Limited English Proficiency Plan

Midland Odessa Transportation Organization Metropolitan Planning Organization (MOTOR MPO)

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TITLE VI COORDINATOR

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INTRODUCTION

This *Limited English Proficiency Plan* has been prepared to address the MOTOR 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 understands 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 all MOTOR MPO departments receiving federal grant funds.

Plan Summary: MOTOR MPO 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 in 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, MOTOR MPO used a 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 MOTOR MPO.

2. The frequency with which LEP persons come in contact with MOTOR MPO services.

3. The nature and importance of services provided by the MOTOR MPO to the LEP population.

4. The interpretation services available to the MOTOR MPO 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 MOTOR MPO services.

The MOTOR MPO staff reviewed the 2010 U.S. Census Report and estimated that 20,529 persons in the MOTOR MPO area have limited English proficiency; that is, they speak English "not well" or "not at all", this is only 0.9% of the estimated overall population in the service area of 225,832 persons. Of those persons with limited English proficiency, 19,476 speak Spanish, 1,053 speak Indo- European, Asian or other Pacific Island Languages.

2. The frequency with which LEP persons come in contact with MOTOR MPO services.

The MOTOR MPO staff reviewed the frequency with which the board/council, office staff and the Technical Advisory Committee, the Policy Board and the Regional Coordinated Transportation Planning Committee have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, the MOTOR MPO has had no requests to provide interpreters and no requests for translated program documents. The board/council, office staff and bus/van drivers have had very little contact with LEP persons.

3. The nature and importance of services provided by the MOTOR MPO to the LEP population.

There are a few geographic concentrations of LEP individuals in the service area of MOTOR MPO. Census Tracts 11, 15, 19, 20, 27 and 28.02 in Ector County and Census Tracts 11, 14, 15, 17 and 101.09 in Midland County have significant proportions of persons with Limited English Proficiency (see Appendix A). However, the overwhelming majority of the population speaks English, even if English is a second language. As a result, there are few social, service, professional and leadership organizations within the MOTOR MPO service area that focus on outreach to LEP individuals. The MOTOR MPO board/council, office staff and bus/van drivers are most likely to encounter LEP individuals through bus/van rides, office visits, phone conversations, and attendance at Board/Council meetings.

4. The resources available to the MOTOR MPO and overall cost to provide LEP assistance.

The MOTOR MPO 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 contacted local citizens that may be willing to provide voluntary Spanish translation if needed within a reasonable time period. Other language translation, if needed, would be provided through a telephone interpreter line if such a service is available. This would likely require MOTOR MPO to pay a fee.

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 MOTOR MPO 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 MOTOR MPO 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.
  + All MOTOR MPO staff will be provided with "I Speak" cards to assist in identifying the language interpretation needed if the occasion arises.
  + All MOTOR MPO staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
  + When the MOTOR MPOsponsors an informational meeting or event, an advanced public notice of the event should be published including special needs related to offering a translator 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.

LANGUAGE ASSISTANCE MEASURES

Although there is a very low percentage in the MOTOR MPOof LEP individuals, MOTOR will strive to offer the following measures:

1. The MOTOR MPOstaff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.

2. The following resources will be available to accommodate LEP persons:

• Volunteer interpreters for the Spanish language are available and will be provided within a reasonable time period.

• Language interpretation will be accessed for all other languages through a telephone or live interpretation service, when possible.

STAFF TRAINING

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.

• Use of the "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 MOTOR MPO will be required to follow the Title VI LEP guidelines.

TRANSLATION OF DOCUMENTS

Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time MOTOR MPO considers it unnecessary to translate documents, and due to the small local LEP population, the MOTOR MPO does not have a formal outreach procedure in place, as of 2013. However, translation resources have been identified but are limited in this region. However, when and if the need arises for LEP outreach, MOTOR MPOwill consider the following options:

• Upon request staff will prepare documents, or schedule a meeting(s), when the target audience is expected to include LEP individuals in the requested language. Meeting notices will contain the following language:

*“Any hearing impaired person or person needing language translation services should contact MOTOR at (432) 617-0129 or at* [*cwalker@motormpo.com*](mailto:cwalker@motormpo.com) *at least 72 hours before the scheduled meeting”.*

MONITORING

MONITORING AND UPDATING THE LEP PLAN

MOTOR MPO will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when additional census data becomes available, or when it is clear that higher concentrations of LEP individuals are present in the MOTOR MPO service area. Updates will 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 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 MOTOR MPO’S financial resources are sufficient to fund language assistance resources needed.

• Determine whether the MOTOR MPO 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 MOTOR MPO LEP PLAN

• Post signs at conspicuous and accessible locations notifying LEP persons of the LEP Plan and how to access language services.

• State on agendas and public notices in the language those LEP persons would understand that documents are available in that language upon request at 432-617-0129.