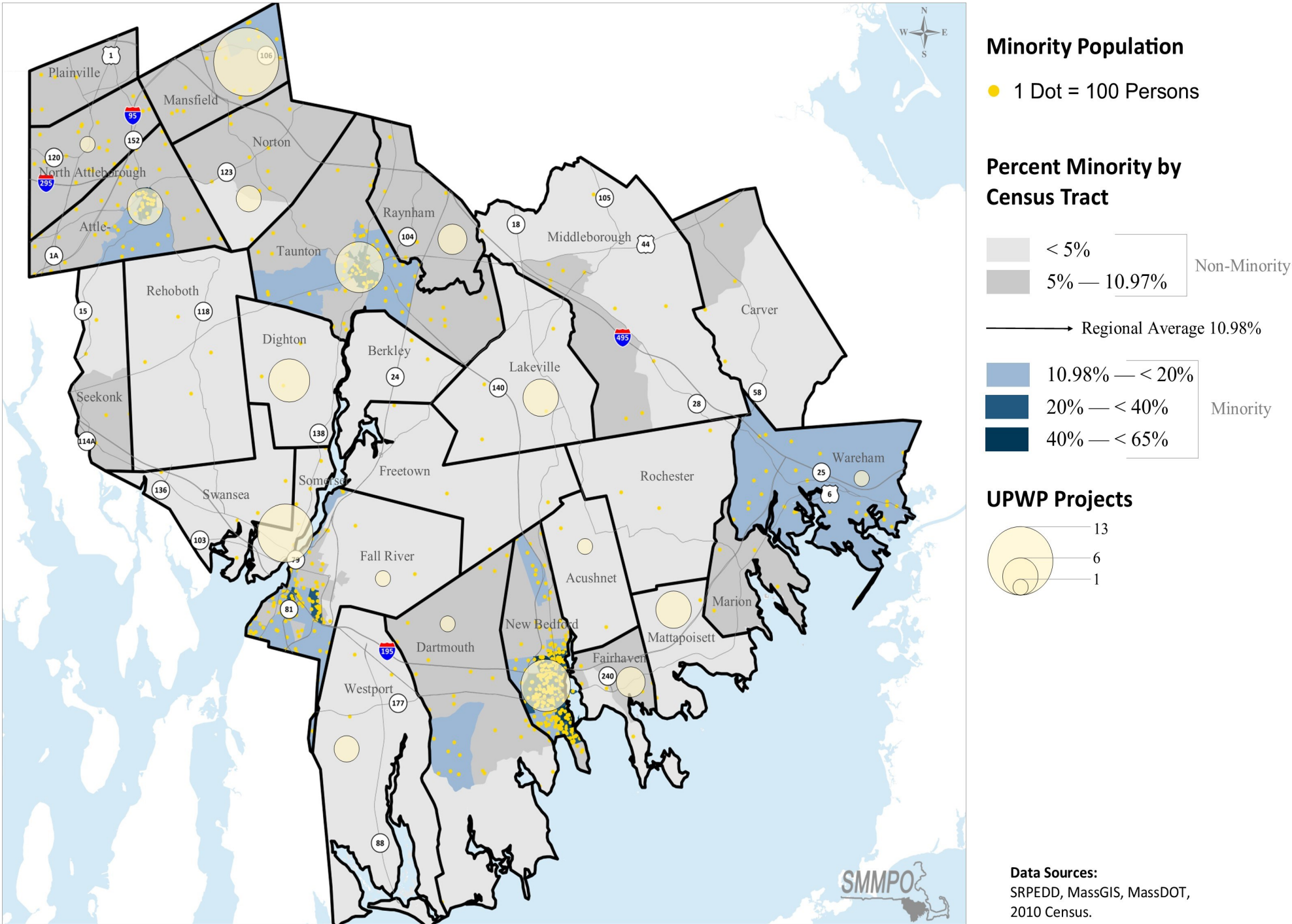


SMMPO November 15, 2022

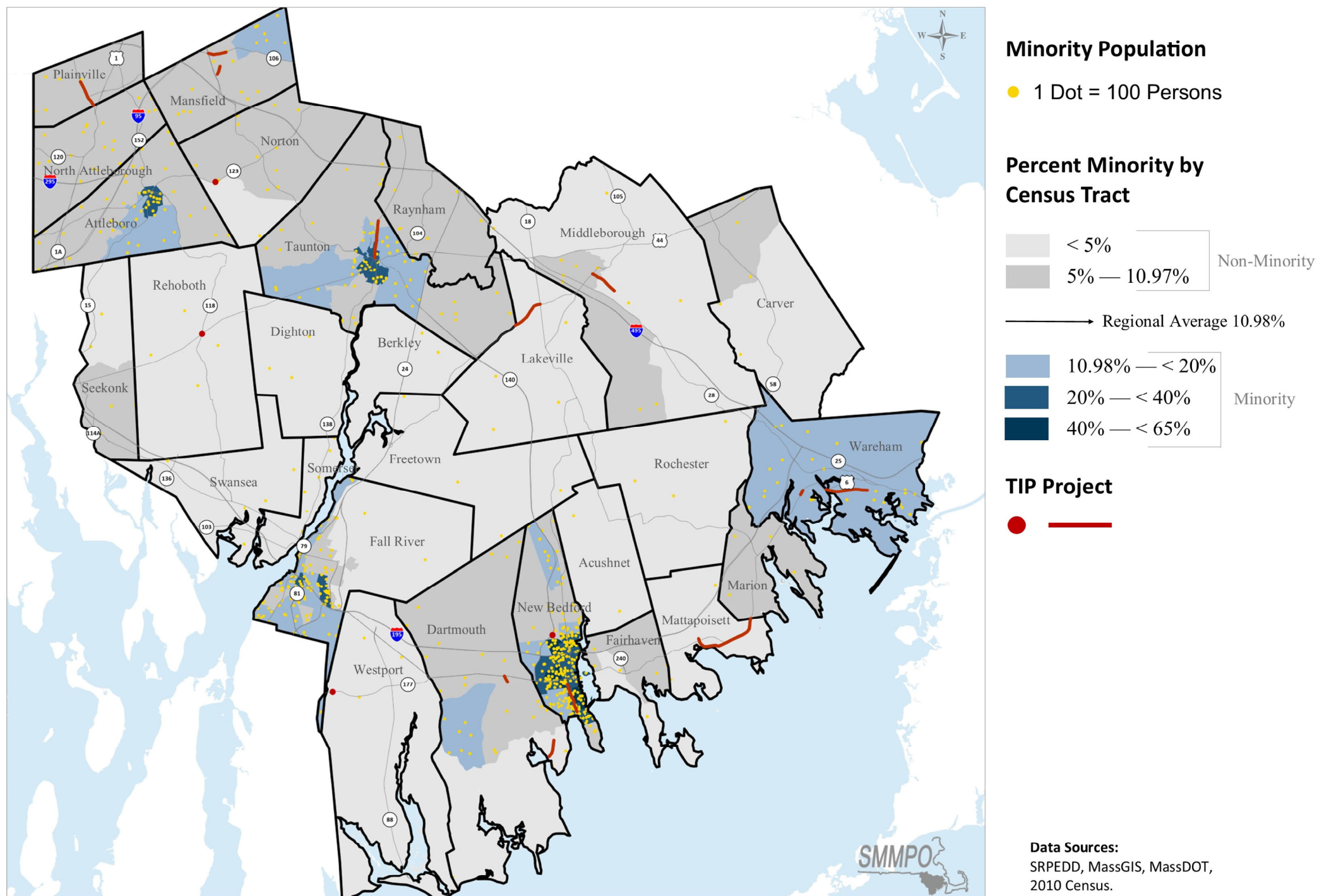
Attachments # 14

Demographic Tables & Maps

Concentrations of Minority Populations with UPWP Projects by Community



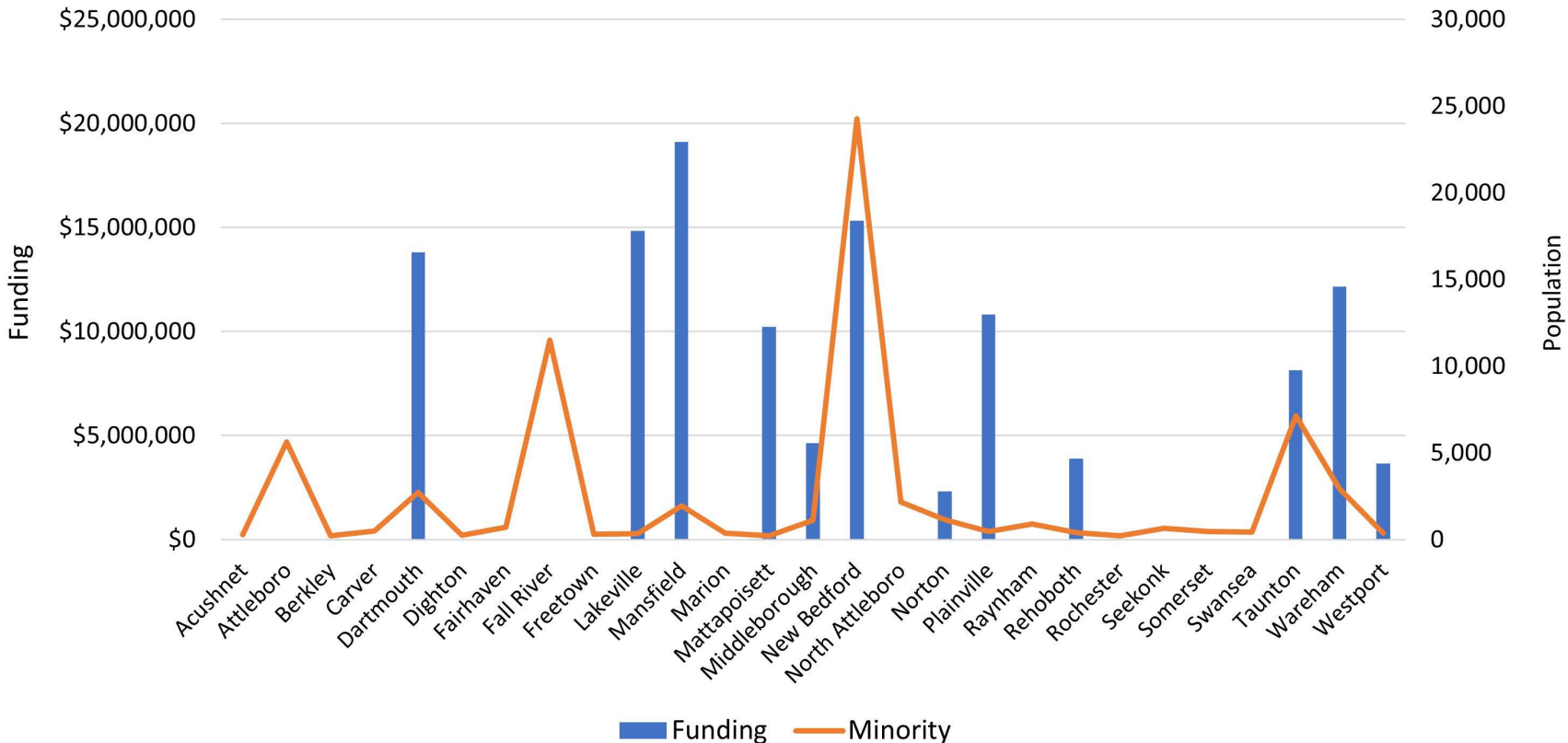
Concentrations of Minority Populations with 2023-2027 TIP Project Locations



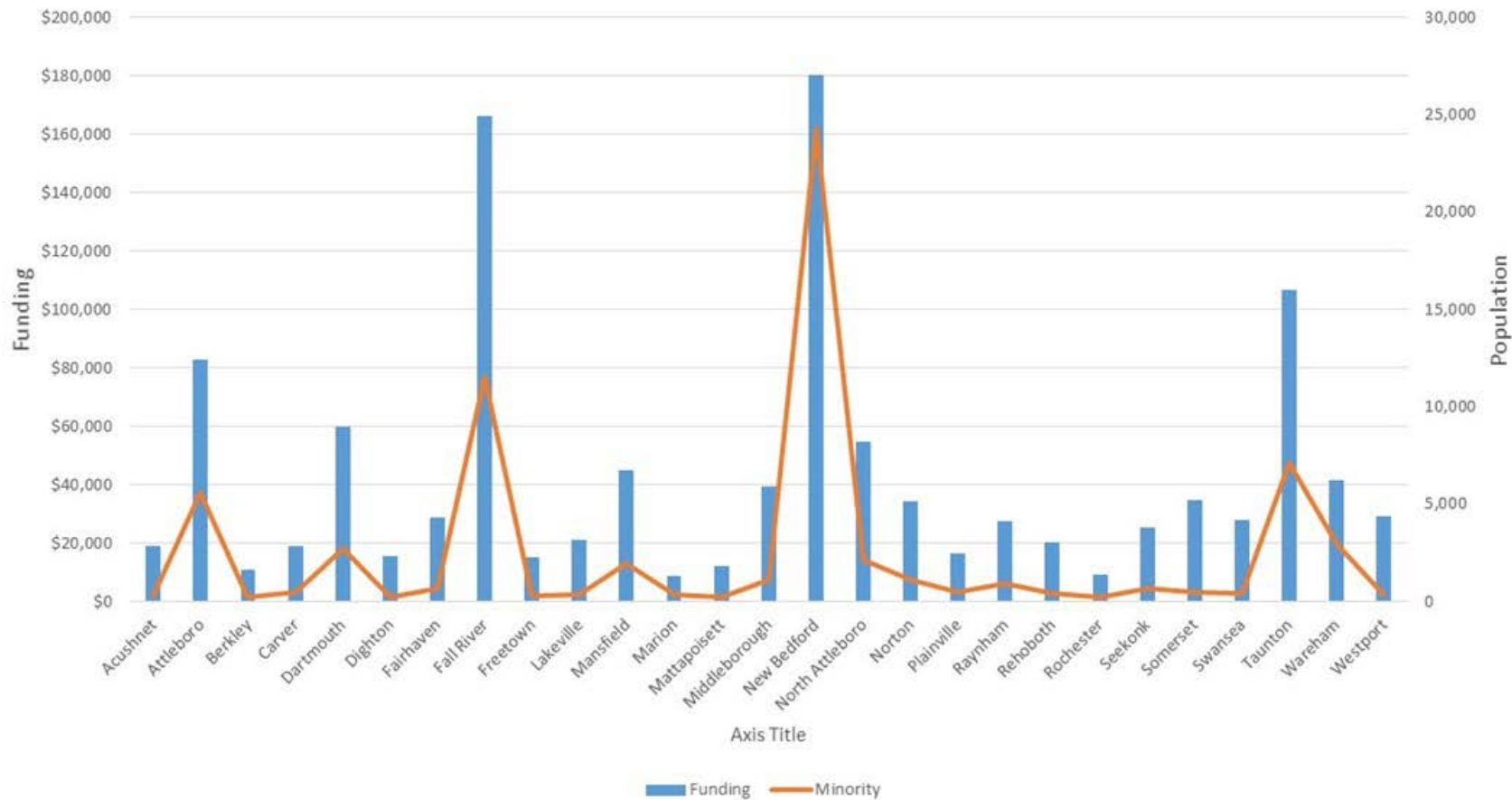
Attachments # 16

TIP & UPWP Minority Tables & Maps

2023-2027 TIP Funding Allocation by Community



FFY 2022 UPWP Funding Allocation by Community



City/Town	Total Population (2010)	Total Minority	% Minority	Population Below Poverty Level	Percent Below Poverty	LEP Population	Percent LEP	Age 65+	Percent Age 65+	Population with a Disability	Percent with a Disability
						5+					
Acushnet	10,303	292	2.83%	447	4.26%	709	7.08%	1,632	15.84%	1,331	12.64%
Attleboro	43,593	5,618	12.89%	3,786	8.56%	2,205	5.36%	5,609	12.87%	6,304	14.21%
Berkley	6,411	217	3.38%	169	2.52%	45	0.73%	568	8.86%	545	8.12%
Carver	11,509	507	4.41%	727	6.22%	60	0.54%	1,729	15.02%	1,387	11.83%
Dartmouth	34,032	2,709	7.96%	1,981	6.82%	2,068	6.15%	5,387	15.83%	4,214	12.69%
Dighton	7,086	238	3.36%	177	2.30%	81	1.21%	932	13.15%	716	9.32%
Fairhaven	15,873	707	4.45%	1,168	7.47%	481	3.15%	3,129	19.71%	2,334	14.85%
Fall River	88,857	11,508	12.95%	17,310	19.66%	11,014	13.22%	13,441	15.13%	18,310	20.72%
Freetown	8,870	320	3.61%	520	5.68%	236	2.72%	1,078	12.15%	933	10.12%
Lakeville	10,602	340	3.21%	413	3.67%	154	1.46%	1,321	12.46%	1,369	12.14%
Mansfield	23,184	1,957	8.44%	761	3.19%	590	2.65%	1,908	8.23%	1,966	8.22%
Marion	4,907	357	7.28%	201	4.03%	45	0.94%	1,046	21.32%	711	14.19%
Mattapoisett	6,045	233	3.85%	160	2.53%	98	1.64%	1,221	20.20%	721	11.40%
Middleborough	23,116	1,106	4.78%	1,784	7.34%	232	1.03%	3,401	14.71%	2,764	11.32%
New Bedford	95,072	24,273	25.53%	18,951	20.26%	15,651	17.57%	13,903	14.62%	13,229	14.10%
North Attleboro	28,712	2,165	7.54%	2,393	8.25%	622	2.28%	2,984	10.39%	2,865	9.88%
Norton	19,031	1,146	6.02%	1,155	6.51%	374	2.02%	2,027	10.65%	2,016	10.27%
Plainville	8,264	479	5.80%	417	4.54%	14	0.17%	1,113	13.47%	883	9.62%
Raynham	13,383	910	6.80%	774	5.52%	488	3.82%	1,877	14.03%	1,663	11.87%
Rehoboth	11,608	404	3.48%	211	1.75%	319	2.83%	1,444	12.44%	954	7.84%
Rochester	5,232	228	4.36%	185	3.34%	112	2.16%	600	11.47%	478	8.57%
Seekonk	13,722	664	4.84%	818	5.31%	586	4.22%	2,055	14.98%	1,632	10.57%
Somerset	18,165	465	2.56%	702	3.93%	898	5.12%	3,897	21.45%	3,070	17.14%
Swansea	15,865	436	2.75%	770	4.70%	565	3.64%	2,691	16.96%	1,840	11.21%
Taunton	55,874	7,132	12.76%	8,030	14.20%	4,218	8.01%	7,569	13.55%	9,318	16.44%
Wareham	21,822	2,948	13.51%	2,322	10.37%	366	1.73%	3,793	17.38%	3,815	16.98%
Westport	15,532	362	2.33%	922	5.83%	758	5.02%	2,951	19.00%	2,396	15.05%
TOTAL	616,670	67,721		67,254		42,989		89,306		87,764	
SRPEDD Regional Average			10.98%		10.87%		7.28%		14.48%		14.01%
Total # of EJ/Title VI Communities			5		3		3		14		9

Source:

Minority: 2010 Census

Poverty Level: 2015-2019 ACS Table B17001

LEP: 2015-2019 ACS Table B16001

Disability: 2015-2019 ACS Table S1810

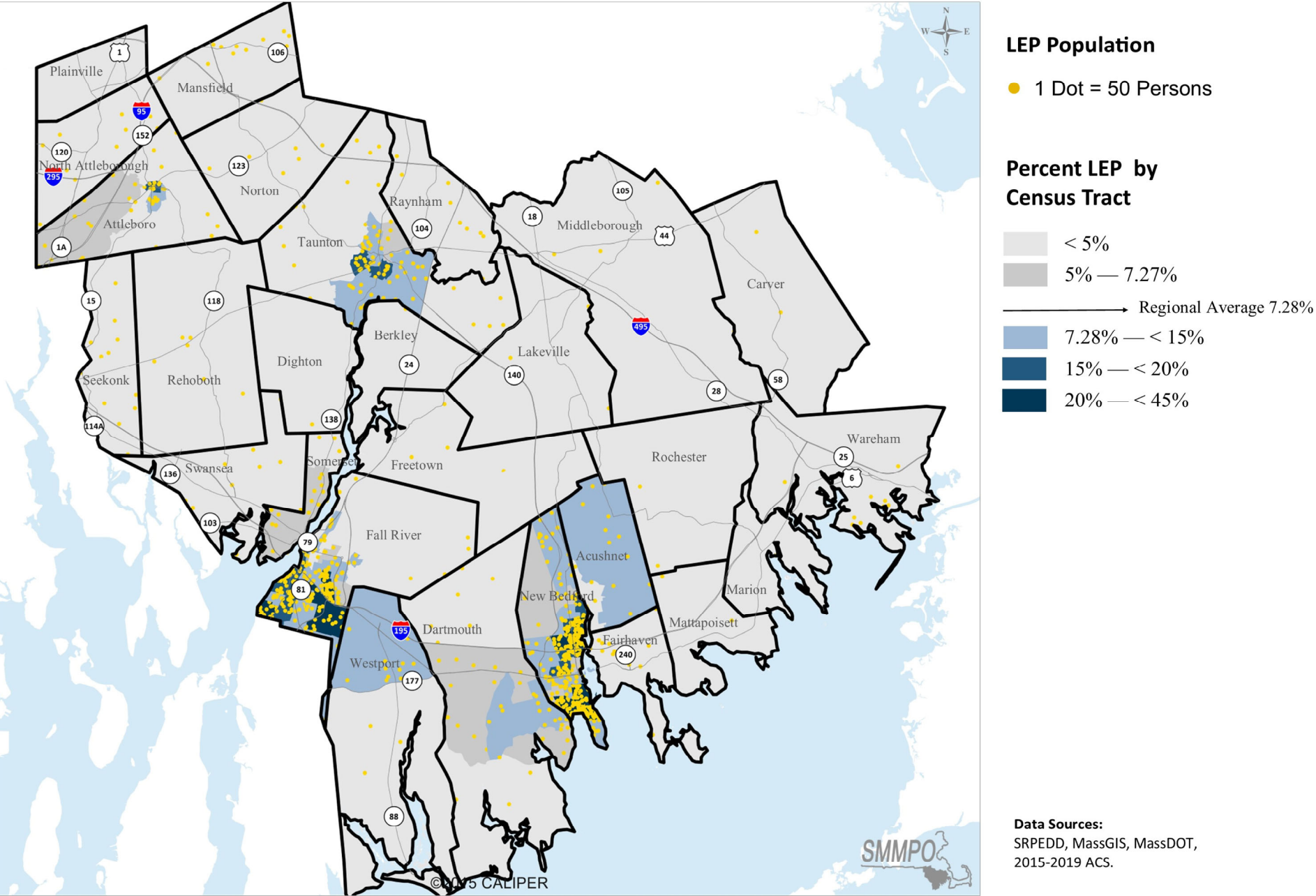
Age 65+: 2010 Census

Above regional thresholds/average

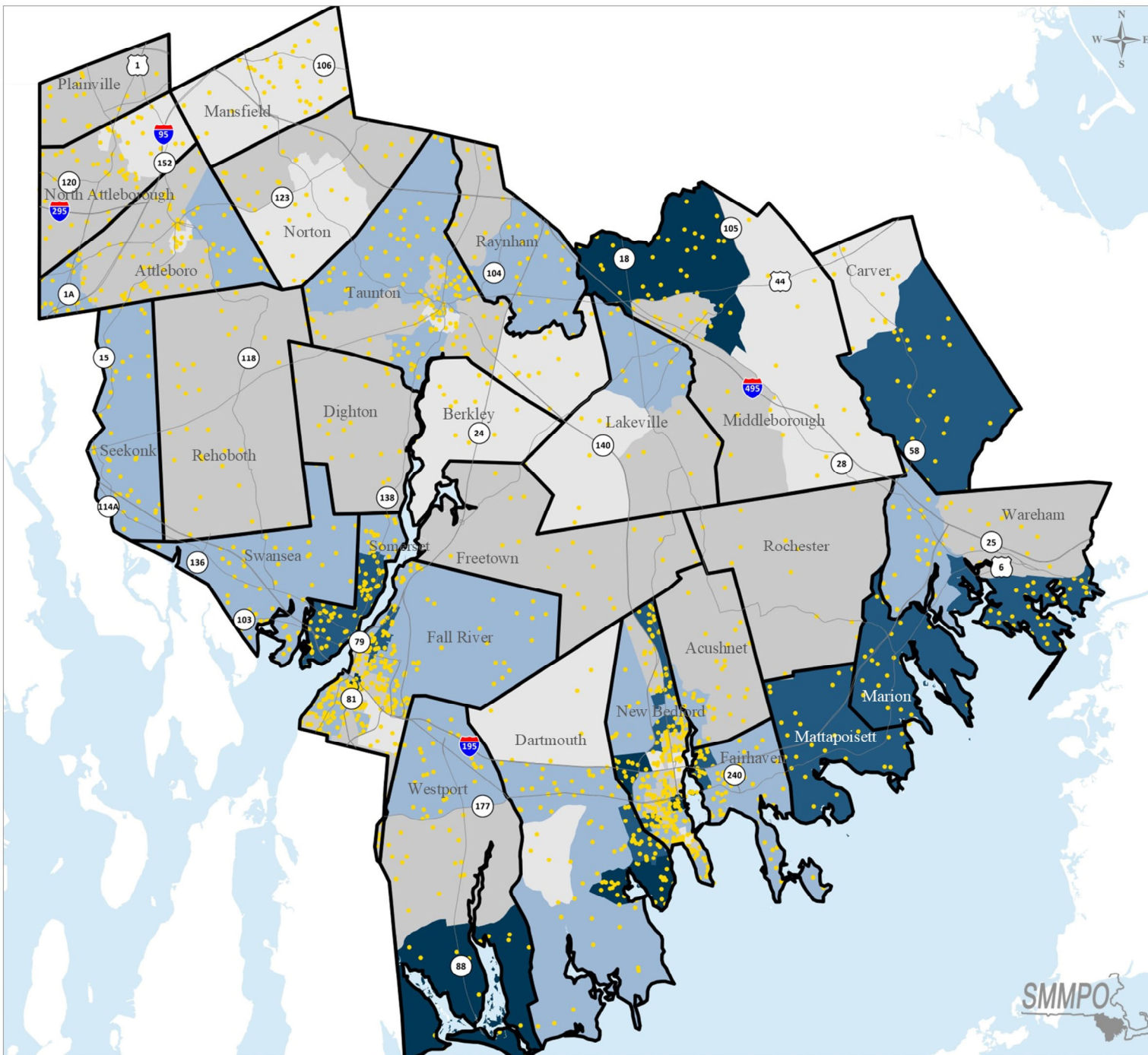
Please Note:

Total population is from the 2020 Census. Please reference source tables for total population within each category.

Concentrations of Limited English Proficiency (LEP) Population



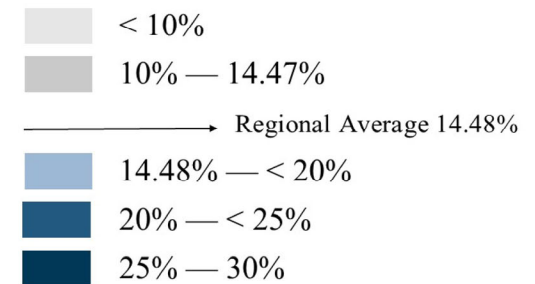
Concentrations of Population Age 65 and Above



Population Age 65+

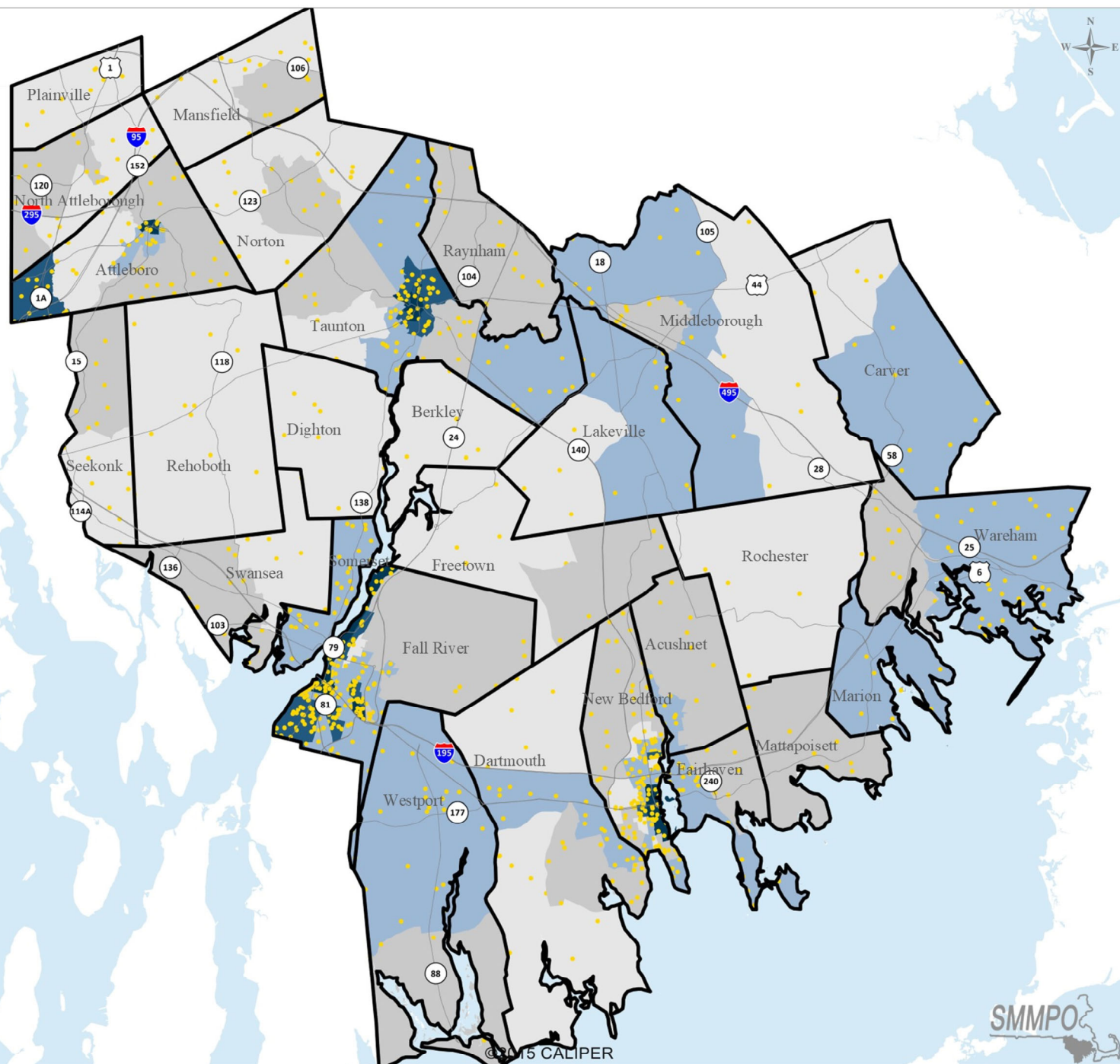
● 1 Dot = 50 Persons

Percent Age 65+ by Census Tract



Data Sources:
SRPEDD, MassGIS, MassDOT,
2010 Census.

Concentrations of Population with a Disability



Population with a Disability

● 1 Dot = 50 Persons

Percent Disability by Census Tract

< 10%

10% — 14%

→ Regional Average 14.01%

14.01% — < 20%

20% — < 25%

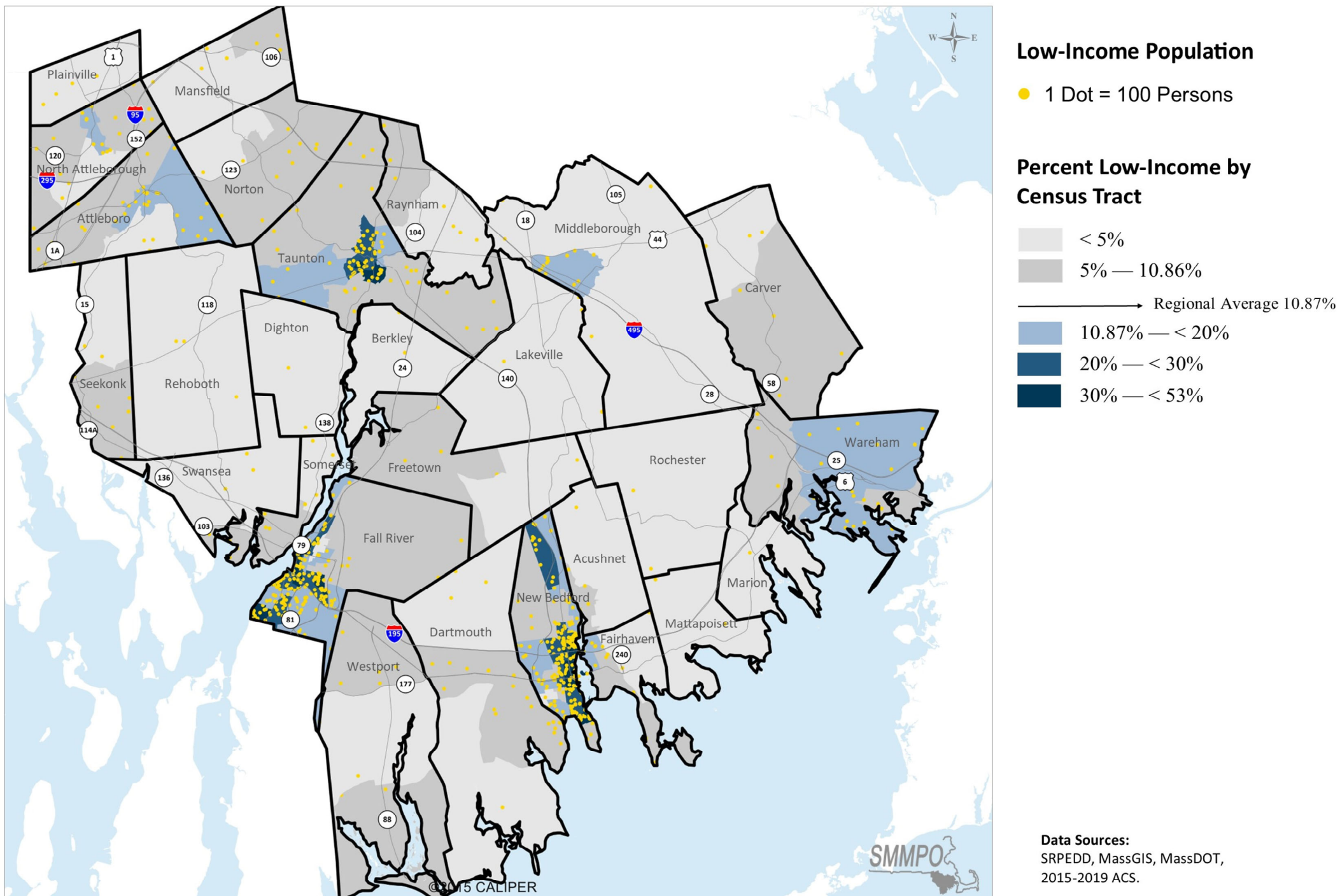
25% — < 52%

Data Sources:

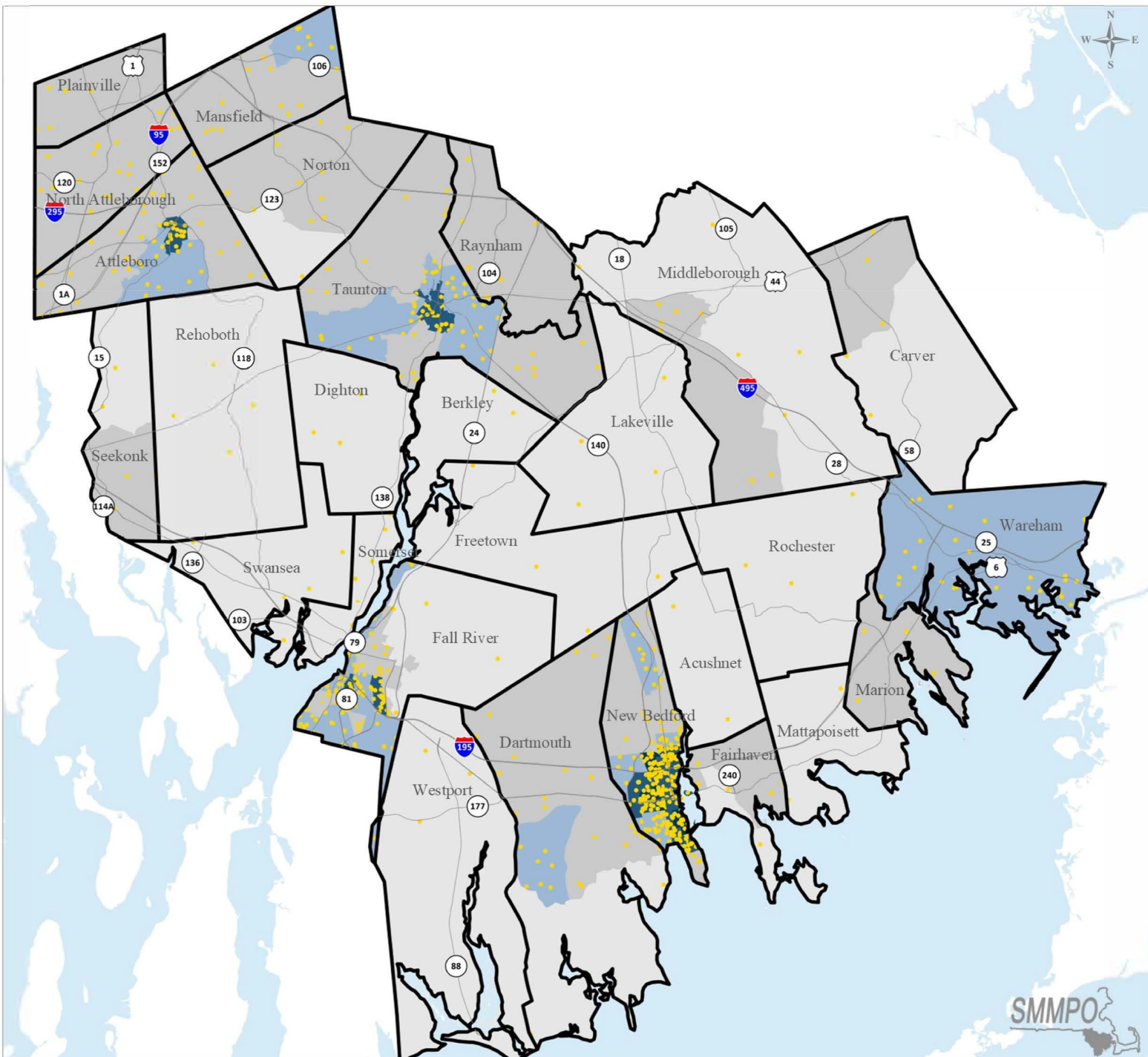
SRPEDD, MassGIS, MassDOT,
2015-2019 ACS.



Concentrations of Low-Income Population



Concentrations of Minority Population



Minority Population

● 1 Dot = 100 Persons

Percent Minority by Census Tract

■ < 5%

■ 5% — 10.97%

→ Regional Average 10.98%

■ 10.98% — < 20%

■ 20% — < 40%

■ 40% — < 65%

Data Sources:

SRPEDD, MassGIS, MassDOT,
2010 Census.



Attachments # 17

Language Assistance Plan - October 2022



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
SINAL PARA ANDAR**



SUA VIDA DEPENDE DISSO

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



SRPEDD
Southeastern Regional Planning
& Economic Development District



Administration:

Jeffrey Walker, Executive Director

Stacy S. Royer, Office Administration

Transportation Staff:

Lilia Cabral-Bernard, Senior Transportation Planner / Title VI Coordinator

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Sara Brown, Senior Transportation Planner

Sean Hilton, Senior Transportation Planner

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Federal Disclaimer, Title VI & Nondiscrimination Notice of Rights of Beneficiaries

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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.

Attachments # 18

**SMMPO Subrecipient Monitoring
Process**

SRPEDD / SMMPO Subrecipient Title VI Monitoring Process

All subrecipients will be made aware that as subrecipients of federal funds they are required to adhere to SRPEDD's Title VI Plan, Public Participation Plan, and Language Access Plan. The Title VI Coordinator will conduct reviews of subrecipients of the SMMPO's federal funds to ensure compliance with Title VI provisions. All operational guidelines to subrecipients will be reviewed annually to include Title VI language and provisions and related requirements, where applicable.

Title VI training will be made available at least annually to subrecipients. The training will provide information on Title VI provisions, application to program operations, and identification of Title VI issues and resolution of complaints. SRPEDD's Title VI Coordinator will present the Title VI Plan (including Title VI Notice to the Public, Title VI Complaint Procedures, and Title VI Complaint form and their translations), Public Participation Plan, Language Assistance Plan, and in-house "Accessibility, Public Outreach, and Meeting Protocols" Guide to the subrecipient and direct them where to find these plans on the SRPEDD website and SharePoint site. These Plans are easily available on the SRPEDD website, in person at the SRPEDD office, and can be mailed out upon request.

All of the subrecipient's major transportation planning documents, as well as studies, reports, etc. will be required to include the Title VI Notice of Nondiscrimination (Title VI Notice to the Public), and every meeting invitation as well as outreach materials will be required to include an Offer of Accommodations, including an offer of translation and interpretation into the region's Safe Harbor Languages.

If applicable to the scope of work, the subrecipient will be required to identify and include strategies to mitigate potential disparate impact that would affect members of a group identified by their race, color, or national origin. If any project, especially one located within, near or serving an underserved population or community, does not adequately address public outreach, mobility, air quality, and any number of additional criteria, then SRPEDD staff will strongly advise the proponent to address these issues before the proponent advances the project.

Remedial Action

All consultants will be made aware that as subrecipients of federal funds they are required to adhere to our agency's Title VI Plan, Public Participation Plan, and LAP Plan. SMMPO staff will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. Should irregularities occur in the administration of the program's operation, corrective action will be taken to resolve Title VI issues, and such actions will be reduced to writing in the form of a remedial action agreed upon to be necessary, all within a period not to exceed 90 days.

- 1) Subrecipient placed in a deficiency status will be given a reasonable time, (not to exceed 90 days after receipt of the deficiency letter), to voluntarily correct deficiencies.
- 2) The SMMPO will seek the cooperation of the subrecipient in correcting deficiencies found during the review. The SMMPO will also provide the technical assistance and guidance needed to aid the subrecipient to comply voluntarily.
- 3) When a subrecipient fails or refuses to voluntarily comply with requirements within the period allotted, the SMMPO will submit to MassDOT's Office of Diversity and Civil Rights or the FHWA two copies of the case file and a recommendation that the subrecipient be found in noncompliance.
- 4) A follow-up review will be conducted within 180 days of the initial review to ensure that the subrecipient has complied with the Title VI Program requirements in correcting deficiencies previously identified.

Attachments # 19
Documentation Showing
SMMPO Approval of Title VI
Program (Meeting Minutes)