

ABILENE METROPOLITAN PLANNING ORGANIZATION

Limited English Proficiency (LEP) Plan



DOCUMENT CREATED MAY 18, 2012

ADOPTED BY MPO POLICY BOARD: July 24, 2012

AMENDED: April 21, 2020

INTRODUCTION

This *Limited English Proficiency (LEP) Plan* has been prepared to address the Abilene Metropolitan Planning Organization's (MPO's) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including the MPO. A key principal in this plan is that it is the responsibility of the MPO, and not the LEP person, to have reasonable steps in place to ensure that communication is not unreasonably impaired as a result of the limited English proficiency of the individual.

Plan Summary

The Abilene Metropolitan Planning Organization has developed this *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined under Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the Abilene Metropolitan Planning Organization used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by the Abilene Metropolitan Planning Organization.
2. The frequency with which LEP persons come in contact with the Abilene Metropolitan Planning Organization services.
3. The nature and importance of services provided by the Abilene Metropolitan Planning Organization to the LEP population.
4. The interpretation services available to the Abilene Metropolitan Planning Organization and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. The number or proportion of LEP persons in the service area who may be served or are likely to require Abilene Metropolitan Planning Organization services:

The Abilene Metropolitan Planning Organization staff reviewed the 2010 U.S. Census Report¹ and determined that 17,559 persons in the Abilene Metropolitan Planning Organization area [16.2% of the population] speak a language other than English. Of those 17,559 persons 5,205 [29.6%] have limited English proficiency; that is, they speak English "not well" or "not at all", this is only 4.8% of the overall population in the service area. In the Abilene Metropolitan Planning Organization's service area, of those persons with limited English proficiency, 4,084 speak Spanish, 385 speak other Indo-European, and 553 speak Asian or Pacific Islander Languages, and 183 speak other languages.

2. The frequency with which LEP persons come in contact with the Abilene Metropolitan Planning Organization services:

The Abilene Metropolitan Planning Organization staff reviewed the frequency with which the Policy Board, Technical Advisory Committee, and MPO staff have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, the Abilene Metropolitan Planning Organization has had no requests for interpreters and no requests for translated program documents.

3. The nature and importance of services provided by the Abilene Metropolitan Planning Organization to the LEP population:

The 2010 census data indicates there are no large geographic concentrations of any type of LEP individuals in the service area for the Abilene Metropolitan Planning Organization. The overwhelming majority of the population, 83.76% speaks only English. As a result, there are few social, service, professional or leadership organizations that have been found within the Abilene Metropolitan Planning Organization service area which focus on outreach to LEP individuals. The Abilene Metropolitan Planning Organization Policy Board, Technical Advisory Committee, and MPO staff are most likely to encounter LEP individuals through office visits, phone conversations, and attendance at meetings.

4. The interpretation services available to the Abilene Metropolitan Planning Organization and overall cost to provide LEP assistance:

The Abilene Metropolitan Planning Organization reviewed its available resources that could be used for providing LEP assistance, which of its documents would be most valuable to be translated if the need should arise, and put together a process for

¹ US Census, American Community Survey, 2010, Table DP02, Selected Social Characteristics

https://data.census.gov/cedsci/table?q=Abilene%20city,%20Texas&hidePreview=false&tid=ACSDP5Y2010.DP02&table=DP02&g=1600000US4801000&y=2010&d=ACS%205-Year%20Estimates%20Data%20Profiles&vintage=2010&layer=VT_2010_160_00_PY_D1

contacting local citizens that might be willing to provide voluntary Spanish or other language translation if needed within a reasonable time period.

LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to the Abilene Metropolitan Planning Organization's services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How the Abilene Metropolitan Planning Organization staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- Abilene Metropolitan Planning Organization staff would be provided with "I Speak" cards to assist in identifying the language interpretation needed if the occasion arises.
- All Abilene Metropolitan Planning Organization staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When the Abilene Metropolitan Planning Organization sponsors an informational meeting or event, an advanced public notice of the event should be published including special needs related to offering a translator (LEP) or interpreter (sign language for hearing impaired individuals). Additionally, a staff person may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need for future events.
- Outreach to organizations that may focus on, have significant work relationships, or which represent local LEP populations when known, when requested, and/or when determined appropriate based on the types of services or activities being provided, the potential benefits to LEP populations, and the potential that such outreach may have to increase the frequency of contact with LEP language groups.

Language Assistance Measures

Although there is a very low percentage in the Abilene Metropolitan Planning Organization of LEP individuals, that is, persons who speak English "not well" or "not at all", it will strive to

offer the following measures:

1. The Abilene Metropolitan Planning Organization staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.
2. The following resources will be available to accommodate LEP persons:
 - Competent bilingual employees of the MPO, or affiliated governmental organizations such as the City of Abilene will be utilized when feasible.
 - Volunteers from local citizens will be solicited to provide voluntary Spanish or other language translation if needed within a reasonable time period.
 - LEP individuals will be permitted, at their own expense, to utilize their own interpreters including bi-lingual family members, friends or others should they prefer this.

STAFF TRAINING AND CONTRACTORS/SUBCONTRACTORS

The following training will be provided to all staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- How to use "I Speak" cards.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

All contractors or subcontractors performing work for the Abilene Metropolitan Planning Organization will be required to follow the Title VI LEP guidelines.

TRANSLATION OF DOCUMENTS

The Abilene Metropolitan Planning Organization weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary burden to have any documents translated.

Due to the very small local LEP population, the Abilene Metropolitan Planning Organization has a process in place through its Public Participation Plan to address the need when it arises. Translation resources have been identified and are limited in this region. However, when and if the need exist for LEP outreach, the Abilene Metropolitan Planning Organization will consider preparing the documents, meeting notices, flyers, and agendas in an alternative language based on the known population.

MONITORING

The Abilene Metropolitan Planning Organization may update the LEP Plan as needed when it is determined that reliable information indicates changes are needed to ensure LEP populations will have a meaningful opportunity to participate in the organization's

services and benefits. At a minimum, the plan will be reviewed and if needed, updated when data from the decennial U.S. Census is available and this data indicates that concentrations of LEP individuals are present in the Abilene Metropolitan Planning Organization's service area to an extent that costs and benefits of changes would be warranted. The MPO will track requests for any translation services or requests for the translation of documents using a standardized form. Updates may include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination of organizations focused on service to local LEP populations.
- Recording of any documents that have been translated or requested for translation.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether the Abilene Metropolitan Planning Organization's financial resources are sufficient to fund language assistance resources needed.
- Determine whether the Abilene Metropolitan Planning Organization's fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints.

DISSEMINATION OF THE ABILENE METROPOLITAN PLANNING ORGANIZATION'S LEP PLAN

- Post a copy of the LEP on the MPO Website.
- Post signs at accessible locations notifying persons of the LEP Plan and how to access language services.
- State on agendas and public notices that if special assistance is needed, such as interpretation, this will be accommodated upon request by calling (325) 676-6492.

THE TITLE VI/LEP COORDINATOR FOR THE ABILENE MPO SHALL BE:

Executive Director or Designee
519 Cypress St, Suite 519
Abilene, TX 79602
(325) 437-9999

Appendix A

Limited English Proficiency (LEP) Translation Request and Encounter Log										
Date	Type of Encounter	Y/N	Type of Interaction	Y/N	Primary Language	Interpretation requested?	Y/N	Did the Participant provide their own interpreter?	Y/N	Document or Project Discussed
	Office Visit		Request for information		English	Yes		Yes		
	Meeting or Event		Request for document		Spanish	No		No		
	Phone Call		Project Response		French	Interpretation provided?				
	Email		Complaint		Other _____	Yes				
	Other _____		Other _____			No				
Comments										
	Office Visit		Request for information		English	Yes		Yes		
	Meeting or Event		Request for document		Spanish	No		No		
	Phone Call		Project Response		French	Interpretation provided?				
	Email		Complaint		Other _____	Yes				
	Other _____		Other _____			No				
Comments										
	Office Visit		Request for information		English	Yes		Yes		
	Meeting or Event		Request for document		Spanish	No		No		
	Phone Call		Project Response		French	Interpretation provided?				
	Email		Complaint		Other _____	Yes				
	Other _____		Other _____			No				
Comments										
	Office Visit		Request for information		English	Yes		Yes		
	Meeting or Event		Request for document		Spanish	No		No		
	Phone Call		Project Response		French	Interpretation provided?				
	Email		Complaint		Other _____	Yes				
	Other _____		Other _____			No				
Comments										
	Office Visit		Request for information		English	Yes		Yes		
	Meeting or Event		Request for document		Spanish	No		No		
	Phone Call		Project Response		French	Interpretation provided?				
	Email		Complaint		Other _____	Yes				
	Other _____		Other _____			No				
Comments										