

# 2023 Limited English Proficiency Plan

## Rhode Island Division of Statewide Planning

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**February 2023**

Rhode Island  
Division of Statewide Planning

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## ***Title VI Non-Discrimination Policy / Notice to Beneficiaries***

*The Rhode Island Division of Statewide Planning (RIDSP) 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, 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 RIDSP's Title VI Program consistent with federal interpretation and administration. Additionally, RIDSP 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.*

*Any person who believes he or she has been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the RIDSP. Any such complaint must be in writing and filed with the RIDSP's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from the RIDSP at no cost to the complainant by calling Benny Bergantino, the Title VI Coordinator at (401) 222-1755 or at <http://www.planning.ri.gov/public-participation/title-vi-civil-rights.php>. Also, reasonable accommodations will be provided to anyone needing assistance due to physical, sensory impairments or a disability to request information or file a complaint. This assistance is available by contacting Dr. Thomas Mannock, Ph.D at 222-6377 (voice) or #711 (R.I. Relay).*

*In conformance with the Americans with Disabilities Act, all publications of the RIDSP can be made available in electronic format. For information on obtaining this document in alternate format contact:*

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### ***DISCLAIMER***

*The preparation and publication of this document were financed in part by funds provided by the US DOT, FHWA, and FTA. The provision of Federal financial assistance should not be construed as denoting U.S. Government approval of plans, policies, programs or projects contained herein.*

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## THE DIVISION OF STATEWIDE PLANNING

The Rhode Island Division of Statewide Planning (RIDSP) is established under Rhode Island Laws Chapter 42-11-10 as the central planning agency for state government. The work of RIDSP is guided by the State Planning Council, comprised of state, municipal, and public representatives, as well as federal advisors. The Council also serves as the single statewide Metropolitan Planning Organization (MPO) for Rhode Island. As an MPO, the State Planning Council is directly responsible for making sure that any funds spent on existing and future transportation projects and programs is based on a continuing, cooperative, and comprehensive (otherwise known as the 3-C) planning process. All transportation projects and programs that receive federal funds go through this 3-C planning process. The State Planning Council also provides overall program management of an annual work program - the Unified Planning Work Program (UPWP). In addition, the Council provides policy direction and oversight in the development of a federally mandated Long-Range Transportation Plan (LRTP), the State Transportation Improvement Program (STIP), and the transportation element of the State Air Quality Implementation Plan.

RIDSP is divided into 5 sections; Transportation Planning; Community Outreach & Plan Implementation; Planning Education, Administration and Outreach; Data Center; and Water Resources. The objectives of RIDSP are to plan for the physical, economic, and social development of the state; to coordinate the activities of government agencies and private individuals and groups within this framework of plans and programs; and to provide planning assistance to the Governor, the General Assembly, and other state agencies. RIDSP prepares and maintains the State Guide Plan as the principal means of accomplishing these objectives. The State Guide Plan is comprised of a series of functional elements that deal with physical development, environmental concerns, the economy, and human services. RIDSP activities are supported by state appropriations and federal grants.

Funding for production of this document was provided principally by grants from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). State of Rhode Island general appropriations to Statewide Planning provided additional support. The contents of the Limited English Proficiency Plan (LEP) were compiled by RIDSP, which is responsible for the accuracy of the facts and data presented herein. This publication is based upon publicly supported research and may not be copyrighted.

## BACKGROUND

As a sub-recipient of federal funds, RIDSP is obligated to comply with *Presidential Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency*, the purpose of which is to ensure accessibility to programs and services to eligible persons who are not proficient in the English language.

***Who is a LEP Individual? Individuals who do not speak English as their primary language AND who have a limited ability to read, speak, write or understand English.***

**Federal law:** *Presidential Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency*, clarifies Title VI of the Civil Rights Act of 1964 with regards to national origin discrimination against persons with limited English proficiency.

Its purpose was to ensure accessibility to programs and services to eligible persons who are not proficient in the English language. This Executive Order states that individuals who do not speak English well and who have a limited ability to read, write, speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. It reads in part,

***Each Federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities.***

Presidential Executive Order 13166 also required Federal departments and agencies to develop and make available guidance on how recipients of Federal funds should assess and address the needs of LEP individuals seeking assistance. The US Department of Transportation (USDOT) developed guidance titled *Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons*.<sup>1</sup> This guidance was issued to ensure that persons in the United States are not excluded from participation in DOT-assisted programs and activities simply because they face challenges communicating in English.

The intent of this plan is to ensure that where substantial numbers of residents of the State of Rhode Island exist who do not speak or read English proficiently; there will be access to RIDSP's transportation planning process, plans and published information, and that public notification is provided in other languages. The production of multilingual publications and documents and/or interpretation at meetings/events will be provided to the degree requested and needed, and as funding permits based on current laws and regulations.

## **FOUR FACTOR ANALYSES: DETERMINING THE NEED**

As a sub-recipient of federal funding, RIDSP must take reasonable steps to ensure meaningful access to the information and services it provides. In determining "reasonable steps" there are four factors to be considered:

1. The number and proportion of LEP persons in the eligible service area;
2. The frequency with which LEP persons engage with Statewide Planning;
3. The importance of the service provided by Statewide Planning; and

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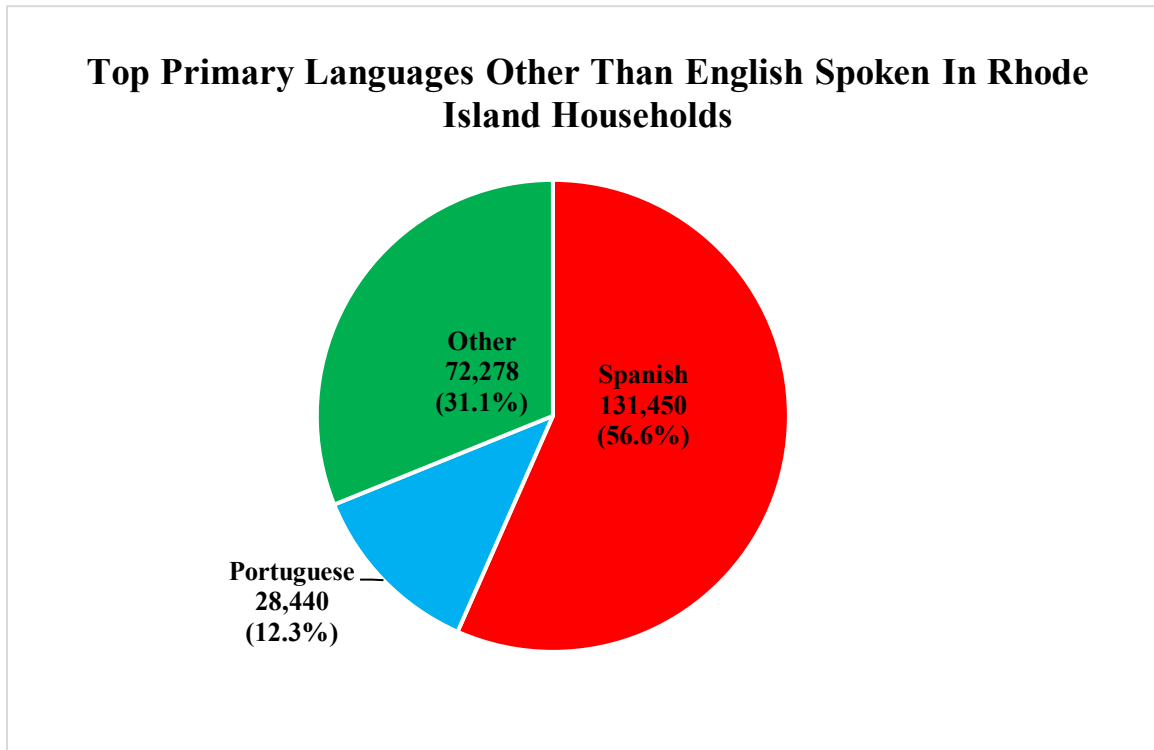
<sup>1</sup> This document utilized technical assistance provided by the U.S. Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons; A Handbook for Public Transportation Providers, FTA, April 13, 2007, (DOT LEP Guidance, Federal Register, vol. 70, no. 239, pp. 74087–74100, December 14, 2005), and Circular FTA C 4702. 1B 10/01/2012.

4. The resources available to the recipient.

The USDOT Policy Guidance gives recipients substantial flexibility in determining what language assistance is appropriate based on a local assessment of the four factors listed above. The following is an assessment of need in the State of Rhode Island in relation to the transportation planning process.

**1. The number and proportion of LEP persons in the eligible service area.**

RIDSP conducts its programs and activities for the State of Rhode Island. The first step towards understanding the state's profile of LEP individuals that could participate in the statewide transportation planning process is a review of the American Community Survey (ACS) 5-year estimates. According to the 2021 ACS data, Rhode Island's total population of households consisting of individuals 5 years and older speaking a primary language other than English is 232,168 and comprises 22.4% of the total population of 1,036,579. Of the 232,168 individuals that primarily speak a language other than English, the top two language populations are Spanish at 131,450 (56.6%) and Portuguese at 28,440 (12.3%).



Source: ACS 2017-2021 Table B16001: LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER

The most predominant non-English languages spoken in Rhode Island were then cross-referenced with languages spoken by Rhode Island’s LEP population and are displayed as a subset in Table 1.

The total LEP population was estimated at 87,246 or 8.42% of the total population 5 years and over who speak a language other than English at home “*Less than Very well*”. Spanish and Portuguese make up the two largest single languages within this category at 63.3% and 11.9% respectively.

**Table 1**  
**Most Prominent Non-English Languages Spoken by**  
**Rhode Island’s LEP Population**

<b>Languages</b>	<b>Estimated <i>LEP</i> Population</b>	<b>% Total <i>LEP</i></b>	<b>% of Total State Population</b>
Spanish	55,257	63.3%	5.33%
Portuguese	10,378	11.9%	1.00%
Chinese (incl. Mandarin, Cantonese)	3,442	3.9%	0.33%
Haitian	3,369	3.9%	0.33%
French (incl. Cajun)	1,865	2.1%	0.18%
Kymer	1,825	2.1%	0.18%
Thai, Lao, or other Tai-Kadai languages	1,259	1.4%	0.12%
Italian	1,233	1.4%	0.12%
Arabic	1,199	1.4%	0.12%
Yoruba, Twi, Igbo, or other languages of Western Africa	1,056	1.2%	0.10%
All other Non-English Languages	6,363	7.3%**	0.61%
Total LEP	87,246		8.42%

\*Source: U.S. Census Bureau, American Community Survey 2017-2021 5-Year Estimates. Rhode Island’s total population 5 years and over is estimated at 1,036,579 LEP Population U.S. Census Bureau American Community Survey 2017-2021 5-Year Estimates: Table B16001: Language spoken at Home by Ability to Speak English “Less than Very well” for the Population 5 Years and Over.

\*\* None of the languages that make up this category exceed 5% or 1000 people of the total non-English speaking population.

**Safe Harbor Provision:** USDOT has adopted the USDOJ’s Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations. Translation of non-vital documents, if



needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost. These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. The languages identified in Table 1 are all the Safe Harbor Provision languages determined by United States Department of Justice (USDOJ) and adopted by USDOT civil rights program practices.

## **2. The frequency with which LEP persons come in contact with Statewide Planning**

The growing number of the foreign language populations and thus the potential LEP population in Rhode Island increases the probability of the contact with RIDSP activities. Due to the size of the current LEP population and the nature of services provided by RIDSP, LEP involvement is presently infrequent and unpredictable. The 16-person staff of Statewide Planning was surveyed in January 2023 with the following questions via email.

- a. How *often* (estimate 1/day, week, month) do you interact (receive requests for information or conduct other RIDSP business) with persons who speak English with limited proficiency (understand English "not well" or "not at all") at work?
- b. What non-English language(s) are you encountering while delivering RIDSP programs, services and activities?
- c. Have you received requests for RIDSP documents in languages other than English? If yes, how many and what languages?
- d. What languages other than English do you speak, read or write?

**Results:** Survey results from this office consisted of a 100% return rate from a total available staff of sixteen (16). Accordingly, there have been no direct in-office staff encounters with LEP populations over the past year; however, at hosted outreach events interpreters are on hand to accommodate such encounters. In addition, no requests have been made in the past year for information by either LEP individuals or groups.

## **3. The importance of the service provided by the program**

RIDSP uses USDOT funds to plan for future transportation projects, and therefore does not include any service or program that requires vital, *immediate*, or emergency assistance such as medical treatment or services for basic needs (food, housing, education, etc.) or transportation services. RIDSP does not conduct compulsory activities (applications, interviews, or other activities prior to participation in our programs and/or events). Public involvement with the RIDSP or its committees is done entirely on a voluntary basis.

RIDSP does provide regular and frequent opportunities for the public to comment at its State Planning Council meetings (SPC, (the MPO Board), and the SPC's advisory committee meetings including the Transportation Advisory Committee (TAC) and Technical Committee, all of which meet monthly. Input is also sought on the use of Federal funds in three major statewide transportation planning areas: an annual Unified Planning Work Program (UPWP), a 10-year State Transportation Improvement Program (STIP), and a 20-year Long Range Transportation Plan (LRTP). The STIP is updated every four years at a minimum and the Transportation Plan every four to five years depending on Rhode Island's air quality conformity status. The potential impacts of transportation

improvements resulting from these actions may have an impact on all residents and efforts are made to provide an understanding of the process and opportunities to comment.

Public participation and hearing efforts follow Rule V in the Planning Council's Rules and Standards at <http://www.planning.ri.gov/documents/council/SPC%20Rules%20TIP%20Amend.pdf>, as well as in the procedures, guidance, and resources outlined in the *Division of Statewide Planning Public Participation Plan*. The planning process is also described in the documents generated by RIDSP and at public hearings conducted by the organization. These efforts demonstrate that RIDSP is committed to engaging and reviewing input from all stakeholders and every effort is made to make the planning process as inclusive as possible.

As a result of this statewide transportation planning process, selected projects receive approval for Federal funding and progress toward advanced project planning, design, and construction. Advanced planning, design, and construction come under the responsibility of Rhode Island Department of Transportation (RIDOT) and Rhode Island Public Transit Authority (RIPTA). These organizations carry-out the coordination with local jurisdictions and project area populations. Both RIPTA and RIDOT have their own policies in place to ensure opportunities for LEP individuals to participate in the process that shapes how and when a specific project is implemented or constructed.

#### **4. The resources available to the recipient**

While the cost of translating transportation plans is high, RIDSP will continue to monitor and adjust its resources as necessary to respond to LEP population needs. Furthermore, RIDSP will make efforts to partner with state, local agencies, and cities and towns with large LEP populations, to provide language translation and interpretation services when needed for hearings or public workshops.

In addition, RIDSP will continue to make the free online translation service, *Google Translate*, available on its website. This site contains considerable information on the state's transportation planning process and the *Google Translate* program will allow visitors to translate any page of text into additional languages.

RIDSP obtained a quote for the cost of translating its' four key documents: State Transportation Improvement Plan (STIP); Long Range Transportation Plan (LRTP); Unified Planning Work Program (UPWP); and Public Participation Plan (PPP). Funds will be utilized for translation of materials and interpretation services as needed. Translation and interpretation services can be obtained by RIDSP using the Rhode Island Division of Purchases Master Price Agreements (MPA). The MPA consists of a list of certified vendors that have pricing agreements with state government, and it is available to all departments and divisions. The language services MPA consists of vendors providing interpreting and translations services for fixed prices. Translation or interpreters can be provided upon request and within a time frame which can vary depending on the scope of service requested and availability of the language expertise. This may be from 2 days for a simple translation of a 1-page public hearing notice to several days for a translation of a larger document. Interpreter services during public meetings usually require booking 5 or more business days from when they are needed.

## MEETING THE REQUIREMENTS: THE STATEWIDE PLANNING LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Providing needed services to the diverse population within the state is important and RIDSP has completed the following assessment and plan for providing language services to the LEP population in Rhode Island. All language access activities detailed below will be coordinated by the RIDSP staff, with assistance from the RI Department of Administration, Office of Diversity Equity and Opportunity, RIPTA, RIDOT and other organizations when determined necessary.

### Identifying LEP Individuals Who Need Language Assistance

US Census American Community Survey indicates that the probability of encounters with Spanish LEP residents is the most likely scenario. Data will continue to be collected from the U.S. Census to monitor the changing language demographics within the state. A record will be kept of staff contacts and other interactions with LEP persons and or groups. This office will maintain a list of the points of contact where a LEP person interacts with the organization. At this time, it is anticipated that the key points of contact for LEP individuals are during public workshops and hearings. As interaction with LEP individuals increases, additional points of contact will be identified. Experience has indicated sporadic and very small numbers of encounters with Spanish speaking residents. Data and language needs will continue to be identified through our public outreach and participation efforts.

### Outreach to Community Organizations that Serve LEP Persons

RIDSP may seek to partner with organizations in Rhode Island that work with low-income adults and youth to improve their integration and participation in the community through literacy, collaboration, advocacy and community involvement. RIDSP may work with organizations who assist all those who are working to overcome cultural, educational, economic, and language barriers; and, empower them to achieve self-sufficiency and to participate actively in the community. Such non-government organizations (NGOs) provide client-centered services, advocacy and opportunities based on their expertise in family literacy and adult education, employment services, refugee resettlement, translation, interpretation, U.S. citizenship and immigration services. These organizations can provide RIDSP with valuable insight into the activities and needs of the LEP populations of RI.

### Language Assistance Measures

RIDSP utilizes several measures to provide assistance to the LEP populations when needed. Translation services will be offered upon request. When RIDSP posts a notice for a public hearing or workshop, a *minimum* 5-day notice for oral language interpretation service is requested for those who require such services. Regular meetings of the State Planning Council and all its standing committees contain a note on their meeting notices that interpreters can be provided on request and such request should be made to our office as soon as possible.

To achieve a more complete and more versatile LEP plan, RIDSP includes information about the ways in which additional language assistance will be provided for the following:

- a. How recipient staff can obtain language assistance services.  
Services are available both in-house and by the State of RI Master Price Agreement (MPA) with outside vendors.
- b. How to respond to LEP callers.

Staff will transfer telephone calls to an in-house staff interpreter if available or to a language line if available. Help may be available from the RI Department of Administration, Office of Diversity, Equity, and Opportunity.

c. *How to respond to written communications from LEP persons.*

Staff will utilize Microsoft Word Translate function if appropriate to the type of media received, transfer it to in-house staff for translation if available, or to the RI Department of Administration, Office of Diversity Equity and Opportunity, or contract with an outside service listed on the MPA.

d. *How to respond to LEP individuals who have in-person, in office contact with staff.*

To determine the language of communication to use, language identification cards (or “I speak cards”) may be utilized by staff to invite LEP persons to identify their language needs. Such cards, for instance, might say, “I speak Spanish” in both Spanish and English, or “I speak Vietnamese” in both English and Vietnamese. A set of these cards can be accessed at <https://www.lep.gov/sites/lep/files/media/document/2020-02/crcl-i-speak-booklet.pdf>. Staff will then transfer the individual to in-house staff with the appropriate language skills if available or, to the RI Department of Administration, Office of Diversity Equity and Opportunity.

e. *How to ensure competency of interpreters and translation services.*

This verification is done by the Division of Purchases and is required by state regulations.

f. *How to provide the public information on public participation and Civil Rights.*

RIDSP’s website is equipped with Google Translate to translate text into various other languages. Below is a list of Public Participation and Civil Rights webpages hosted by Statewide Planning and the detailed information provided on each.

- [Public Participation](#) – Provides various ways the RIDSP conducts its public outreach and participation program particularly related to the following: Long Range Transportation Plan (LRTP), State Transportation Improvement Program (STIP), Unified Planning Work Program, and Public Participation Plan (PPP).
- [Title VI of the Civil Rights Act & Environmental Justice](#) – Discusses how the RIDSP works to meet Title VI requirements. In addition, it provides RIDSP’s: Title VI Plan/Report; Nondiscriminatory Assurances; Notice to Beneficiaries and complaint procedures.
- [Federal Protections](#) – Discusses key pieces of legislation and executive orders heavily influence how the RIDSP conducts public engagement including public meetings, and the distribution of materials and communications.
- [Language Access & Translation Services](#) – Provides information on improving access to services for persons with limited English proficiency and the translation services available through RIDSP.
- [Documents Accessible for the Visually Impaired](#)– Provides key documents in a plain text format for the visually impaired.

### **Translation of Written Materials**

While the translation of all plans and materials may not be possible due to cost restrictions, the current LEP population levels of request for such materials do not warrant such translations. However, RIDSP will provide the following.

1. *Website* - The free service, powered by Google Translate program, allows users to choose from a variety of language translations. The translation service is available by clicking the Google Translate link at the top right of the website.

2. *Key Documents* - An Executive Summary for the following key documents will be made available in Spanish or other language upon request:
  - (a) Long Range Transportation Plan (LRTP)
  - (b) State Transportation Improvement Program (STIP)
  - (c) Unified Planning Work Program (UPWP)
  - (d) Public Participation Plan (PPP)

Preparation time may vary depending on the document and language. Please visit our [Language Access & Translation Services](#) webpage. For more information contact Benny Bergantino by email [Benny.Bergantino@DOA.RI.GOV](mailto:Benny.Bergantino@DOA.RI.GOV), or call 401-222-1755.
3. *Outreach Materials* - Spanish-language outreach materials from organizations such as FHWA, USDOJ, and FTA, state, and local transportation agencies will be utilized when appropriate and possible. The Title VI Manager will keep a list of such materials. Requests will be considered to provide key outreach materials in Spanish or other languages as new materials are developed. Please see the *Monitoring, Updating and Performance Measures for the Division of Statewide Planning LEP Plan* section for future actions in this category.
4. Public hearing notices will continue to be translated into Spanish and posted on our webpage.
5. Request as needed, language and cultural diversity assistance such as radio and newspaper contacts from the Human Resources Outreach & Diversity Office at the Rhode Department of Administration if available.
6. Utilize the extensive list of agencies, institutions, private business, and individuals from our Metropolitan Planning Organization (MPO) contact list at Statewide Planning. Many of these contacts are LEP in nature.

### **Oral Language Services**

To provide these oral language services RIDSP will do the following:

- Staff will transfer telephone calls to an in-house staff interpreter or to a language line if available, as designated by the RI Department of Administration, Office of Diversity, Equity, and Opportunity.
- Identify, by language spoken, employees who fluently speak and/or write a language other than English. Detail which of these employees are also able to act as interpreters – An inventory of staff language capabilities will be maintained.
- Maintain a list of outside sources from the Department of Administration's Master Price Agreement (MPA) for services that can provide both translation of key documents and oral language services. If it is required, RIDSP will provide oral language services to LEP individuals upon advance request. It is anticipated that such services would be necessary for public hearing or workshops scheduled and advertised well in advance of the event.
- Request as needed, language and cultural diversity assistance such as bilingual staff, radio, and newspaper contacts from the Human Resources Outreach & Diversity Office at the Rhode Department of Administration.

## **Staff Training**

To establish meaningful access to information and services for LEP individuals, employees in public contact positions and those who will serve as translators or interpreters should be properly trained. Such training, when available, will ensure that staff is fully aware of LEP policies and procedures and are effectively able to work in person and/or by telephone with LEP individuals. Although RIDSP staff have had very limited instances of contact with LEP individuals, staff and management have attended Title VI and Environmental Justice Training including National Highway Institute courses on Environmental Justice. FHWA's RI Division Civil Rights Specialist has briefed management on data collection requirements of Title VI and environmental justice and is available for future consultations. RIDSP will take advantage of any future LEP training offered by FHWA, FTA or RIDOT.

## **Providing Notice of Available Language Service to LEP Persons**

RIDSP has adopted the following methods to inform Spanish-speaking and other LEP individuals, supporting organizations, as well as the general public, of available no-fee LEP services.

Key RIDSP efforts include a notice that language translation assistance services are available with advance notice. Information on translation service is listed on RIDSP's [Language Access & Translation Services](#) webpage. Additional efforts may include:

1. The RIDSP webpage: notices in Spanish and English that key documents can be made available upon request in Spanish or other languages.
2. Notice of public hearings and workshops in Spanish-language is placed on our webpage. This notice also includes information on language translation services that are available in Spanish and other languages when given advance notice.
3. Notice of public hearings or workshops to a local Spanish radio station for major actions such as the STIP and Long-Range Transportation Plan updates. Materials can be provided upon advance request.
4. Notice of language interpreter availability by advance request on all meeting notices of the MPO and all its standing committees.

## **Monitoring, Updating, and Performance Measures for the Division of Statewide Planning LEP Plan**

RIDSP will periodically determine whether new documents, programs, services, and activities need to be made accessible for LEP individuals and will conduct further assessment and work to meet the following goals, objectives, and actions from this plan to gauge progress:

- Stay knowledgeable of the current LEP population in RI; RIDSP will monitor changing population levels and the language needs of LEP individuals in the state (U.S. Census data).
- Monitor the frequency of contact with LEP groups and keep records of any LEP services provided both in-office and in public venues.
- Determine the nature and importance of activities to LEP persons and ensure that RIDSP is meeting their needs by developing and fielding an attendee feedback survey for public hearings and workshops to provide public feed-back on services and collect demographic



data including primary languages. A copy of an attendee feedback survey is in Appendix I of this document.

- Require cities and towns that are proposing projects for the State Transportation Improvement Program (STIP) to adopt a new standard of participation and public hearing process. As part of this requirement, municipalities would be responsible for providing a statement to public hearing notices that municipal public hearings are being held in compliance with local laws and ordinances.
- Conduct an annual survey of staff for language capabilities.
- Review utilization of the MPA translation services as necessary. Outline the cost of these services. Identify budget and personnel for limitations.
- Update, E.J. and Title VI contact lists annually.
- Assess availability of resources, including technological advances and sources of additional resources, and the costs imposed.
- Inform staff about the LEP plan and how to implement it.
- Evaluate identified resources for LEP assistance that are still available and viable.

## **Title VI Notice and Provisions for Complaint Access by LEP Populations**

### **Notice to Beneficiaries**

The Division of Statewide Planning operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964, 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 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 the SPP's Title VI Program consistent with federal interpretation and administration. Additionally, the SPP 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.

### **Title VI and LEP Complaint Procedure**

As a sub-recipient of USDOT financial assistance, the RIDSP has in place the following Title VI complaint procedure and will follow this complaint procedure and process that meets Title VI requirements.

**Submit complaint:** Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, from the RIDSP during the administration of federally funded programs, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and related statutes, may file a written complaint form. Complaints may be submitted in writing to the Title VI Coordinator using the [Title VI/Civil Rights Complaint Form](#) or the translated complaint form pdf's provided in the top five Safe Harbor Languages. The complaint must be filed within 180 calendar days after the date the person believes the discrimination occurred.

**Submit written complaints to:**

Benny Bergantino, Title VI Manager  
Division of Statewide Planning  
235 Promenade Street, Suite 230  
Providence, RI 02908  
[Benny.Bergantino@DOA.RI.GOV](mailto:Benny.Bergantino@DOA.RI.GOV)

Complaints must be in writing and signed by the complainant and/or the complainant's representative. Complaints should set forth as complete as possible, the facts and circumstances surrounding the claimed discrimination and include the following information:

- Name, address, and telephone number of the complainant.
- A written statement of the complaint, including the following details:
  - (a) Basis of complaint (i.e., race, color, national origin or sex, disability, and age).
  - (b) The nature of the incident that led the complainant to feel discrimination was a factor.
  - (c) A detailed explanation of the alleged discriminatory act(s).
  - (d) The date or dates on which the alleged discriminatory event or events occurred and any witnesses.
  - (e) If applicable, name(s) of alleged discriminating official(s).
- Other agencies (state, local or Federal) where the complaint is also being filed (optional).
- Complainant's signature and date.


**Review and Response:** Upon receipt of the complaint, the Associate Director of the Rhode Island Division of Statewide Planning shall review and forward the complaint to the Rhode Island Department of Transportation Title VI Office.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

**Submission of Complaint to the U.S. Department of Transportation:** In accordance with Federal Transit Administration (FTA) Circular 4702.1B, Chapter IX, a complaint must be submitted within 180 calendar days after the date of the alleged discrimination. Chapter IX of the FTA Circular 4702.1B, which outlines the complaint process to the Department of Transportation, may be obtained online at [www.fta.dot.gov](http://www.fta.dot.gov). Paper copies of the circular may be obtained by calling FTA's Administrative Services Help Desk, at 202-366-4865.



## APPENDIX I: ATTENDEE FEEDBACK SURVEY

RI Division of Statewide Planning Attendee Feedback Survey			
Event Date: _____ Time: _____			
Event Description: _____			
Event Location: _____			
Providing information will assist the Division of Statewide Planning in improving our programs and services for all members of the public. The information you provide will be used to better understand who we serve. Responses are strictly voluntary and will remain anonymous. Thank you for participating at today's meeting.			
<b>Please Mark Your Responses</b>			
Was this meeting held at a good time for you? If No, why?		YES	NO
Was this meeting held at a convenient location? If No, why?		YES	NO
How did you find out about this meeting?	<input type="checkbox"/> Email <input type="checkbox"/> Website <input type="checkbox"/> TV/Radio <input type="checkbox"/> Poster <input type="checkbox"/> Sec. State <input type="checkbox"/> Other		
Were you provided adequate notice of this event?		YES	NO
Did you get a chance to participate during this meeting?		YES	NO
Do you feel that your ideas were considered?		YES	NO
Was today's event beneficial and information helpful?		YES	NO
If you requested special accommodation, were your needs met?		YES	NO Not Applicable
Were ADA accessible features satisfactory? If No, why?		YES	NO Not Applicable
<b>Race:</b> <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian/ Pacific Islander <input type="checkbox"/> Some Other Race/Two or More			
<b>Ethnicity:</b> Hispanic / Latino: <input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Age:</b> <input type="checkbox"/> 18 and under <input type="checkbox"/> 19-24 <input type="checkbox"/> 25-34 <input type="checkbox"/> 35-44 <input type="checkbox"/> 45-54 <input type="checkbox"/> 55-64 <input type="checkbox"/> 65 and over			
<b>Family Income:</b> <input type="checkbox"/> Less than \$14,999 <input type="checkbox"/> \$15,000-24,999 <input type="checkbox"/> \$25,000-34,999 <input type="checkbox"/> \$35,000-49,999 <input type="checkbox"/> \$50,000-74,999 <input type="checkbox"/> Over \$75,000			
<b>Sex:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female			
<b>Is English your native language?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No, Please tell us your native language: _____			
<b>How well do you speak English?</b> <input type="checkbox"/> Very Well <input type="checkbox"/> Less Than Very Well <input type="checkbox"/> Not Well			
<b>Disabled: *</b> <input type="checkbox"/> Yes <input type="checkbox"/> No			
<small>*Note: Individuals with disabilities are persons with a physical or mental impairment which substantially limits one or more major life activities including caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, and learning. (Codified as 29 U.S.C. 794.)</small>			
<i>Your response to the questions above is optional and confidential. It will help us to better meet your needs.</i>			