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Limited English Proficiency Plan

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Sun Corridor Metropolitan Planning Organization
Executive Board

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Sun Corridor Metropolitan Planning Organization
Technical Advisory Committee

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En Española:

Para más información, o si está interesado en participar en el planeamiento del proceso de transporte en su comunidad y necesita asistencia con el idioma, por favor comuníquese:

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Introduction

The Sun Corridor Metropolitan Planning Organization (MPO) is responsible for transportation planning within the regional area encompassing the cities of Casa Grande, Coolidge, Eloy and the small urban and rural portions of Pinal County. Sun Corridor MPO's transportation planning area covers 1,155 square miles within Pinal County.

The planning process guidelines for the use of federal and state funds spent for existing and future transportation projects and programs require the Limited English Proficiency (LEP) Plan to play an essential role in the process.

What is Limited English Proficiency

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English can be limited English proficient (LEP).

Limited English Proficiency (LEP) is a term used to describe individuals who are not proficient in the English language. Arizona's diverse population makes it critically important the Sun Corridor MPO be innovative and proactive in engaging individuals from different cultures, backgrounds and businesses in planning, project development and other program areas.

Laws and Policy

Executive Order (EO) 13166 - 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. Accordingly, 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.

The following matrix illustrates legal and policy considerations:

Title VI of the Civil Rights Act of 1964

Federal law
Enacted July 2, 1964
Considers all persons
Contains monitoring and oversight
Compliance review requirements
Factor criteria is required, no numerical or percentage thresholds

Limited English Proficiency Executive Order 13166

Federal policy
Signed August 11, 2000
Considers eligible population
Contains monitoring and oversight
Requirements
Factor criteria is required, no numerical or percentage thresholds

The Sun Corridor MPO will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate

in our services, activities, programs and other benefits. The policy of Sun Corridor MPO is to ensure meaningful communication with LEP patients/clients and their authorized representatives involving their medical conditions and treatment. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and patients/clients and their families will be informed of the availability of such assistance free of charge.

Language assistance will be provided through use of competent bilingual staff, staff interpreters, contracts or formal arrangements with local organizations providing interpretation or translation services, or technology and telephonic interpretation services. All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

Sun Corridor MPO will conduct a regular review of the language access needs of our population, as well as update and monitor the implementation of this policy and these procedures, as necessary.

Program Responsibility

EO 13166 directs recipients of Federal financial assistance to take reasonable steps to provide LEP individuals with meaningful access to their programs, activities and services.

- Notify LEP customers of the availability of language assistance services

LEP persons have the right to language assistance at no cost to them in their spoken language. Language identification cards or posting signs in public areas are methods that can be used to provide notice of the service.

- Translation of vital documents in languages other than English

It is appropriate to have written materials that have been historically provided in English to applicants, customers and the general public translated into languages that are regularly encountered. The translation of vital documents into languages other than English is particularly important where a significant number or percentage of the customers served and/or eligible to be served have limited English proficiency. Written materials include electronic documents and web-sites. Sun Corridor MPO will indicate on its web site and newspaper publications that translation can be provided, with appropriate notice.

Vital Documents are documents that convey information that critically affects the ability of the recipient/customer to make decisions about his/or her participation in the program or activity. Examples of vital documents include, but are not limited to: applications, public notices, consent forms, letters containing important information regarding participation in a program, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, notices advising of the availability of language assistance and outreach and community education materials. It is recommended that divisions/programs develop criteria for deciding which documents are vital thereby subject to translation.

Translating documents for LEP to a fourth (4th) grade literacy level ensures the targeted audience understands the information. Community based organizations or focus groups can assist with testing translations for language and literacy level appropriateness.

Section Five of the US Department of Transportation guidance on LEP requires a four-factor analysis to determine the need for translation services in order to ensure LEP populations are able to receive information about and can participate in the planning process in the language they best understand.

Based on the four—factor analysis, the Sun Corridor MPO will continue to provide public notices in English and Spanish. Translation and interpretation services will be provided through public online translation sites, bilingual community members and, if not cost prohibit and funds permit, through a language interpretation and translation service. The goal of the Sun Corridor MPO is to engage all community members in the planning process.

1. Demography: According to the U.S. Census Bureau, 2010-2014, American Community Survey five year estimates, 8.8% of the Sun Corridor MPO area population is considered to be Limited English Proficient. This equates to 8,794 individuals or 8.8% of the population five years of age or older who report speaking English less than “very well”. The predominate language spoken by these individuals is Spanish. Under the Department of Justice’s (DOJ) Safe Harbor provision, it is necessary to translate materials when five percent or 1,000 persons, whichever is less, speak English less than “very well”.
2. Frequency: Some government offices provide materials in English and Spanish but, because the general public comes in contact with the Sun Corridor MPO on an infrequent basis, only public notices and certain vital materials are available in both English and Spanish.
3. Importance: Transportation planning is an important facet of the community and affects all residents. All residents are encouraged to participate in public meetings.
4. Resources: Due to fiscal constraints and limited resources and small staff, interpretation and translation services are not available without advance notice; however, public notices are available in English and Spanish.

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The Department of Transportation Policy Guidelines give recipients of federal funds substantial flexibility in determining what language assistance is appropriate based upon a local assessment. Due to current financial constraints, translation of large plan documents and maps are considered not warranted at this time. Sun Corridor MPO will provide translation services, if requested, with 24 hours’ notice prior to when the services are needed.

Persons with Limited English Proficiency (LEP)	Estimate	% of Persons 5 Yrs. & Over	% of Persons 5 Yrs. & Over With LEP
Total Persons 5 years & Over	100,163	100.0%	---
English Speaking Only	70,513	70.4%	---
Limited English Proficiency	8,794	8.8%	100.0%
Spanish with LEP	7,679	7.7%	87.3%
Other Indo-European languages with LEP	228	0.2%	2.6%
Asian & Pacific Island languages with LEP	524	0.5%	6.0%
Other Languages with LEP	363	0.4%	4.1%

Source: U.S. Census Bureau, 2010-2014 American Community Survey (ACS) 5-year estimates
ACS data are based on a sample and are subject to sampling variability.

a Limited English Proficient (LEP) persons refers to persons age 5 years and over for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the Census that they speak English less than very well, not well, or not at all.

Program Areas

- Long Range Transportation Plan (2040 Plan)
- Transportation Improvement Program (TIP)
- Public Participation Plan (PPP)
- Coordinated Public Transit-Human Services Transportation Plan
- Unified Planning Work Program

All persons living, working, conducting business and visiting the region are beneficiaries of the planning, coordination, and construction activities of the Sun Corridor MPO. The Sun Corridor MPO does not construct projects; albeit, this activity is accorded to member agencies. The safe movement of goods and people is supported by providing and maintaining a transportation network and facilities.

The Title VI Coordinator provides oversight to the program areas through contract reviews and personal interaction in an effort to ensure their compliance with Title VI and other nondiscrimination related authorities.

POPULATION AND DEMOGRAPHIC PROFILE OF SUN CORRIDOR MPO REGION

2010 Census		
	SCMPO MPO Area	% of Total
Total Population	106,485	100%

White	48,619	45.7%
Hispanic/Latino	44,727	42.0%
African American/Black	5,295	5.0%
Asian	1,758	1.7%
Am. Indian/Alaskan Native	3,187	3.0%
Native Hawaiian other Pacific Islander	1,046	1.0%
Other Races	148	0.1%
2 or More Races	1,705	1.6%

Source: U.S. Census Bureau, 2010 Census

2010-2014 Area Estimates Population By Race and Ethnicity				
	Casa Grande	Coolidge	Eloy	Pinal County
Population	50,316	12,058	17,062	375,770
Hispanic/Latino	19,308	4,558	11,315	106,977
White	40,040	10,043	11,643	272,013
African American/Black	2,553	775	1,349	17,215
Asian	1,453	141	500	6,492
Am. Indian/Alaskan Native	1,711	769	526	20,949
Native Hawaiian other Pacific Islander	0	0	378	1,565
Other Ethnicities	4,434	767	3,050	43,213
2 or More Races	1,358	269	165	14,323

Source: U.S. Census Bureau, ALRIS, American Fact Finder - Demographic data obtained from the Census Bureau is analyzed and will be used to ensure minority, disabled and low income populations are considered in the planning process.

2010 – 2014 Estimates						
Category	Population and Households		Census Tracts ^g			
	MPO		Number of tracts >= MPO Percentage ^d	% Tracts	Affected ^e Population	% of Affected Population Captured in Census Tracts
	Total	Percent				
Population Base (Defined Census geography)	106,485	100.0%	23	100%	-----	-----
Minority ^a	57,866	53.3%	9	39.1%	29,226	50.5%
Age 60+ ^a	20,345	19.1%	11	47.8%	11,442	56.2%
Age 65+ ^a	14,239	13.4%	10	43.5%	8,273	58.1%
Age 75+ ^a	5,353	5.0%	12	52.2%	3,580	66.9%
Below Poverty Level ^b	21,137	21.2%	11	47.8%	14,177	67.1%
Population with a disability ^c	12,994	12.9%	10	43.5%	7,098	54.6%
Limited English Proficient (LEP) Persons ^f	8,794	8.8%	16	69.6%	7,644	86.9%

Sources: U.S. Census Bureau, 2010-2014 American Community Survey (ACS) 5-Year estimates and 2010 Decennial Census ACS data are based on a sample and are subject to sampling variability

^a *Minority includes total population less White (Non-Hispanic). Data for minority and population groups by age are from 2010 Census data.*

^b *Percent of the population for whom poverty status is determined does not include institutionalized persons or persons under 5 years of age. Total population in the Census defined MPO area for whom poverty status is determined is 99,671. Data from 2014 ACS 5-Year estimates (Table B17001)*

^c *Disability status from the 2014 ACS 5-year estimates. All percentages are based on Census Tracts that match as close as possible to the MPO area, see note 'g'. Disability status is determined for the civilian noninstitutionalized population based on six types of difficulty: hearing, vision, cognitive, ambulatory, self-care, and independent living difficulty. (Table B18101)*

^d *For Limited English Proficient (LEP) persons, the Federal guidance (Federal Transit Administration Circular 4702.1B) notes that DOT has adopted the DOJ's Safe Harbor Provision. This Provision stipulates that the targeted minimum number of recipients regarding the translation of written materials for LEP populations is five percent or 1,000 persons, whichever is less, of the total population of persons eligible to be served. Thus for determining the number of affected Census Tracts and affected population, 5% is used as the guideline rather than the MPO percentage.*

^e *Affected population is the total of people that fall into the specified category for all Census tracts that have greater than or equal to the percentage for (as defined by the Census geography, see note h the MPO area) or as designated for LEP populations (see note e).*

^f *The guidance for Limited English Proficiency (LEP) for DOT recipients refers to persons age 5 years and over who speak English less than "very well." See http://www.lep.gov/guidance/guidance_Fed_Guidance.html Data from 2014 ACS 5-Year estimates (Table B16005). 2014 estimate of total persons age 5 years and over for the defined Census geography is 100,163.*

^g *The guidance for Limited English Proficiency (LEP) for DOT recipients refers to persons age 5 years and over who speak English less than "very well." See http://www.lep.gov/guidance/guidance_Fed_Guidance.html Data from 2014 ACS 5-Year estimates (Table B16005). 2014 estimate of total persons age 5 years and over for the defined Census geography is 51,366.*

^h *The Census Tracts used in this analysis include the best match using full Census Tracts where the majority of the population or the tract centroid is within the MPO boundary. The base numbers for all values in this table are for this Census-based defined area.*

Demographic data obtained from the US Census Bureau, LEP.gov and collected during public meetings will be analyzed and used to ensure the minority and low income populations are considered in the planning process.

PROCEDURES

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

The Sun Corridor MPO will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card (or “I speak cards,” available online at www.lep.gov) or posters to determine the language. In addition, when records are kept of past interactions with patients (clients/residents) or family members, the language used to communicate with the LEP person will be included as part of the record.

2. OBTAINING A QUALIFIED INTERPRETER

Irene Higgs, Executive Director for the Sun Corridor MPO is responsible for:

- (a) Maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual staff (the City of Casa Grande’s list will be utilized for this purpose);
- (b) Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;
- (c) Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

The City of Casa Grande has agreed to provide qualified interpreter service lists. The contact for providing services is; Dawn Jett, Administration Services Director, 520-421-8600, and the hours of availability are 8 to 5, Monday through Friday, or upon 24 hours’ notice.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the Sun Corridor MPO. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children and other clients/patients/residents will not be used to interpret, in order to ensure confidentiality of information and accurate communication.

3. PROVIDING WRITTEN TRANSLATIONS

(a) When translation of vital documents is required the Sun Corridor MPO will submit documents for translation into frequently-encountered languages to either the City of Casa Grande, or a professional translator.

(b) The Sun Corridor MPO will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.

(c) The Sun Corridor MPO will set benchmarks for translation of vital documents into additional languages over time.

4. PROVIDING NOTICE TO LEP PERSONS

The Sun Corridor MPO will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand.

5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

On an ongoing basis, the Sun Corridor MPO will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, The Sun Corridor MPO will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, feedback from member entities and community organizations, etc.