



# LIMITED ENGLISH PROFICIENCY (LEP) PLAN

## INTRODUCTION

This *Limited English Proficiency Plan* has been prepared to address the El Paso Metropolitan Planning Organization's (EPMPO) responsibilities as a recipient of federal financial assistance as they relate to the needs of limited English proficient individuals. 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 all MPO departments receiving federal grant funds.

## PLAN SUMMARY

The EPMPO 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 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 EPMPO used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the region who may be served by the EPMPO.
2. The frequency with which LEP persons come in contact with EPMPO services.
3. The nature and importance of services provided by the EPMPO to the LEP population.
4. The resources available to the EPMPO and overall cost to provide LEP assistance.

## MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

### **The number or proportion of LEP persons in the EPMPO region who may be served or are likely to require EPMPO services.**

In an effort to determine the profile of LEP persons in the planning area that may be affected by the transportation planning process and/or beneficiaries of programs, activities, or services; the EPMPO reviewed the U.S. Census American Community Survey 5-year estimate (2016-2020).

From total population aged 5 years or older 817,150 within the EPMPO planning area 587,841 speak another language than English. Of those who speak another language than English, 253,113 have

limited English proficiency; that is, they speak English "less than very well". From an overall perspective 30.98% of the overall population in the EPMPO planning area (See Table below).

In the EPMPO planning area, of those persons with limited English proficiency, 248,460 speak Spanish, 1290 speak other Indo-European languages, and 2586 speak Asian and other Pacific Islander Languages.

<b>Total Population Aged 5 years or Older<sup>a</sup></b>	817,150	
Aggregate Limited English Proficiency Population	253,113	30.98%
Spanish	248,460	30.41%
Asian and other Pacific Islander Languages	2,586	0.32%
Indo-European Languages	1,290	0.16%
Other Languages	777	0.10%

<sup>a</sup> The guidance for Limited English Proficiency (LEP) for U.S. Department of Transportation (DOT) recipients refers to persons age five years and over who speak English less than "very well." (Data from 2020 ACS 5-Year estimates, Table B16005.) ACS data are based on a sample and are subject to sampling variability.

**The frequency with which LEP persons come in contact with EPMPO services.**

The EPMPO staff reviewed the frequency with which the Transportation Policy Board (TPB), EPMPO stakeholders, and office staff have, or could have, contact with LEP population. This includes attendance of stakeholder and public meetings, phone inquiries, office visits, and documents. To date, the EPMPO has had a few requests for interpreters and several requests for translated program documents. The TPB, EPMPO stakeholders, and office staff have had a moderate level of occasions where there was contact with LEP population.

**The nature and importance of services provided by the EPMPO to the LEP population**

In compliance with the Policy Guidance Document entitled "Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination Against Persons with Limited English Proficiency," the EPMPO must ensure that all segments of the population, including LEP persons, have the opportunity to be involved in the transportation planning process.

MPO's main function is to support cooperative, comprehensive, and continuing transportation planning as outlined in federal transportation acts. The MPO develops three main documents the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP) and Unified Planning Work Program (UPWP), and as needed, other studies. Transportation improvements resulting from these planning activities have an impact on all residents. Through the elements of its Public Participation Plan, EPMPO encourages input from all stakeholders and every practicable effort is taken to make the planning process as inclusive as possible. As a result of the long range

transportation planning process, projects are selected to receive federal funding and progress toward project planning and construction under the responsibility of local jurisdictions or transportation agencies.

### **The resources available to the EPMPO, and overall costs to provide LEP assistance.**

The EPMPO reviewed its available resources that could be used for providing LEP assistance. Some document translations are prepared by staff and outside sources for a fee. Translators for meeting are hired for a fee and used upon request.

### **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 EPMPO 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 EPMPO staff may identify an LEP person who needs language assistance:**

- Post notice of LEP Plan and the availability of language assistance including interpretation or translation services in languages LEP persons would understand free of charge.
- All EPMPO staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year to assess need for additional language assistance measures.
- When the EPMPO 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 member 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**

In reference to language assistance measures the EPMPO will offer the following measures:

- The EPMPO staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
- The following resources will be available to accommodate LEP persons:
  - Interpreters for the Spanish language will be made available upon request and will be provided within a reasonable time period.

- Language interpretation will be accessed for all other languages through a telephone interpretation service.

## **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
- Documentation of language assistance requests
- How to process a potential Title VI/LEP complaint
- Use of LEP “I Speak Cards”

**All contractors or subcontractors performing work for the EPMPO will be required to follow the Title VI LEP guidelines.**

## **TRANSLATION OF DOCUMENTS**

The EPMPO 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.

The EPMPO does have a formal outreach procedure in place that is included in the EPMPO Public Participation Plan. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, the EPMPO will consider the following options:

- When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.
- Vital documents that have been translated to Spanish include:
  - EPMPO Title VI Public Notice
  - EPMPO Title VI Complaint procedures
  - EPMPO Title VI Complaint form

Additionally, the following language is included in Spanish in the EPMPO posted agendas for the Transportation Policy Board, Transportation Project Advisory Committee and Executive Committee meetings which are open to the public.

Sign Language and foreign interpreters (provided that one is available) and copies of the Agenda will be provided in Braille, large print, other languages, or audiotape upon request made at a minimum of 48 hours prior to the date and time of the meeting.

*Lenguaje de señas, intérpretes al español (a condición de que uno esté disponible) y copias de la agenda se proveerán en Braille, copias ampliadas, otros idiomas, o la cinta magnética para audio con petición de un mínimo de 48 horas antes de la fecha y de la hora de la reunión*

## **MONITORING**

MPO will review and update the LEP Plan as required. At a minimum, the plan will be revised when complete data from 2010 U.S. Census is available, or as noted demographic changes indicate higher concentrations of LEP individuals are present in the MPO study 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 planning 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 EPMPO's financial resources are sufficient to fund language assistance resources needed.
- Determine whether the EPMPO 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 as identified in Appendix B of the EPMPO Public Participation Plan.

## **DISSEMINATION OF THE EPMPO LEP PLAN**

- Post signs at conspicuous and accessible locations notifying LEP population of the LEP Plan and how to access language services.
- State on agendas and public notices, in the language an LEP person would understand, that documents are available in different languages upon request at (915) 212-0258.
- LEP Plan, translated documents, and any associated information can also be found on our website at [www.elpasompo.org](http://www.elpasompo.org)

Questions and comments can be forwarded to Title VI Coordinator, EPMPO Executive Director, 211 N. Florence St., Suite 202, El Paso, TX. 79901 (915) 212-0258 [ExecutiveDirector@elpasompo.org](mailto:ExecutiveDirector@elpasompo.org)