LIMITED ENGLISH PROFICIENCY (LEP) PLAN

I. INTRODUCTION

This Limited English Proficiency Plan has been prepared to address the Birmingham Metropolitan Planning Organization’s (MPO) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. A Limited English Proficiency (LEP) person is one who does not speak English as their primary language and has a limited ability to read, speak, write or understand English.

The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance.

Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” directs each Federal agency to examine the services it provides, develops and implements a system by which LEP persons can meaningfully access those services. This order applies to all state and local agencies which receive federal funds, including all programs administered by the MPO.

II. PLAN SUMMARY

In order to ensure meaningful access to programs and activities, the MPO used the information obtained in the Four Factor Analysis to determine the specific language services that are appropriate to provide.

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the MPO.
2. The frequency with which LEP persons come into contact with the programs.
3. The nature and importance of the program, activity or service provided by the MPO to the LEP population
4. The resources available to the MPO for outreach, as well as the costs associated with that outreach.

A summary of the results of the four factor analysis is in the following section.
III. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the MPO

The Birmingham MPO, consisting of Jefferson and Shelby counties as well as portions of western St. Clair and southern Blount counties, utilized published data from the U.S. Census 2006-2010 American Community Survey (ACS) to provide estimates of the residential population with limited English proficiency (LEP). Based on the ACS data, there are an estimated 849,151 persons age five and older within the service area. Of this group, 799,553 (94%) speak only English. The four most common other languages spoken at home are Spanish (4%), Chinese (0.3%), French (0.2%), and Hindi (0.2%). The following table provides the estimates for each of these language groups and the estimates of those who speak English less than very well. Based on the estimates of all non-English speaking residents, a total of 5.8% of residents speak a language other than English while 2.8% are estimated as having limited English proficiency.

<table>
<thead>
<tr>
<th>Language Spoken at Home</th>
<th>Estimated Total</th>
<th>Estimated Number Who Speak English Less Than Very Well</th>
<th>Estimated Percent Who Speak English Less Than Very Well</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spanish</td>
<td>30,811</td>
<td>17,783</td>
<td>2.1%</td>
</tr>
<tr>
<td>Chinese</td>
<td>2,642</td>
<td>1,278</td>
<td>0.2%</td>
</tr>
<tr>
<td>French</td>
<td>1,960</td>
<td>300</td>
<td>0.0%</td>
</tr>
<tr>
<td>Hindi</td>
<td>1,729</td>
<td>129</td>
<td>0.0%</td>
</tr>
</tbody>
</table>

Source: US Census, ACS 06-10

*Aggregate census tracts

Factor 2: The frequency with which LEP persons come into contact with the programs

The MPO staff reviewed the frequency with which the MPO staff have or could have contact with LEP persons. The staff are most likely to encounter LEP individuals through office visits, phone conversations, public involvement meetings and committee meetings. To date, the MPO has had no requests for interpreters and no requests for translated program documents.
Future interaction is unpredictable.

**Factor 3:** The nature and importance of the program, activity or service provided by the MPO to the LEP population

The MPO is responsible for the coordination of a planning process and determines in cooperation with ALDOT what transportation projects are funded with available resources. There is no large geographic concentration of any type of LEP individuals in the planning area for the MPO. The overwhelming majority of the population, 94%, speak only English.

**Factor 4:** The resources available to the MPO for outreach, as well as the costs associated with that outreach.

The MPO reviewed its available resources that could be used for providing LEP assistance and which of its documents would be most valuable to be translated if the need should arise. In addition, the MPO staff took an inventory of available organizations that could be partnered with for outreach and translation efforts. The MPO does have staff who speak Turkish, Farsi, Portuguese, Spanish, German and Chinese. Hola Latino can be tapped for assistance when necessary and the budget allows.

**IV. LANGUAGE ASSISTANCE MEASURES**

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 participation within the transportation planning process. Language assistance can include interpretations, which means oral or spoken transfer of a message from one language into another language. The MPO will determine when interpretation and/or translation are needed and will pay for services as the budget allows.

The following steps will be used by the MPO staff to identify an LEP person who needs language assistance:

- Examine records to see if requests for language assistance have been received in the past either at meetings, over the phone, to determine whether language assistance might be needed at future events.
- Have U.S. Census Language Identification Flashcards available at meetings to assist in self-identifying as persons not proficient in English who may not be able to be accommodated with translation assistance at the event, but it will assist in identifying language assistance needs for future meetings.
- All MPO staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
Although there is a very low percentage in the MPO planning area of LEP individuals, that is, persons who speak English “not well” or “not at all,” the MPO will strive to offer the following measures:

- RPCGB staff can be utilized for interpretative services under German, Spanish, Turkish, Farsi, Portuguese and Chinese.
- A list of volunteers and paid interpreters will be produced and provided as budget allows.
- Use of free translation websites will be used when possible or work with local translators as budget allows.
- Use of local outreach organizations
- Use of University of Alabama at Birmingham (UAB) resources

V. NOTICES TO LIMITED ENGLISH PROFICIENCY PERSONS

- Post notice of LEP plan and availability of interpretation or translation services on in the most common language website as the budget allows.
- Post a sign in the reception area in the most common language

VI. MONITORING

Monitoring and Updating the LEP Plan- The MPO will update the LEP Plan as required. At a minimum, the plan will be reviewed when it is clear that higher concentrations of LEP individuals are present in the MPO planning area. Updates will include the following:

- The number of documented LEP person contacts encountered annually
- How the needs of the 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 MPO financial resources are sufficient to fund language assistance resources needed
- Determine whether complaints have been received concerning the agency’s failure to meet the needs of LEP individuals

VII. STAFF TRAINING

The following training will be provided to MPO staff:

- Information on the LEP responsibilities
- Description of language assistance services offered to the public
- Use of the Language Identification Flashcards
- Documentation of language assistance requests
- How to handle a potential Title VI/LEP complaint
VIII.  

**DISSEMINATION OF MPO LEP PLAN**

The MPO will post signs in the reception area of office notifying LEP persons of the LEP Plan and how to access language services.