

**Title VI Report
of the
Rhode Island Metropolitan
Planning Organization**

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**Prepared by the Statewide Planning Program,
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FEDERAL TITLE VI REPORT

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This report has been prepared in compliance with requirements set forth in U.S. Department of Transportation
US Title 23: Part 200 TITLE VI PROGRAM AND RELATED STATUTES: IMPLEMENTATION AND REVIEW PROCEDURES.

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Introduction

Title VI of the US Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in programs and activities receiving federal financial assistance. Two Executive Orders and related statutes further define populations that are protected under the umbrella of Title VI. Executive Order 12898 is concerned with environmental justice for minority and low-income populations. Executive Order 13166 is concerned with providing equal access to services and benefits for those individuals with limited English proficiency (LEP).

All federal agencies that provide financial assistance for programs is authorized and directed by the United States Department of Justice to apply provisions of Title VI, Executive Order 12898 and Executive Order 13166 by issuing applicable rules, regulations, or requirements that integrate the USDOT's Order on Environmental Justice (Order 5610.2) and Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons (70 FR 74087) into their programs and activities. The Federal Highway Administration's (FHWA) applicable rules, regulations and requirements are found under US Title 23: Part 200 TITLE VI PROGRAM AND RELATED STATUTES: IMPLEMENTATION AND REVIEW PROCEDURES.

Statewide Planning is the sub-recipient of Federal funding from both Federal Transit Administration (FTA) and FHWA in a Consolidated Planning Grant (CPG) administered by FHWA through RIDOT.

This document is the Title VI report of the Rhode Island Metropolitan Planning Organization (MPO) also known as the Rhode Island State Planning Council. The Statewide Planning Program provides staff for the MPO and conducts continuing, cooperative, and comprehensive planning activities with the Rhode Island Department of Transportation (RIDOT) and the Rhode Island Public Transit Authority (RIPTA) that are consistent with the principles of Title VI, federal guidelines, and related requirements and is responsive to the needs of Title VI beneficiaries. This report was prepared to satisfy the reporting requirements of Title VI as a sub-recipient of RIDOT for Statewide Planning's portion of funding from FHWA within the Consolidated Planning Grant (CPG).

Section 1

Rhode Island Statewide Planning Program Public Participation

MPO Public Participation Plan

The Statewide Planning Public Participation Guide (PPG) was prepared following a meeting of a Task Force that was convened for the purpose of reviewing our existing public participation procedures and providing recommendations on how we can better serve and communicate with the public. Rule IX of the State Planning Council Rules of Procedure establishes the procedures for preparing the Transportation Improvement Program (TIP) long-range plan, (LRP), and the Unified Planning work Program (UPWP), including minimum public participation requirements. Statewide Planning consulted with interested parties to review these plans and prepare this guide. The Task Force reviewed Rule IX and concluded that no changes were necessary, but that certain activities could be enhanced. Rule IX remains in effect as the formal policy for public participation. The PPG is fully consistent with Rule IX, but focuses on public participation (rather than other staff procedures) in a manner that can be more easily understood by the public. The PPG also goes further than Rule IX inasmuch as Rule IX specifies bare minimums, but in practice, more outreach is undertaken.

A 45-day comment period was provided prior to the adoption of the PPG from January 12, 2007 to March 1, 2007. The document was posted on our website and in our office. Notice was given of document availability and of a hearing via the Providence Journal on January 12, 2007 and electronic newsletter on January 31 and February 27, 2007](450 subscribers). Notice was also mailed to a "Public Hearing" list and "Transportation Contacts" list consisting of over 1000 people and organizations.

Detailed information and procedural guidelines are contained in State Planning Council Rule IX, "Transportation Planning and Public Involvement Procedures" (October 1994) It is on the Statewide Planning Web page at <http://www.planning.ri.gov/spc/SPC%20Rules%20of%20Procedure08.pdf> The Statewide Planning Public Participation Guide can be found at <http://www.planning.ri.gov/transportation/ppg.pdf> In addition, the public brochure *Your Quick Guide to Transportation Planning* (2004) is available in English and Spanish and posted on the Statewide Planning website <http://www.planning.ri.gov/transportation/default.htm>.

The MPO through Statewide Planning utilizes a variety of approaches to provide for communication and consultation with interested parties and members of the public and is continually working to improve its outreach. This section will summarize the activities conducted and the outreach methods used by the MPO in implementing its public participation program during the past year.

Public Meeting Accessibility

Transportation Advisory Committee Meetings – The TAC is Statewide Planning's primary vehicle for public participation. TAC meetings are generally held every month and are open to the public. A public comment period on the agenda items is provided at the beginning of each meeting. An unrestricted comment period is provided at the end of each meeting. Meetings are held in accessible buildings at various locations throughout the state (usually on a bus route). Meetings are almost always held in the evening to encourage maximum attendance. Afternoon meetings will be considered periodically, or when the agenda has items that may be of interest to the disabled community, as evening hours can be inconvenient for those individuals.

Transportation Improvement Program 2013-2016

The Statewide Planning Program engaged in extensive public outreach activities through the development of the quadrennial update of the Transportation Improvement Program TIP during Federal Fiscal Year 2012. The State of Rhode Island's latest TIP was developed according to the State Planning Council's Rule IX, "Transportation Planning and Public Involvement Procedures", available at www.planning.state.ri.us/spc/spchome.htm and the State Planning Council/Metropolitan Planning Organization Public Participation Guide, which is available at www.planning.state.ri.us/transportation/ppg.pdf. The State Planning Council's Transportation Advisory Committee

(TAC) worked with the staff of the Rhode Island Statewide Planning Program (RISPP), the Department of Transportation (RIDOT) and the Rhode Island Public Transit Authority (RIPTA) in developing a draft TIP. Membership of the TAC reflects a diversity of geographic parts of the state and of the transportation interests, users, operators, environmental and economic development organizations, state and local officials, and interested citizens. Membership of the TAC can be found at www.planning.state.ri.us/tac/default.htm.

Public input played a key role in developing the TIP, which included a full project solicitation, open to any project category. The process employed for soliciting, reviewing, scoring, and drafting this TIP was similar to previous TIP solicitations and in conformance with the State Planning Council's Rules of Procedures. Correspondence announcing the TIP development process was sent to the chief elected officials, public works directors, planning directors and town clerks of all cities and towns, the Narragansett Indian Tribe, transportation service and facility operators, the Rhode Island Airport Corporation, the Rhode Island Port Authority, the Rhode Island Economic Development Corporation, railroad companies, private transit providers, several state agencies and over 2,000 additional interested parties.

The Statewide Planning Program then went on to hold two (2) public informational workshops (morning and evening) to answer any questions on the overall FY 2013-2016 TIP development process. These workshops were well attended and provided an opportunity for interested parties to ask questions regarding the overall TIP process. In addition, all information, including the project status report on projects in the current 2009-2012 TIP, FY 2013-2016 project application forms, and A Guide to Rhode Island TIP 2013-2016 Development, was posted on the Statewide Planning Program website. Once the deadline for TIP applications passed, all TIP submittals were posted on the Statewide Planning Program website for public review. All of these above referenced materials can be viewed at www.planning.state.ri.us/misc/TIP2013.htm.

All proposals were next required to be presented at one (1) of four (4) regional public hearings conducted by the TAC in early November. The four (4) public hearings were held at locations throughout the state to maximize the opportunities for public input. Applications were presented at one of the public hearings through an oral or written statement into the record. The presentations identified the proposal and briefly described the project in terms of location and scope of work requested. TAC members were also able to ask clarifying questions of the applicant if desired. Written reports were compiled for each of these hearings and can also be viewed at www.planning.state.ri.us/misc/TIP2013.htm. Subcommittees of TAC members, RIPTA, Statewide Planning and RIDOT were used to score, rank, and recommend projects for the TIP categories. The scoring criteria used to evaluate the projects included the consideration of: mobility benefits, cost efficiency, economic development, environmental impact, degree of support to local and state goals and plans, and safety, security and technology. These criteria are detailed at <http://www.planning.ri.gov/misc/TIP2013%20Docs/TIP%20Evaluation%20Criteria%20and%20Guidance.pdf>.

The full draft TIP was then presented to the TAC at their March 1, 2012 meeting. At the close of this meeting, the TAC voted to recommend that the State Planning Council/MPO schedule a public hearing on the draft FY 2013-2016 TIP. The Technical Committee and the State Planning Council/MPO subsequently reviewed the draft TIP at their respective March 2012 meetings and approved it for the purpose of conducting a public hearing. Notice of the public hearing and opportunity to comment on the draft TIP was provided through advertisement in the Providence Journal, posting on the Statewide Planning website, and a direct mailing to the over 2,000 contacts referenced above.

Two informational presentations and public hearings on the draft TIP were held at 2:00 pm and 6:30 pm on April 26, 2012 in front of the TAC (a public hearing report was developed and included comments received and summary responses. It is available at www.planning.state.ri.us/misc/TIP2013.htm). The Draft TIP was then revised by staff based on direction received from the TAC through the public hearing process and presented back to the TAC. On June 28, 2012 the TAC officially voted to recommend approval of the revised draft FY 2013-2016 TIP to the Technical Committee and State Planning Council (SPC) /MPO. The SPC approved and adopted the final FY 2013-2016 TIP on July 12, 2012. The Federal Transit and the Federal Highway Administrations approved the TIP on July 31, 2012. Amendments to the TIP follow a process specified in a Memorandum of Understanding (MOU) between the Statewide Planning Program, RIDOT and RIPTA. This MOU defines major amendments, minor amendments, and

Social Equity Advisory Committee

To improve Environmental Justice community representation and participation, the Rhode Island Department of Administration, Statewide Planning Program is proposing a Social Equity Advisory Committee (SEAC), which will be established as an advisory committee to the State Planning Council, the state's single MPO. This effort is being undertaken as part of a 3 year Sustainable Communities Grant that was awarded to the Division of Planning by The U.S. Department of Housing and Urban Development Administration (HUD). The SEAC will draw on the first hand experience and knowledge of organizations and individuals living in the most marginalized communities. Additionally, members of the SEAC will be armed with the guidance and training that is needed to be active participants in the Regional Plan for Sustainable Development (RPSD) development process and will be provided with the tools necessary to assist in implementing the RPSD action plan in their communities.

The Sustainable Communities Grant consortium will work directly with community agencies to seek out interested individuals to participate in this regional planning process. Through this process, the State Planning Council will appoint approximately 15 members to the SEAC. SEAC members will be paid a stipend to assure their participation throughout the grant period. Capacity of the SEAC members to effectively participate in the regional planning process will be built through training and mentoring. A complete curriculum will be developed for the SEAC. The topics that will be covered will include planning methods and tools that can be used to address social inequity and to foster community engagement. In addition, the training for the SEAC will include a discussion of the basics of regional planning including the state's existing legal framework and the principles of smart growth, a review of the status of State Guide Plan elements related to housing, economic development, land use and transportation and a review and explanation of the Livability Principles as outlined by HUD. The SEAC will work with the State Planning Council and its staff to audit *Land Use 2025 and Transportation 2035* to identify social equity gaps and propose amendments to address those gaps. The SEAC will also develop policies and procedures to ensure that social equity is better incorporated into the State's regional planning process moving forward and will actively participate in the process of developing the State's Strategic Housing and Economic Development elements of the RPSD and the associated detailed execution program.

Throughout the grant period SEAC members will remain in communication with and accountable to their communities to ensure that the local vision and needs continue to be actively reflected by the SEAC member in all regional planning discussions. With the assistance of staff, SEAC members will organize community forums at which they will report on their work, solicit input and receive feedback as they participate in the development the RPSD. The intent of this process is not only to guarantee that the RSPD accurately reflects the vision and needs of the state's underserved and under-represented populations, but also to produce relationships that will become the building blocks necessary for completing and implementing the RPSD. At the conclusion of the grant period, the SEAC will propose next steps for continuing their work, as it is imperative that these community leaders are committed not only to the completion of the RPSD but also to the successful implementation of the identified strategies. The SEAC will also provide:

- Reports from local community forums. Monthly progress reports from SEAC to State Planning Council detailing activities.
- Annual report outlining progress made toward increasing and diversifying public participation. An action plan illustrating next steps beyond the 3 year grant period.
- Develop an overall communication strategy for sharing data, publicizing project outcomes and sharing lessons learned in drafting the State's RPSD.

The work and input of the SEAC will inform the future public outreach activities of the entire Division of Planning. This effort intends to redefine and expand the extent of public participation in all Statewide Planning processes. The Division is currently collecting applications for SEAC members. It is anticipated that the SEAC will begin meeting in early 2013. Their recommendations and activities will be incorporated into the MPO's Title VI reporting for 2013.

Section 2

Statewide Planning Program Data Collection and Analysis

Statewide Planning's methods of data collection include the following:

1. U.S. Census Bureau's American Community Survey 1 years estimates;
2. American Community Survey 3 year estimates and;
3. American Community Survey 5 year estimates.
4. The U.S. Census Bureau and AASHTO Census Transportation Planning Package (CTPP)
5. RI Department of Transportation

Statewide Planning periodically collects and conducts analysis of data regarding community boundaries for the determination of urban and rural delineations for the transportation funding formulas and highway functional classification. The collection of data pertaining to racial ethnic makeup, and income levels is provided by the U.S. Census releases. Community services such as schools, hospitals, employment centers and shopping centers are included in comprehensive plans that are submitted to the Statewide Planning for review. The collection of data on the disabled population is a function carried out by other departments and authorities such as the RI Department Health and RIPTA.

The data used by Statewide Planning to analyze the benefits and burdens of the transportation systems investments on minority, low income and disabled populations are: U.S. Census American Community Survey releases, Rhode Island Public Transit Authority system configurations and services, and financial and project programming from the Transportation Improvement Program (see the Environmental Justice Analysis from the 2013-2016 TIP).

Section 3

Tribal Coordination

The Transportation Advisory Committee (TAC), the principal public advisory board to the Rhode Island State Planning Council (MPO), has a tribal representative of the Narragansett Indian Tribe. This tribe is a US government recognized tribal nation. The Narragansett Indian tribe is the recipient of all notifications of transportation planning initiatives by the MPO through Statewide Planning. This takes the form of email list notifications and U.S. Postal Service mailings. Also, membership on the TAC allows the tribe early input into the public hearing evaluation process. There has been no formal training conducted at Statewide Planning in local Native American tribe customs and laws.

Section 4

Identification of Social, Economic, and Environmental (SEE) Effects and Impacts

Systematic Interdisciplinary Approach for SEE Effects

Environmental Justice (TIP 2013-2016)

The State of Rhode Island is committed to environmental justice and the equitable distribution of transportation projects; therefore the TIP scoring criteria are weighted towards projects that promote this practice. Specific examples include:

- Additional points for projects located in an enterprise zone. An Enterprise zone is (a) an economically distressed United States Bureau of the Census division or delineation, in need of expansion of business and industry and the creation of jobs, which is determined by the Enterprise Zone Council to be qualified for the benefits of this program and (b) effective July 2, 1998, federal empowerment zones or federal enterprise communities "Rhode Island" as such terms are defined in 26 U.S.C. §1391 et. seq., notwithstanding such statute's expiration on December 31, 2004
- Additional points for projects that demonstrate benefits to low income residents who reside or work within the project area. Points are allocated on a sliding scale based upon percentage of the state median income;

- Federal Executive Order 12898 requires federal agencies whose programs affect human health or the environment identify and avoid "disproportionately high and adverse" effects on minority and low income populations. This is incorporated into the TIP scoring criteria as well. Existing neighborhood and environmental conditions and impacts are taken into account during the project review period. In addition to major new construction projects that disrupt low income neighborhoods, TAC subcommittee members who are scoring and ranking applications are directed to take into consideration the less obvious effects of transportation projects, such as support of industrial or commercial projects that draw jobs out of inner-city areas, or that provide a disproportionate subsidy of suburban transit services. Negative points can be awarded for those types of projects.

To a large extent, the benefits of a transportation project to a minority neighborhood depends on how it is designed and constructed; for example, whether it enhances the area physically, provides employment and contracting opportunities for local residents, or increases access to alternative modes of transportation. The main focus of the FY 2013-2016 TIP is the rehabilitation and maintenance of existing transportation infrastructure. Only 3 percent of the TIP's funding is directed to system expansion and those projects are entirely bus transit and bicycle/pedestrian in nature. It can certainly be argued that the rehabilitation of existing transportation infrastructure provides an overwhelming positive impact on a neighborhood in that it improves safety, increases mobility and may provide construction workforce opportunities for local residents. There are no construction projects in the 2013-2016 TIP that propose to displace any minority or economically disadvantaged residents or businesses. In addition, RIPTA has been actively working to improve operational efficiency through the use of information technology. RIPTA, in cooperation with RIDOT, is working to create Bus Rapid Transit lines on the busiest transit routes statewide. These routes would provide signal priority to buses, which would result in less idling overall and improved air quality in some of the State's most densely populated areas. The staff of the Statewide Planning Program, RIDOT, and RIPTA, along with the TAC, will continue to work to identify, guide, and implement projects that provide benefits to minority and economically disadvantaged neighborhoods.

Although there is no new major system expansion projects proposed as a part of the 2013-2016 TIP, it is still important to perform a quantitative analysis of the projects that are programmed for minority and low income areas. Projects in the Highway, Pavement Management, Bicycle/Pedestrian, Enhancement, and Traffic Safety Programs, as well as Major Projects with Multi Year Funding were all examined to identify those proposed in minority areas (including four ethnic groups: Black, Hispanic, Asian, American Indian) and in low income areas (tracts where the average household income was below poverty level). Project costs within the identified minority and low income areas were also accounted for in the analysis in relation to the total funding allocation per TIP program. Administrative costs and statewide line items not associated with physical projects in the TIP were not included in this geographically driven analysis. Minority neighborhoods were assumed to exist in any census tract where the minority population as a percentage of total population in the 2010 Census was greater than the average percentage minority population for the state. This is the measure specified by FTA for documentation under Title VI of the Civil Rights Act.

The TIP projects were mapped in Geographic Information Systems (GIS) and overlaid on the target census tracts as outlined above. The methodology used in this analysis assumes that the transportation projects provide benefits to the adjoining neighborhoods, rather than burdens. As outlined above, we believe that rehabilitation of existing transportation infrastructure provides an overwhelming positive impact on a neighborhood in that it improves safety, increases mobility and may provide construction workforce opportunities for local residents; therefore benefits rather than burdens a community.

Environmental Justice Analysis ^
TIP FY 2013 - 2016

Target Population	Demographics		Highway Program ¹				Pavement Management Program ²				Bicycle / Pedestrian Program ³			
	Percent of Total Population	Number of Census Tracts Greater Than State Average	Number of Projects	Percent by Category	Project Cost	Percent by Category	Number of Projects	Percent by Category	Project Cost	Percent by Category	Number of Projects	Percent by Category	Project Cost	Percent by Category
Asian	2.9%	81	5	27.8%	\$ 27.15	30.2%	7	18.9%	\$ 24.75	28.2%	2	25.0%	\$ 6.50	36.6%
American Indian	0.6%	81	10	55.6%	\$ 16.50	18.3%	12	32.4%	\$ 28.65	32.6%	1	12.5%	\$ 2.00	11.3%
Black	5.7%	81	5	27.8%	\$ 25.61	28.5%	9	24.3%	\$ 22.80	26.0%	1	12.5%	\$ 5.00	28.1%
Hispanic	12.4%	65	3	16.7%	\$ 12.18	13.5%	4	10.8%	\$ 12.80	14.6%	1	12.5%	\$ 5.00	28.1%
Below Poverty Level	12.2%	84	8	44.4%	\$ 34.63	38.5%	12	32.4%	\$ 26.95	30.7%	3	37.5%	\$ 8.50	47.8%
Enterprise Zones	NA	NA	9	50.0%	\$ 17.71	19.7%	6	16.2%	\$ 13.60	15.5%	3	37.5%	\$ 9.97	56.1%
Total Program	1,052,567	-	18	100%	\$ 89.94	-	37	100%	\$ 87.78	-	8	100%	\$ 17.78	-

Target Population	Demographics		Enhancement Program ⁴				Traffic Safety Program ⁵		Major Projects with Multi Year Funding ⁶			
	Percent of Total Population	Number of Census Tracts Greater Than State Average	Number of Projects	Percent by Category	Project Cost	Percent by Category	Number of Projects	Percent by Category	Number of Projects	Percent by Category	Project Cost	Percent by Category
Asian	2.9%	81	9	30.0%	\$ 3.32	23.1%	55	53.9%	3	60.0%	\$ 91.00	71.7%
American Indian	0.6%	81	15	50.0%	\$ 5.96	41.4%	49	48.0%	5	100.0%	\$ 127.00	100.0%
Black	5.7%	81	8	26.7%	\$ 3.78	26.3%	19	18.6%	5	100.0%	\$ 127.00	100.0%
Hispanic	12.4%	65	6	20.0%	\$ 3.34	23.2%	14	13.7%	5	100.0%	\$ 127.00	100.0%
Below Poverty Level	12.2%	84	13	43.3%	\$ 5.61	39.0%	34	33.3%	5	100.0%	\$ 127.00	100.0%
Enterprise Zones	NA	NA	6	20.0%	\$ 5.07	35.2%	38	37.3%	3	60.0%	\$ 91.00	71.7%
Total Program	1,052,567	-	30	100%	\$ 14.40	-	102	-	5	100.0%	\$ 127.00	-

^ All costs shown are in millions of dollars and exclude administrative expenditures that are not site specific.

¹ Excludes Design and Right-of-Way

² Excludes Design and Right-of-Way, Crack Sealing, Paver Placed Elastomeric Surface Treatment, Surface Sealing

³ Excludes Safe Routes to School Projects, Recreational Trails, Signage, Map Printing, and Other Bike Projects as specific projects have not been identified

⁴ Excludes Program Administration and Future year projects

⁵ Excludes Signing, Lighting, Design, Planning, Municipal Projects, Striping, Railroad Grade Crossing, Repair of Safety Devices, Traffic Monitoring

⁶ Excludes GARVEE Debt Service

In nearly all cases, the percentage of transportation improvement projects in the minority and low-income census tracts far exceeds the percentage of the target population as it compares to the total state population. Overall, the implementation of the projects in this TIP is extremely equitable and beneficial to Rhode Island's disadvantaged citizens. For example, there are a total of 102 Traffic Safety Program Projects, 14 projects, or 13.7%, occur in census tracts with a greater than average Hispanic populations. Since the number of census tracts exceeding the state average for Hispanic population is 12.4% we can conclude that there are proportionately higher numbers of traffic safety projects occurring in Hispanic neighborhoods. In examining the equitable distribution of transit services and projects, it has been determined that two-thirds of RIPTA's system serves minority neighborhoods. The route system has Providence as its hub, with additional intra-city service in Pawtucket, Woonsocket, and Newport. This corresponds well with areas where minority concentrations are the greatest. The paratransit service is now a statewide system. Additional information on RIPTA's commitment to Civil Rights, Title VI can be found at www.ripta.com/civil-rights--title-vi.

Statewide Planning public involvement techniques.

Statewide Planning's outreach methods generally serve two purposes: notification, and provision of informational materials and reports. The Statewide Planning Program/MPO facilitates and encourages the involvement of all Rhode Island's residents, its minority, low-income, disabled, elderly, and limited-English-proficiency persons in its activities. As described below, it reaches out to these populations through:

- its Public Participation Program (including its process for developing the metropolitan transportation planning certification documents, the Long Range Plan and Transportation Improvement Program),
- its Transportation Advisory Committee and other MPO related planning,
- its extensive mailing and email lists
- Statewide Planning e-Newsletter (via email)
- *New for 2013* Social Equity Advisory Committee (Sustainable Communities Project)

The *Planning e- newsletter* (the Statewide Planning's monthly email newsletter) and Statewide Planning's website, provide a steady stream of information on transportation planning and MPO work as well as opportunities for public input and comment. Public-comment periods are provided at the State Planning Council meetings, TAC meetings and at public workshops.

The Statewide Planning Program conducts a varied and ongoing program for gathering information and views from all sectors of the public for its transportation planning and programming work. Some activities are focused specifically on the development of the certification documents. Other activities are ongoing and provide input year-round. All activities are open to the public and all MPO-sponsored activities are held at locations accessible for people with disabilities. The locations are centrally located throughout the state, include environmental justice populations, and are serviced by public transportation. In conducting its activities, the MPO strives to meet the needs of people requiring special services such as language interpreters.

MPO activities include:

- The State Planning Council oversees the Statewide Planning Program's work. The State Planning Council adopts goals and policies related to planning, most of which are contained within individual plans, as elements of the State Guide Plan. The Council has been designated as a single, Metropolitan Planning Organization (MPO) for transportation planning purposes in Rhode Island and, as such, adopts the four year program of transportation investments; the Transportation Improvement Program. As the Comprehensive Economic Development Committee for the state, the Council adopts an annual priority list of projects for consideration by the US Economic Development Administration. The body also advises the Governor on strategic planning matters and is required to ensure that major project and program proposals are consistent with the State Guide Plan. There are 17 members of the State Planning Council representing a range of interests. They have created three standing committees to assist in the oversight of continuing operations: the Technical Committee, the Transportation Advisory Committee and the Rhode Island Geographic Information System Executive Committee. The State Planning Council holds monthly meetings in the Department of Administration Building which is centrally located in Providence. It is accessible by several public transit options.
- Transportation Advisory Committee (TAC) is the primary body that advises the State Planning Council on transportation planning and encourages public involvement in the process. The TAC reviews and provides input into the transportation planning documents that are the responsibility of the State Planning Council (notably the long-range Ground Transportation Plan and Transportation Improvement Program). The Council established the TAC and other transportation planning and public involvement procedures by rule in 1994. The process has been found to meet the requirements of federal law and is subject to continuing review by USDOT. The MPO was most recently re-certified by the USDOT in 2011.

The members include 6 local officials, 5 state agencies, 10 organizations representing a variety of transportation interests, 4 citizens from different areas of the state, and the Narragansett Indian Tribe. The Committee holds regular monthly meetings usually on the fourth Thursday of the month at 6:30PM, and special meetings as needed.

Minority and Disabled Citizens' Outreach

Outreach activities are intended to provide input and guidance to the transportation planning process to achieve maximum public participation by environmental justice populations.

The following activities are undertaken:

- Transportation Advisory Committee (TAC) Membership: The Governor's Commission on Disabilities and the Narragansett Indian Tribe are represented on the TAC.
- *New: Establishment of the Social Equity Advisory Committee (Sustainable Communities Project)*
- Environmental Justice List: An e-mail list consisting of 49 social advocacy groups for target populations is used in notifying the community of major planning activities.

- Bus Users Forum/ADA: The Accessible Transportation Advisory Committee (ATAC) provides an opportunity for transit dependent residents to discuss bus service issues directly with transit operators and planners.
- Public participation brochures have been developed in Spanish and have been posted our website.

The Accessible Transportation Advisory Committee (ATAC) advises the Rhode Island Public Transit Agency (RIPTA) on mobility impaired related transportation topics. ATAC is a consumer group for members of the disability community that is independent of the MPO and RIPTA and it meets monthly. Statewide Planning has staff that sits as an ex-officio member of the ATAC and keeps the ATAC informed of MPO activities and planning.

Section 5

Consultant Contracts

MBE

Rhode Island Statewide Planning provides for contracting opportunities in planning studies, corridor studies and Planning Challenge Grants through the application of policies promulgated by the Minority Business Enterprise (MBE) Office of the Rhode Island Department of Administration. These requirements are inserted into each contract that is awarded and signed by the recipient. Pursuant to Rhode Island General Law, Chapter 37-14.1, a minimum of 10% of the dollar value of all procurements for goods and services shall be awarded to Minority Business Enterprises (MBE) where it has been determined that subcontract opportunities exist, and where a certified MBE is available. Any RFP or services must contain the language: "This project is subject to Chapter 37-14.1 of the Rhode Island General Laws, and regulations promulgated there-under, which require that ten percent of the dollar value of work performed on the project be performed by minority business enterprises." For more information on the state's MBE program please go to <http://www.mbe.ri.gov/>.

MBE Participation Level

In 2011 fifteen regional and local planning projects were chosen to receive approximately \$1 million under the Statewide Planning Program's Planning Challenge Grant Program. Fourteen of the projects met their MBE 10% participation goal requirement. One project requested and received a wavier as there were no subcontracting opportunities available. In addition, the Statewide Planning program contracted with CDM Smith, Inc. to compile a Rhode Island State Rail Plan. This contract also included MBE participation in accordance with state regulations.

MBE Outreach

Minority Business Enterprise out reach and certification is conducted by the Minority business Enterprise Office. Regulations governing participation by Minority Business Enterprises in State Funded and Directed Procurement Contracts are available at <http://www.mbe.ri.gov/pdf/Regulations%20Gov%20MBEs.pdf>. A listing of MBE firms is available at www.mbe.ri.gov.

Consultant Compliance with Title VI

All contracting that Statewide Planning conducts includes Title VI Assurance signature agreement by the recipient. An example of this agreement can be found at http://www.planning.ri.gov/misc/pcg/Title_VI_Assurance.pdf This agreement includes methods and requirements for reporting and auditing of records.

Section 6

Title VI General Reporting Requirements

Annual Title VI Certification and Assurance

Statewide Planning's signed electronic submission of the FFY 2012 Certification and Assurances for Federal Transit Administration Assistance Program was completed on FTA's TEAM website at <https://ftateamweb.fta.dot.gov> a copy of the submission is also provided on page 15 of this document.

Notification of Protection under Title VI in documents

The Rhode Island Statewide Planning Program has not yet incorporated relevant Title VI assurance language into its documents but will commence with the latest update to the long-range *Transportation 2035* Plan this fiscal year 2013. The Rhode Island Statewide Planning Program has an up-to-date VI/Nondiscrimination Policy which reads as follows:

The Office of Statewide Planning, Division of Planning, RI Department of Administration hereby gives public notice that it is the policy of the department to ensure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Office of Statewide Planning receives federal financial assistance.

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 Office of Statewide Planning. Any such complaint must be in writing and filed with the Statewide Planning 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 RI Statewide Planning at no cost to the complainant by calling Michael C. Moan, the Title VI Coordinator at (401) 222-1236 or at www.planning.ri.gov/transportation/default.htm

This statement is posted on the Statewide Planning website along with a name and address of the contact person for filing a complaint. <http://www.planning.ri.gov/transportation/Title6Notice.pdf>.

FEDERAL FISCAL YEAR 2012 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE

(Required of all Applicants for FTA funding and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant: RHODE ISLAND Statewide Planning Program
Name and Relationship of Authorized Representative: Jared L Rhodes

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes and regulations, and follow applicable Federal directives, and comply with the certifications and assurances as indicated on the foregoing page applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2012.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances, should apply, as provided, to each project for which the Applicant seeks now, or may later seek FTA funding during Federal Fiscal Year 2012.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 et seq., and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. Chapter 53 or any other statute

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: Jared L Rhodes Date: 1/6/2012

Name: Jared L Rhodes
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): RHODE ISLAND Statewide Planning Program

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 the Applicant.

I further affirm to the Applicant 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 the project.

Signature: Jared L Rhodes Date: 1/6/2012

Name: Jared L Rhodes II
Attorney for Applicant

Each Applicant for FTA funding and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.

Note: Mr. Jared L. Rhodes signs the Title VI Certifications and Assurances as both as Official and Attorney. Such Affirmation is on File at USDOT/FTA and Office of Statewide Planning Program dated 08/10/2010.

The Rhode Island Statewide Planning program has designated a transportation planning staff member to act as a Title VI Coordinator.

Michael C. Moan, Principal Planner
Office of Statewide Planning
Division of Planning
Department of Administration
One Capitol Hill
Providence, RI 02908
4012221236
Michael.Moan@doa.ri.gov

Demographic Makeup

The Rhode Island State Planning Council demographic makeup does not reflect the makeup of the state in all measures (race, color, sex, national origin and disability status). It does however have seven women serving, one of whom is black. The staff demographic makeup of the Statewide Planning Program similarly does not reflect the state as a whole. Forty-nine percent (49%) are women serving as staff, four of which serve in supervisory capacity.

Complaint Procedures: Statewide Planning Program has developed procedures for receiving, investigating, addressing, and tracking Title VI complaints. The MPO's complaint procedures and forms are included in Appendix I.

Title VI Investigations, Complaints, and Lawsuits: The Statewide Planning Program/MPO has not been the recipient of any complaints or lawsuits, and no investigations have been initiated.

Notification of Protection under Title VI

Statewide planning currently notifies beneficiaries and participants of the protections available under Title VI on its Web page at <http://www.planning.ri.gov/transportation/Title6Notice.pdf>

Consultant Compliance with Title VI

All contracting that Statewide Planning conducts includes Title VI Assurance signature agreement by the recipient. An example of this agreement can be found at http://www.planning.ri.gov/misc/pcg/Title_VI_Assurance.pdf
This agreement includes methods and requirements for reporting and auditing of records.

Title VI Staff Training

Statewide Planning members and management staff have commenced Title VI and Environmental Justice Training starting in February 2011 with a National Highway Institute course. FHWA's RI Division Civil Rights Specialist briefed management in May 2012 on data collection requirements of Title VI and Environmental Justice. Staff will continue to take advantage of training opportunities as they arise.

Appendix I

Rhode Island Statewide Planning Program Title VI Complaint Process

Complaint Procedure

As a sub-recipient of federal financial assistance, the Rhode Island Statewide Planning Program will put in place the following Title VI complaint procedure. Once a complaint is registered with the Title VI Coordinator of Statewide Planning it shall be forwarded to the Rhode Island Department of Transportation and the Rhode Island Department of Administration Civil Rights Offices. The following Title VI complaint procedures are in place:

1. **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 Statewide Planning Program 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. Such complaint must be filed within 180 calendar days after the date the person believes the discrimination occurred.

Submit written complaints to:

Michael C. Moan
Statewide Planning Program
One Capitol Hill
Providence, RI 02908-5872

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

- Name, address, and phone 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 language, disability, religion, familial status, or retaliation).
 - (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.
 - (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.

1. **Review and Response:** Upon receipt of the Complaint, the Title VI Coordinator of Statewide Planning shall review and forward the complaint to the Rhode Island Department of Transportation Title VI Officer and the Rhode Island Department of Administration Civil Rights Offices. The complainant shall be notified of such action in writing by the Title VI Coordinator of Statewide Planning
2. **Submission of Complaint to the Rhode Island Department of Transportation:** In accordance with Chapter VII, Title VI Discrimination Complaints, of Federal Transit Administration (FTA) Circular 4702.1A, such a complaint process including the investigatory phase should be completed 180

calendar days after the date that FTA or FHWA accepts the complaint for investigation. Chapter IX of the FTA Circular 4702.1A, which outlines the complaint process to the Department of Transportation, may be obtained online at www.fta.dot.gov. Paper copies of the circular may be obtained by calling FTA's Administrative Services Help Desk, at 202-366-4865.

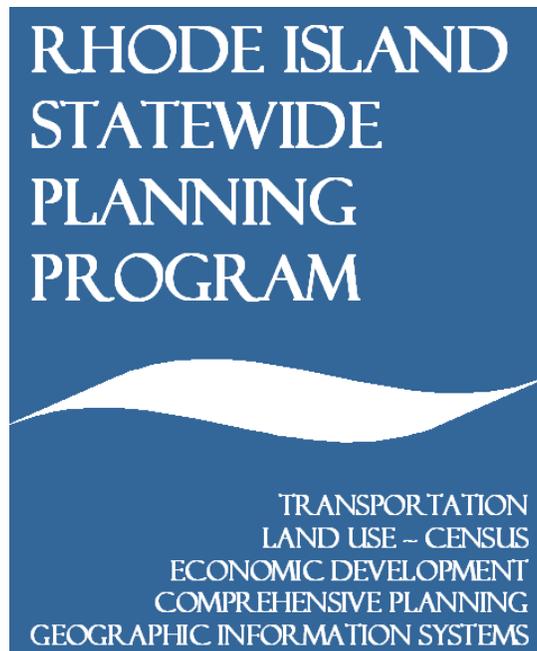
3. These procedures do not deny the right of the complainant to file formal complaints with other state or Federal agencies or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive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

DISCRIMINATION COMPLAINT AGAINST THE STATEWIDE PLANNING PROGRAM

Contact Information		
Name:		
Address:		
City:	State:	Zip:
Home Phone:	Work Phone:	
Email:		
Discrimination Complaint		
Name of Staff Person that You Believe Discriminated Against You:		
Date of Alleged Incident:		
You were discriminated because of:	<input type="checkbox"/> Race <input type="checkbox"/> Retaliation <input type="checkbox"/> Sex <input type="checkbox"/> Familial Status <input type="checkbox"/> Religion	<input type="checkbox"/> Color <input type="checkbox"/> National Origin (Language) <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Other
<p>Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case:</p>		
Signature:	Date:	

2012 Limited English Proficiency Plan

Rhode Island Statewide Planning Program



October 31, 2012

Statewide Planning Program

1 Capitol Hill

3rd Floor

Providence, RI 02908-5872

Telephone: 40-222-7901 Fax: 401-222-2083

www.planning.ri.gov

Jared L. Rhodes II, Chief

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The Statewide Planning Program

The Rhode Island Statewide Planning Program is established under Rhode Island Laws Chapter 42-11-10 as the central planning agency for state government. The work of the Program is guided by the State Planning Council, comprised of state, local, 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 know 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. In addition, the Council provides policy direction and oversight in the development of a federally mandated Long Range Transportation Plan, the Transportation Improvement Program (TIP), and the transportation element of the State Air Quality Implementation Plan.

The Statewide Planning program is divided into 4 sections; Transportation, Land Use, Comprehensive Planning & Consistency Review and Planning Information Center. The objectives of the Statewide Planning Program 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. The Statewide Planning Program 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. Program 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 the Statewide Planning Program provided additional support. The contents of the Limited English Proficiency Plan (LEP) were compiled by the Statewide Planning Program, 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, the Statewide Planning Program is obligated to comply with Federal Executive Order No. 13,166, 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: Title VI of the Civil Rights Act of 1964, National Origin Discrimination against Persons with Limited English Proficiency, and (Presidential) Executive Order 13166, requires 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 (DOT) developed guidance titled *Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons*. (1) 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 the planning process 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 needed and as funding permits based on current laws and regulations.

DETERMINING THE NEED

As a sub-recipient of federal funding, the Statewide Planning Program 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 come in contact with the program;
3. The importance of the service provided by the program; and
4. The resources available to the recipient.

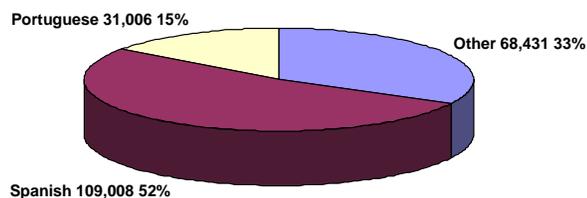
The US DOT Policy Guidance gives recipients substantial flexibility in determining what language assistance is appropriate based on a local assessment of the four factors listed above. The following is an assessment of need in the State of Rhode Island in relation to the transportation planning process.

Four Factor Analyses

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

As stated above, Statewide Planning 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 2010 American Community Survey 1 year estimates, Census data. The demographic profile of the Rhode Island population by primary language spoken at home other than English was determined. Rhode Island’s total population of non English speaking households consisting of individuals 5 years and over is 208,445. This comprises 20% of the total Rhode Island population of 1,052,567. Of the 208,445 non-English speaking households, the top two languages are Spanish at 109,008 (52%) and Portuguese at 31,006 (15%).

Rhode Island’s Non-English speaking Population



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 shown in Table 1.

Table 1

Most Prominent Non-English Languages Spoken by Rhode Island's LEP Population

Non-English Speaking languages	Estimated Population	Percentage of Total State Population
Spanish or Spanish Creole	53, 387	5.4
Portuguese or Portuguese Creole	12,819	1.3
Chinese	4,026	.4
French Creole & Patois Cajun	5,167	.5
Mon-Khmer Cambodian & Laotian	3,637	.4
African languages	1,977	.2
Korean	1,153	.1
Italian	1,123	.1
All other Non English Languages	8,664	.87
Total	91,953	9.2%

*Source: U.S. Census Bureau, American Community Survey 2010 1-Year Estimates *Rhode Island's total population 5 years and over is estimated at 995,774. U.S. Census Bureau American Community Survey 2010 1-Year Estimates: Table b16001: Language spoken at Home by Ability to Speak English for the Population 5 Years and over.*

Only Spanish, at 5.4 percent, and Portuguese, at 1.3 percent, comprise more than one-percent of Rhode Island's statewide population. The total LEP population was estimated at 91,953. Spanish and Portuguese make up the two largest single languages within this category at 58% and 14% respectively. A map of the highest concentrations of LEP populations is located in Appendix I.

2. The frequency with which LEP persons come in contact with the program

The small, but growing, size of the LEP population in Rhode Island increases the probability of its contact with the Statewide Planning Program. Due to the small size of the LEP population and the nature of services provided by the Statewide Planning Program, LEP involvement is currently infrequent and unpredictable. The 23 person staff of Statewide Planning was surveyed during the week of July 30th with the following questions via email.

- (1) How often do you interact with persons who speak English with limited proficiency (understand English "not well" or "not at all") at work or at home?
- (2) What non-English language(s) are you encountering during the course of delivering Statewide Planning programs, services and activities?
- (3) What other languages other than English do you speak, read or write?

Survey results from this office consisted of a 68% return rate (15) from a total staff of 23. Most encounters with LEP populations were with people who speak Spanish and Portuguese. Such encounters were on a very infrequent basis, 1-3 times in the past year by a few staff. In addition, no requests have been made in the past year for information by either LEP individuals or groups. One staff person indicated that they speak Spanish and read and write Portuguese.

3. The importance of the service provided by the program

The Statewide Planning Program uses Federal funds to plan for future transportation projects, and therefore do 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.

Further, the Statewide Planning Program does not conduct compulsory activities (applications, interviews, or other activities prior to participation in our programs and/or events). Involvement with the Statewide Planning Program or its committees is done entirely on a voluntary basis.

The Statewide Planning Program does provide regular and frequent opportunities for the public to comment through its Transportation Advisory Committee which meets monthly. Input is also sought on the use of Federal funds in three major areas: an annual Unified Planning Work Program, a four-year Transportation Improvement Program (TIP), and a 20 year Long-Range Transportation Plan (The Plan). The TIP and Transportation Plan are both updated every four years. The potential impacts of transportation improvements resulting from these actions may have an affect 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 IX: Transportation Planning and Public Involvement Procedures detailed in the Planning Council's Procedures at <http://www.planning.ri.gov/spc/spchome.htm> Statewide Planning also produced the *Public Participation Guide* and a brochure in English and Spanish "Your Quick Guide to Transportation Planning", summarizing the opportunities for public input in the transportation planning process. A copy of the brochure is available online in Spanish at <http://www.planning.ri.gov/transportation/spanish.pdf> and in Appendix II of this document. The *Public Participation Guide* is available online at <http://www.planning.ri.gov/transportation/ppg.pdf>. The planning process is also described in the documents generated by Statewide Planning and at public hearings conducted by the organization. These efforts demonstrate that the Statewide Planning Program is concerned with 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 are under the responsibility of RIDOT and RIPTA with the coordination with local jurisdictions. 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.

The resources available to the recipient

Because the LEP population in the state of Rhode Island is not of a large proportion at this time and the cost of translating large transportation plans is high, the Statewide Planning Program has determined that full translation of all transportation plans is not appropriate at this time. The Statewide Planning Program will make efforts to partner with state, local agencies, cities and towns with large LEP populations, to provide language translation and interpretation services within the scope of the funding available. In addition, the Statewide Planning Program will continue to make the free online translation service, *Babel Fish*, available on its web site. This site contains considerable information on the state's transportation planning process and the *Babel Fish* program will allow visitors to translate any page of text into additional languages.

MEETING THE REQUIREMENTS: THE STATEWIDE PLANNING PROGRAM LIMITED ENGLISH PROFICIENCY PLAN

Based on the current levels of residents with Limited English Proficiency in Rhode Island and the limited interaction with the Statewide Planning Program, an appropriately scaled LEP plan is necessary. Engaging the diverse population within the state is important and the Statewide Planning Program has completed the following assessment and plan for providing services to the LEP population in Rhode Island. All language access activities detailed below will be coordinated by the Statewide Planning staff with assistance from the Department of Administration's Human Resources Outreach & Diversity Office and RIDOT when necessary.

Identifying LEP Individuals Who Need Language Assistance

A record will be kept of staff contacts and other interactions with LEP persons and or groups. Data will continue to be collected from the U.S. Census. Data and language needs will also be identified through efforts of the Sustainable Communities Social Equity Advisory Committee.

Language Assistance Measures

The State of Rhode Island has a Master Price Agreement for interpretation services in a variety of languages. Translation services will be offered upon request. A 7-day notice for oral language interpretation service requests at public meetings will be required.

Translation of written materials

Translation of all plans and materials is not possible due to cost restrictions and the current LEP population levels do not warrant such translations. However, the Statewide Planning Program will provide the following.

1. *Web Site* - The free service, powered by Microsoft's *Babel Fish* program, allows users to choose from Spanish, Russian, Portuguese, Korean, Japanese, Italian, Greek, German, French, Dutch, and two Chinese translations. The translation service is available by clicking the link at the bottom left of the web site.
2. *Key Documents* - An Executive Summary for the following key documents will be made available in Spanish upon request:
 - (a) Long-range transportation plan
 - (b) Transportation Improvement Program
 - (c) Unified Planning Work Program
 - (d) Public Participation Guide

3. *Outreach Materials* - Spanish-language outreach materials from organizations such as federal, state, and local transportation agencies will be utilized when possible. The Title VI Coordinator will keep a list of such materials. Current outreach materials include a Spanish language public participation brochure that is available on the Statewide Planning Website. Requests will be considered to provide key outreach materials in Spanish as new materials are developed. Please see the **Monitoring, Updating and Performance Measures for the RI Statewide Planning LEP Plan** section for future actions in this category.

Oral Language Services

Statewide Planning will provide oral language services to LEP individuals upon advance request. In order to provide these services it will do the following:

- *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 public workshops and hearings. As interaction with LEP individuals increases, additional points of contact will be identified.
- *Identify, by language spoken, employees who fluently speak and/or write a language other than English.* Details which of these employees are also able to act as interpreters – An inventory of staff language capabilities will be maintained.
- *Create a list of outside sources from the Department of Administration's Master Price Agreement (MPA) for services that can provide translation of key documents and oral language services. Identify budget and personnel limitations.*
- *Request language and cultural diversity assistance such as radio and news paper contacts from the Human Resources Outreach & Diversity Office at the Rhode Department of Administration.*

Staff Training

In order 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 might be developed to 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. Statewide Planning members and management staff have commenced Title VI and Environmental Justice Training starting in February 2011 with a National Highway Institute course. FHWA's RI Division Civil Rights Specialist briefed management in May 2012 on data collection requirements of Title VI and Environmental Justice. Future efforts will include more staff training in LEP/E.J. and Title VI.

Providing Notice of Available Language Service to LEP Persons

The Statewide Planning Program has proposed the following methods to inform Spanish-speaking LEP individuals, supporting organizations, as well as the general public, of available no-fee LEP services.

Outreach efforts – Key Statewide Planning outreach efforts will include a notice that some language assistance translation services are available when given 7 days notice. This notice will be listed on our Web page in both Spanish and English. These out-reach efforts are:

1. The Statewide Planning Web page: notices in Spanish and English that key documents can be made available upon request in Spanish.
2. Notice of public hearing to a local Spanish-language newspaper when conducting public hearings.
3. Notice of public hearings to a local Spanish radio station for major actions such as the TIP and Plan.

Monitoring, Updating and Performance Measures for the RI Statewide Planning LEP Plan

Statewide planning will provide an annual review of this LEP plan. The first review will take place in October of 2013. The Title VI Coordinator will also keep a record of any LEP services provided and will make this information available during the review process. The Statewide Planning Program will conduct further assessment and strive to meet several goals over the next 4 years. The following are goals and possible performance measures from this plan to gauge progress:

- The Statewide Planning Program will monitor changing population levels and the language needs of LEP individuals in the state (U.S. Census).
- Work with RI Sustainable Communities Social Equity Advisory Committee to develop LEP outreach methods.
- Develop a monitoring and evaluation tool to assess LEP service provision (In- office tracking).
- Establishing a tracking system to collect primary language data for individuals that participate in programs and activities associated with Statewide Planning's MPO activities.
- *Require targeted LEP cities and towns with LEP populations of 5% or greater (Appendix I) to include a notice of available language services when they conduct TIP public hearings.*
- Post statement to public hearing notices of the availability of translation services upon advance notification.
- Update E.J. and Title VI contact lists-Title VI Coordinator.
- Utilize the MPA translation services as necessary. Outline the cost of these services. Identify budget and personnel for limitations – Also, create a list of paid and unpaid oral language services, as well as associated costs and update on an annual basis.
- Conduct an annual survey of staff for language capabilities.
- Add Google translation tool kit to the Statewide Planning web page.
- Post Title VI protection notice in Spanish on Web page along with complaint process.
- Post notice of available translation services in Spanish on Web site.
- Post all similar notices and available services in Portuguese in FY 2014.
- Update public participation brochure in Spanish and English.

LEP complaint processing

The Statewide Planning Program proposes the following complaint procedure and process that meets Title VI requirements.

Discrimination Policy

Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color or national origin in programs or activities receiving federal financial assistance. Presidential Executive Order 12898 addresses Environmental Justice in minority and low-income populations. Presidential Executive Order 13166 addresses providing equal access to services and benefits to those individuals with Limited English Proficiency (LEP). The rights of women, the elderly and

the disabled are protected under related statutes. These Presidential Executive Orders and the related statutes fall under the umbrella of Title VI.

“Title VI prohibits the following actions for recipients of federal assistance. Recipients (hereinafter sometimes referred to as Recipient, Recipients, Sub-recipients or Sub-recipient) of federal assistance (either directly or through contractual means), on the grounds of race, color, or national origin shall not:

“No person in the United States shall, on the grounds 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 assistance” Title VI 1964

1. Deny a person the chance to participate as a member of a planning or advisory body that is an integral part of the program.
2. Provide a service or benefit to an individual that is inferior (either in quantity or quality) to that provided to others in the program.
3. Provide an individual with a service or benefit in a manner different from others under the program.
4. Address an individual in a manner that denotes inferiority because of race, color, or national origin.
5. Subject an individual to segregation in any manner related to the receipt of services or benefits under the program.
6. Subject an individual to separate treatment in any manner related to receiving services or benefits under the program.
7. Restrict an individual in any way in the receipt of any advantage or privilege enjoyed by others under the program.
8. Require different standards or conditions as prerequisites for accepting an individual into a program.
9. Deny an individual any service or benefit provided under the program.
10. Use criteria or methods of administration which have the effect of subjecting individuals to discrimination or operate to defeat or substantially impair the accomplishment of the objectives of the program.
11. Permit discriminatory activity in a facility built in whole or in part with federal funds.
12. Fail to provide service or information in a language other than English when significant numbers of potential or actual beneficiaries are of limited English speaking ability.
13. Fail to advise the population eligible to be served or benefited by the program of the existence of the program.
14. Subject an individual to discriminatory employment practices under any federally funded program whose object is to provide employment.
15. Locate a facility in any way that would limit or impede access to a federally funded service or benefit.

Complaint Procedure

As a sub-recipient of federal financial assistance, the Statewide Planning Program will put in place the following Title VI complaint procedure.

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 Statewide Planning Program 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. Such complaint must be filed within 180 calendar days after the date the person believes the discrimination occurred.

Submit written complaints to:

Michael C. Moan
Statewide Planning Program
One Capitol Hill
Providence, RI 02908-5872

Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination and shall 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 language, disability, religion, familial status, or retaliation).
 - (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.
 - (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 Chief of Statewide Planning shall review and forward the complaint with his/her recommendations to the Rhode Island Department of Transportation Title VI Officer.

Submission of Complaint to the Rhode Island Department of Transportation: In accordance with Chapter VII, Title VI Discrimination Complaints, of Federal Transit Administration (FTA) Circular 4702.1A, such a complaint must be submitted within 180 calendar days after the date of the alleged discrimination. Chapter IX of the FTA Circular 4702.1A, which outlines the complaint process to the Department of Transportation, may be obtained online at www.fta.dot.gov. Paper copies of the circular may be obtained by calling FTA's Administrative Services Help Desk, at 202-366-4865.

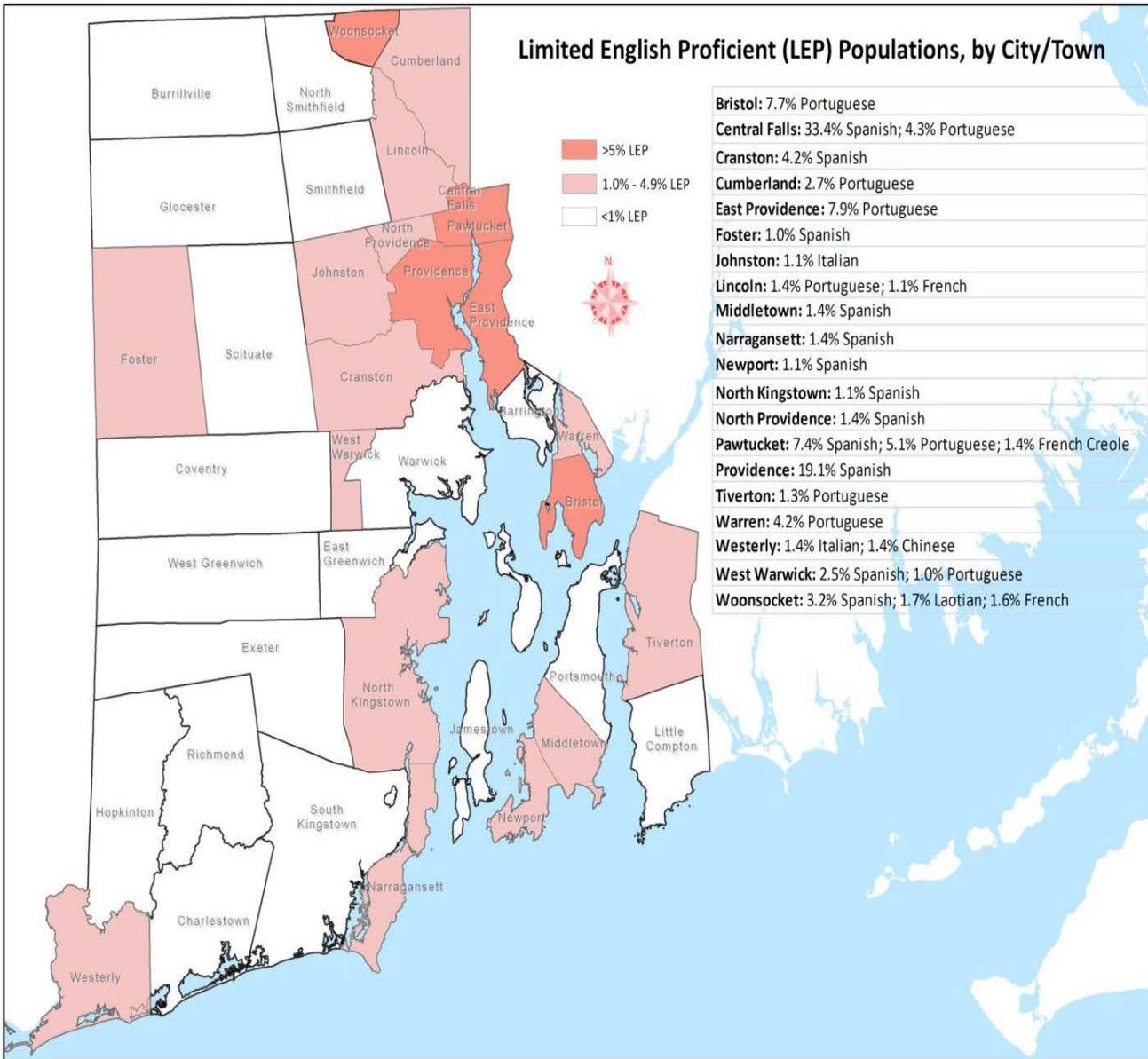
These procedures do not deny the right of the complainant to file formal complaints with other state or Federal agencies or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages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

TITLE VI AND RELATED STATUTES Contact Information			
Name:			
Address:			
City:	State:	Zip:	
Home Phone:		Work Phone:	
Email:			
Discrimination Complaint			

DISCRIMINATION COMPLAINT AGAINST THE STATEWIDE PLANNING PROGRAM

Name of Staff Person that You Believe Discriminated Against You:		
Date of Alleged Incident:		
You were discriminated because of:	<input type="checkbox"/> Race	<input type="checkbox"/> Color
	<input type="checkbox"/> Retaliation	<input type="checkbox"/> National Origin (Language)
	<input type="checkbox"/> Sex	<input type="checkbox"/> Age
	<input type="checkbox"/> Familial Status	<input type="checkbox"/> Disability
	<input type="checkbox"/> Religion	<input type="checkbox"/> Other
<p>Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case:</p>		
Signature:		Date:

Appendix I



Source: Rhode Island Public Transit Authority 2012

Appendix II

En nuestro portal de la Internet encontrará...

www.planning.ri.gov/transportation/default.htm

- Mejoras a nuestro Programa de Transportación para el año fiscal 06-07
- Transportación 2025: Plan de Transportación 2004
- Evaluación de las Necesidades de Carga Terrestre.
- Actualización del Modelo Estatal de Viajes
- Clasificación Práctica de Autopistas 2005-2015
- Estadísticas del Censo para asistir en la Planificación de los Sistemas de Transportación.
- Carreteras Públicas en RI, Hoja Técnica 152
- Resumen de la Guía Estatal de Planificación, Reporte 101

Programa de Planificación Estatal de RI
One Capitol Hill, 3rd floor
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STATE OF RHODE ISLAND AND PROVIDENCE PLANTINGS

Department of Administration
 STATEWIDE PLANNING PROGRAM
 One Capitol Hill
 Providence, RI 02908 - 5832

su guía
Informativa sobre la

PLANIFICACION DE LOS SISTEMAS DE TRANSPORTACION



RHODE ISLAND STATEWIDE PLANNING PROGRAM



TRANSPORTATION
 LAND USE / CDMR
 ECONOMIC DEVELOPMENT
 COMPREHENSIVE PLANNING
 GEOGRAPHIC INFORMATION SYSTEMS

**One Capitol Hill
 Providence
 Rhode Island
 02908**

EL PROGRAMA DE PALNIFICACION DE LOS SISTEMAS DE TRANSPORTACION

Propósito

El Concilio de Planificación Estatal, el cual está compuesto por personal del Programa de Planificación estatal, funciona como el organismo de Planificación Metropolitana (MPO por sus siglas en Inglés) para el estado de Rhode Island. Como tal, es responsable de la planificación y programación de proyectos.



Proyectos

El Programa de Planificación de los Sistemas de Transportación tiene dos proyectos principales:

1. Un Plan de Transportación a largo plazo (20 años) que se actualiza cada 4 años. El Plan abarca las autopistas, el tránsito, rutas de bicicleta, vías peatonales, y vías fluviales (ferry de Providence y Newport solamente).
 2. El Programa de Mejoras a las Vías de Transportación (TIP por sus siglas en Inglés); el cual es actualizado cada 2-4 años. Este es un programa de mejoras, de varios años, que selecciona proyectos individuales del Plan.
- El Programa de Planificación tiene otros proyectos especiales a menor escala, tales como el de Rutas Seguras a las Escuelas, Modelos de Viajes, Carga Terrestre, y Planificación de los Carreadores Públicos. Los proyectos de transportación afectan la vida diaria de todos los ciudadanos en el Estado. Estos planes determinan como los fondos estatales y federales (el dinero de los contribuyentes) será gastado.

¿COMO INVOLUCRARSE?

¿Como involucrarse?

Usted tiene la oportunidad no solo de revisar pero además de participar en el desarrollo del "Plan de Transportación de Largo Plazo (TIP) y de los demás programas especiales. Las actividades o formas que usamos para obtener la participación del público es a través de grupos de enfoque, encuestas, talleres, publicaciones, nuestro portal electrónico, y de las reuniones mensuales del Comité de Consejeros de Transportación. Si desea recibir nuestra revista electrónica mensual visite nuestro sitio <http://www.planning.ri.gov/misc/news.htm> y siga las instrucciones, o comuníquese al 222-1237.



¿Por qué usted debe participar?

Los fondos federales que recibimos y que compensados igualmente con fondos estatales son destinados a mejorar nuestras vías públicas, puentes, autopistas, servicios de tránsito, rutas de bicicletas y mucho más. La opinión del público es importante y nos ayuda a decidir cómo, cuándo, y dónde los proyectos futuros se efectuarán.

Los ciudadanos pueden influenciar sobre dónde estos fondos se destinarán y qué proyectos tienen prioridad. Su participación y opinión beneficiarán a ambos, su familia y su comunidad; mejorando así su calidad de vida.

INFORMACION

Comité de Consejeros sobre Asuntos de Transportación (TAC)

Este Comité aconseja al Concilio de Planificación Estatal en asuntos de transportación. Los miembros del Comité de Consejeros están compuestos de 8 oficiales locales y de tribus, 5 representantes de agencias gubernamentales, 9 organizaciones que representan una variedad de intereses en asuntos de transportación, y 5 ciudadanos de diferentes áreas del Estado.

Reuniones

El Comité de Consejeros se reúne regularmente a las 6:30 p.m. el cuarto jueves del mes. Comentarios del público son permitidos. El lugar de reuniones, así como otras reglas que aplican, se pueden obtener en: www.planning.ri.gov/tac/sched.htm.



Asuntos

- Aliviar la Congestión del Tráfico
- Mantener la infraestructura
- Facilitar opciones para la transportación
- Identificar fondos continuos
- Crear rutas seguras para las escuelas
- mejorar el ambiente
- Facilidades para las personas con necesidades especiales.