



**Lake Houston
Redevelopment Authority**

**Lake Houston Redevelopment Authority
TITLE VI
Language Plan**

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PURPOSE

The purpose of the Lake Houston Redevelopment Authority (LHRA) Language Assistance Plan (LAP) is to ensure that LHRA communicates effectively with Limited English Proficient (LEP) individuals. An LEP individual is a person who does not speak English as his or her primary language and who has a limited ability to speak, read, write, or understand English.

LHRA developed the LAP to assist in its effort to ensure information and services are accessible to LEP individuals by providing guidance on translation, interpretation, and outreach services for LEP individuals seeking access to LHRA programs. All directors, and Title VI program liaisons are responsible for ensuring that meaningful services to LEP persons are provided. Additionally, LHRA will continuously monitor to ensure LEP requirements are met and reported annually to the Federal Highway Administration (FHWA).

LHRA developed this plan to improve access for LEP individuals to its programs and services. Part C of this plan, entitled *Developing and Implementing an LEP Plan*, discusses how to apply the four-factor framework, which is consistent with the U.S. Department of Transportation LEP Guidance, and how to develop an LEP plan.

Nondiscrimination Statement

LHRA, as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment per 42 U.S.C. § 2000d-3), color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any LHRA programs or activities.

LEP Policy Statement

It is the policy of LHRA to provide timely meaningful access to all programs and activities for persons with LEP. LHRA shall provide free language assistance services to persons with LEP whom they encounter or whenever a person with LEP requests language assistance services. LHRA personnel will inform members of the public that LHRA will provide language assistance services free of charge to persons with LEP.

PART A

FEDERAL AUTHORITIES

The following are the relevant federal authorities that require LHRA to provide LEP persons with meaningful access to programs, activities and services:

Title VI of the Civil Rights Act of 1964, as amended, provides that no person shall “on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of an entity receiving Federal financial assistance.”

Executive Order 13166, entitled “Improving Access to Services for Persons with Limited English Proficiency,” is directed at implementing the protections afforded by Title VI of the Civil Rights Act of 1964 and related regulations. It prohibits recipients of Federal financial assistance from discriminating based on national origin by failing to provide meaningful access to services to individuals who are LEP. This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services that are normally provided in English.

PART B

IMPLEMENTING THE LANGUAGE ASSISTANCE PLAN

This section sets forth the standards for language assistance services to be provided to LEP individuals. In addition, this section provides LHRA with a framework to develop, modify, and implement its own methods to provide language assistance to LEP individuals in its service area. Key components to implementing the LAP include:

- Identifying the Language Needs of LEP Individuals
- Language Assistance Measures
- Training Staff and Consultants on Policies and Procedures
- Providing Notice to LEP Individuals
- Complaints
- Monitoring and Updating the Language Assistance Plan
- Subrecipient Obligations

Any interaction with the public has the potential to interact with LEP individuals. These could include, but are not limited to, program participants; hotline or information line calls; public meetings and hearings; public access to agency websites; written materials or complaints sent in; and written collateral intended for public distribution. It is important to examine the manner in which LHRA interacts with the public and/or LEP individuals (e.g. in- person consultations versus correspondence) as this can dictate the type of language assistance services provided.

Identifying the Language Needs of LEP Individuals

LHRA at the point of first contact with an individual must determine whether that person is LEP, must determine his/her primary language, and procure the appropriate language assistance services. Identifying an LEP person and his/her language helps provide consistent and meaningful access to the program or activity sought. An individual's primary language can be identified utilizing one or more of the following methods:

- Post notices in commonly encountered languages to notify LEP individuals of language assistance to encourage them to identify themselves to LHRA.
- Use “I speak” cards to identify the language needs of the LEP person. The “I speak” cards should be made visible and available to the public. A sample “I speak” card is available online at <http://www.lep.gov/ISpeakCards2004.pdf>.
- When public meetings/hearings are held, set up a sign-in table and have a staff member that speaks the predominant language in that area attend the meeting/hearing to greet and briefly speak to each attendee in order to informally gauge his/her ability to speak and understand English.

LHRA will keep a record of the number of LEP individuals served, the primary language spoken by each LEP person encountered, and the type of language assistance provided (oral or written). By regularly collecting and updating this data, LHRA will be able to accurately identify and address the changing needs of their LEP communities. In addition, the data can be used to budget for the cost of translation and interpretation services.

Language Assistance Measures

There are several language assistance measures that can be made available to LEP persons, including both oral and written language services. There are also various ways in which LHRA responds to LEP persons, whether in person, by telephone, or in writing.

Interpretation Services

LHRA will inform all LEP individuals that LHRA provides free interpreter services upon request for their interactions with LHRA.

When LHRA encounters an LEP individual attempting to access services, LHRA may not require an LEP individual to use a family member or friend as an interpreter. LHRA should not rely on an LEP individual's family members, friends, or other informal interpreters to provide meaningful access to important programs. However, LHRA must respect an LEP individual's choice of interpreter in place of the free language services offered by LHRA.

LHRA may use bilingual consultants to provide oral language services. To ensure that bilingual consultants are competent, they must demonstrate proficiency and the ability to communicate information accurately in both English and other languages. LHRA can use the Employee Language Report form 2491, located in [Appendix 1](#), to maintain a list of all competent bilingual consultants that includes their non-English language(s) spoken and contact information. The following measures should be considered when using staff to provide oral language services:

1. When using interpreters, take reasonable steps to assess the following:
 - Does the interpreter demonstrate proficiency and the ability to communicate information accurately in both English and in the other language?
 - To the extent necessary, does the interpreter have knowledge in both languages of any specialized terms or concepts related to the program or activity?
2. Caution should be exercised when the LEP individual chooses to use a minor as the interpreter. While the LEP individual's decision should be respected, there may be issues of competency, confidentiality, or conflict of interest.

Public meeting notices should include notification in an appropriate language(s) that states interpreters will be provided. Bilingual staff should be on hand at public meetings, hearings, or open houses intended for gathering public input on projects having high LEP populations.

Translation Services

It is important to ensure that written materials routinely provided in English are also provided in regularly encountered languages other than English. It is particularly important to ensure that vital documents are translated into the non-English language of each regularly encountered LEP group eligible to be served or likely to be affected by the program or activity. A document will be considered vital if it contains information that is critical for obtaining services and/or benefits, or is required by law. LHRA must provide a translation of vital documents, free of charge, to LEP individuals.

Vital documents must be translated when a significant number or percentage of the population likely to be directly affected by the activity, or needs information in a language other than English to communicate effectively. For larger documents, translation of vital information contained within the document will suffice and the document need not be translated in its entirety. Vital documents can include:

- Complaint forms;
- Notices advising LEP persons of the availability of free language assistance; and
- Letters or notices that require a response.

If any member of the public requires translation services, they should contact the Executive Director. If a member of the public need's services, they will need to contact the Executive Director and the Executive Director will make the purchase.

Training on Policies and Procedures

LHRA will be notified of LEP requirements annually to fully understand the LEP plan, to reinforce its importance, and to ensure its implementation. LHRA will provide information to the public about the LEP plan and its provisions. LHRA's Executive Director is also available to assist with information.

Providing Notice to LEP Individuals

LHRA will provide notice that language services are available, free of charge, in a language LEP individual will understand, and how to get the language assistance. Dependent upon which region of the state and the need identified, LHRA may undertake the following measures to ensure notice is being provided:

- Post materials in intake areas and other entry points so LEP individuals can learn how to access those language services. (See [Appendix 2](#), LEP Interpreter Services Poster)
- Make the LEP individual aware that he/she has the option of having an interpreter without charge, or of using his/her own interpreter.
- Attach onto documents, in the most common languages, that language services are available from LHRA.
- Work with community-based organizations and other stakeholders to inform LEP individuals of LHRA services, including the availability of language assistance services.
- Provide notices in local newspapers in languages other than English.

Complaints

LEP individuals can submit complaints regarding LEP services. LHRA will document actions taken to resolve each complaint in a timely manner. The complainant may, at his or her option, report the LEP complaint directly to the Executive Director.

Anyone who believes that he/she has been discriminated against because of race, religion, color, national origin, sex, age or disability may file a complaint with Executive Director within 180 days of the date on which the discrimination took place. LHRA's External Discrimination Complaint Form is located online at <https://lakehoustonra.com/t-1014-northpark-drive-reconstruction-project/>.

LHRA provides the External Discrimination Complaint form in English and will provide accommodations for other languages, as needed.

Monitoring and Updating the Language Assistance Plan

The LHRA will monitor the language assistance policies and procedures at least annually to evaluate its effectiveness in serving LEP individuals and modify it accordingly. The evaluation will include:

- Identifying the LEP population in the greater Kingwood, Texas area.
- Assessing the current level of services delivered to LEP individuals.
- Reviewing LEP training received by LHRA.
- Reviewing activities by LHRA.
- Evaluating complaints (both at the LHRA level and the City of Houston, Council District E level)

Subrecipient Obligations

23 Code of Federal Regulations (CFR) 200.5(n) defines “recipient” as any entity or individual to whom Federal assistance is extended, either directly or indirectly through another recipient, for any program. The term “subrecipient” is used to identify a recipient that indirectly receives Federal assistance, a direct recipient. Subrecipients include, but are not limited to, cities, counties, consultants, contractors, suppliers, universities, colleges, planning agencies, and other recipients of Federal-aid highway funds.

The obligations under Title VI of the Civil Rights Act of 1964 and Executive Order 13166 do not cease with LHRA; instead, these obligations extend to all levels of subrecipients receiving Federal assistance.

LHRA should provide information and resources needed to assist LHRA in complying with LEP requirements. For example, LHRA’s LAP provides a framework to help plan an approach to providing language assistance services to LEP individuals. Accordingly, LHRA may tailor this framework to develop its appropriate language access policy directives, implementation plan, and procedures. LHRA’s LAP and additional resources are available at <https://lakehoustonra.com/t-1014-northpark-drive-reconstruction-project/>.

PART C

DEVELOPING AND IMPLEMENTING AN LEP PLAN

LHRA will complete a Four Factor Analysis and use the results of the analysis to determine which language assistance services are appropriate. The analysis will help LHRA develop an LEP plan to address the identified needs of the LEP population(s) it serves.

Four Factor Analysis

Conducting a Four Factor Analysis can help LHRA determine if it communicates effectively with LEP persons and will assist with language assistance planning. The Four Factor Analysis is an individualized assessment that balances the following four factors: (1) demographics; (2) frequency; (3) nature and importance; and (4) available resources and costs.

1. Demographics

The decision to provide language assistance services should include an assessment of the number or proportion of LEP persons from a particular language group served or encountered in the Kingwood, Texas service area. The greater the number or proportion of LEP persons served or encountered, the more likely language services are needed. For the assessment to be accurate it must also include all communities that are eligible for services or are likely directly affected by LHRA's programs or activities. LHRA may determine the linguistic characteristics of an LEP population in its service area by:

- Examining prior experiences with LEP individuals
- Analyzing the information available from a variety of resources such as:
 - Federal Interagency Working Group on Limited English Proficiency
www.lep.gov/demog_data/demog_data.html
 - U.S. Census Bureau
www.census.gov/hhes/socdemo/language/data/index.html
<http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>
www.census.gov/hhes/socdemo/language/
 - U.S. Department of Education
<http://ocrdata.ed.gov/>
 - National Center for Education Statistics
<http://nces.ed.gov/fastfacts/display.asp?id=96>
 - Texas Department of Transportation
www.LHRA.gov/inside-LHRA/forms-publications/publications/civil-rights.html
 - State and local government agencies
 - Local community based and religious organizations

2. Frequency

LHRA should assess the frequency with which it has or should have contact with LEP individuals from different language groups. The more frequent the contact, the more likely language services will be needed.

3. Nature and Importance

Once LHRA has assessed what languages to consider by looking at the demographics and the frequency of contact, LHRA should look at the nature and importance of its activities and information.

Generally speaking, the more important the program, the more frequent the contact and the likelihood that language services will be needed. Each area of the transportation system will have a different importance and effect on LEP individuals. From LHRA's prospective, the importance of the activity, or the greater likelihood of consequences to LEP individuals, has to be reviewed and balanced against the other three factors.

If the denial or delay of access to services or information could have serious implications for LEP individuals, policies and procedures should be in place to provide language assistance to LEP individuals as part of standard business practices. For programs and activities where public outreach or public involvement is central to the service, LHRA should evaluate its outreach efforts to LEP individuals.

4. Available Resources and Costs

Considering the Kingwood, Texas area's own demographics, the frequency, and importance of contacts will dictate the level of language services it should commit to provide. Some language services can be provided at little or no cost, such as using bilingual staff competent in the skill of interpreting. LHRA should carefully explore the most cost-effective means of delivering competent and accurate language services by:

- Taking an inventory of the language assistance measures currently being provided, along with associated costs.
- Determining what, if any, additional services are needed to provide meaningful access
- Reviewing its budget.
- Considering cost-effective practices for providing language services.

LEP Plan

After analyzing the four factors, LHRA must develop an LEP plan for providing language assistance to address the identified needs of the LEP population(s) it serves. The LEP Plan shall, at a minimum:

- Include the results of the Four Factor Analysis along with a description of the LEP population(s) served.
- Describe efforts to provide language assistance services by language.
- Describe efforts to provide notice to LEP persons about the availability of language assistance.
- Describe efforts to train and provide timely and reasonable language assistance to LEP populations.
- Describe complaint handling procedures; and.
- Describe efforts to monitor, evaluate and update the LEP plan.

Monitoring and Updating the LEP Plan

For LHRA's LEP plan to be effective, LHRA must periodically monitor, evaluate, and update its plan accordingly. Annually, LHRA will re-evaluate the changes in demographics, and other factors that should be considered when determining LEP needs. Monitoring and evaluating the accessibility and quality of language assistance needs of LEP persons ensures that LEP persons can meaningfully access LHRA's project activities.

Additionally, LHRA should create a record of language assistance services provided. By regularly collecting data, LHRA will be able to accurately identify and address the changing needs of their LEP communities which, in turn, can help inform LHRA whether there should be changes to the quantity or type of language assistance services. At a minimum, data collected should include:

- Primary language of customers served.
- Number of LEP individuals, by language group, who received language services.
- Number of translation services provided.
- Number of interpreter services provided.
- Number and type of complaints received by LHRA or against its subrecipients alleging lack of provision of services due to limited English proficiency.
- Cost of translation and interpreter services provided.

This annual assessment will help guide LHRA in determining what changes, if any, are needed to update its LEP plan. A record of this evaluation will be submitted by the Executive Director using the LEP Annual Report form 2492, located in [Appendix 1](#) by September 30 of each year along with an updated LEP plan, if applicable.

PART D

PUBLIC TRANSPORTATION PROJECTS

LHRA provides financial, technical, and coordination assistance to the City of Houston, Public Works Department. LHRA also provides planning and programming process and prepares funding-needs projections to the City of Houston and City of Houston City Council District E Office.

Title VI Program and Language Assistance Plan

LHRA coordinates with the Texas Department of Transportation (TxDOT) and the Federal Transit Administration (FTA) Region 6 Civil Rights Officer for policy and procedure guidance on all civil rights programs, including its Title VI Program and the Language Assistance Plan. LHRA's current Title VI Program) and Language Assistance Plan, which provides guidance to LHRA, received concurrence from TxDOT and complies with the latest FTA Circular 4702.1B for Title VI.

APPENDIX 1

LEP Reporting Forms

On the following pages are the *Employee Language Report* form 2491 and the *LEP Annual Report* form 2492. These forms are available online on LHRA's eForms at <http://txeform/eFormsWorkspace/>.

LEP Annual Report

DDOs: _____ Contact Person : _____ Telephone: _____ Report Year: _____

LEP Encounters

Total number of encounters: _____

Language most frequently requested: Spanish Other (specify): _____
{Select only one -Place an 'x' in the box}

LEP service most frequently used: Oral Interpretation (in person) Written Translation Telephone Interpretation
{Select only one -Place an 'x' in the box}

Most frequent method LEP service is rendered: Employee Contractor Community Volunteer LEP Person's Family/Friend
{Select only one -Place an 'x' in the box} Other Method (specify): _____

LEP Expenditures

Total LEP expenses: \$ _____

Spanish: \$ _____ Other Language (specify): _____ \$ _____

Oral Interpretation (in person): \$ _____ Written Translation: \$ _____ Telephone Interpretation: \$ _____

Translation of Documents

Total number of documents translated upon request: _____ Total number of vital documents translated: _____

Types of Documents Translated: Application Brochure Notice Other Document (specify): _____

LEP Complaints

Total number of complaints: _____ Number of complaints resolved: _____

Complaint Information

Date Filed	Date Resolved	Description

Be sure to attach any written ODO-specific policies and procedures that support your responses.

LEP Areas	Yes/No	Explanation/ Comment <i>Include any explanations/examples/comments that apply to each question.</i>
Assessing and Recording Language Needs		
1. Has LHRA taken steps to identify the non-English languages that are likely to be encountered in its service delivery area?	/	
2. Has LHRA identified the language needs of each LEP individual encountered and recorded this information?	J	
3. Does LHRA document the name and affiliation (e.g. staff interpreter, contract interpreter, etc.) of the person providing language services for each encounter with an LEP individual?	/	
4. Has LHRA identified the points of contact within their organization where language assistance is likely to be needed? (e.g. reception desks, intake counters, etc.)	/	
5. Has LHRA identified the resources that will be needed to provide effective language assistance and the location/availability of these resources?	J	
Oral Language Interpretation		
6. Does LHRA hire staff or consultants with language skills who are trained and competent in the skill of interpreting in the other language(s)?	/	
7. Does LHRA contract with interpreter service(s)?	J	
8. Does LHRA use volunteer community interpreters?	/	
9. Does LHRA use telephone interpreter service(s)?	J	
Translation of Written Materials		
10. Does LHRA provide written materials in languages other than English?	J	
11. Does LHRA translate application forms and other materials in languages other than English?	/	
Methods for Providing Notice to LEP Individuals		
12. Does LHRA use language identification cards to determine the language needs of LEP individuals?	/	
13. Does LHRA provide notice of language assistance services in the languages other than English?	/	
14. Does the LHRA include a statement in brochures and other materials routinely disseminated to the public notifying LEP individuals that language assistance services are available.	J	

LEP Areas	Yes/No	Explanation/ Comment <i>Include any explanations/examples/comments that apply to each question.</i>
Training of Staff		
15. Have all staff been trained on LHRA's LAP for addressing the language needs of LEP individuals?	/	
16. Does LHRA maintain records of the staff that has received training on language access policies and procedures?	/	
Monitoring		
17. Does LHRA monitor its LEP plan at least annually to evaluate its effectiveness at serving LEP individuals and modify it accordingly?	/	
Customer Service		
18. Does LHRA solicit, and track customer feedback related to LEP individuals?	/	
19. Does LHRA have a complaint process in place to address concerns and complaints from LEP individuals about the department's LEP services?	/	
20. Does LHRA track the number of complaints and concerns received?	/	
21. Has LHRA addressed LEP complaints and concerns? Explain and identify if any corrective actions were taken and when.	/	
LEP Budget		
22. Does LHRA budget for LEP services in its annual budget projections? If Yes , detail how much and in what areas.	/	
Comments		



LHRA Contact: _____

Date: _____

Name	Phone	Language	Speaking			Reading			Writing			Understanding		
			Basic	Advanced	Native	Basic	Advanced	Native	Basic	Advanced	Native	Basic	Advanced	Native
Example: Dave Martin	123-456-7890	Tamil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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