



## LIMITED ENGLISH PROFICIENCY PLAN

April 8, 2011

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## LIMITED ENGLISH PROFICIENCY (LEP) PLAN

### I. INTRODUCTION

The Broward Metropolitan Planning Organization (Broward MPO) is a transportation policy-making board responsible for planning and prioritizing transportation projects and funding allocation in Broward County, Florida. The Broward MPO works with the public, planning organizations, government agencies, elected officials, and community groups to develop transportation plans and programs through a continuing, cooperative, and comprehensive (3-C) planning process. This planning process guides the use of federal and state dollars spent on existing and future transportation projects and programs. The **Limited English Proficiency (LEP) Plan** plays an important part in that process. It ensures individuals with limited English proficiency have meaningful access to the transportation planning process.

### II. BACKGROUND

The Limited English Proficiency Plan addresses **Title VI of the Civil Rights Act of 1964**, which prohibits discrimination based on race, color or national origin. In 1974, the U.S. Supreme Court affirmed that the failure to ensure a meaningful opportunity for national origin minorities, with limited-English proficiency, to participate in a federally funded program violates Title VI (Federal-Aid Recipient Programs & Activities) regulations. Additionally, requirements are outlined in **Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency** signed on August 11, 2000. Its purpose is to ensure accessibility to programs and services to eligible persons who have limited proficiency in the English language.

Furthermore, the U.S. Department of Transportation (DOT) published **Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons** in the December 14, 2005 Federal Register **Volume 70; Number 239**. The guidance explicitly identifies Metropolitan Planning Organizations (MPOs) as organizations that must follow this guidance. The final Limited English Proficiency Plan must be consistent with the fundamental mission of the organization, though not unduly burdening the organization.

#### **Who is a Limited English Proficient Person?**

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP." The U.S. Census Bureau does not define limited English proficiency or non-limited English proficient populations. It reports data based on the four categories of English-speaking ability: very well, well, not well, and not at all.

## Determining the Need of Limited English Proficiency

As a recipient of federal funds, the Broward MPO must take reasonable steps to ensure meaningful access to the information and services it provides. As noted in the **Federal Register, Volume 70; Number 239 on Wednesday, December 14, 2005**, there are four factors to consider when determining “reasonable steps.” This is known as “**the four-factor analysis**” and is outlined below:

- **Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by Broward MPO’s programs, services or activities.**
- **Factor 2: The frequency with which LEP individuals come in contact with these programs, services or activities.**
- **Factor 3: The nature and importance of the program, service, or activity to people’s lives.**
- **Factor 4: The resources available and the overall cost to the MPO.**

The Department of Transportation (DOT) policy guidance gives recipients of federal funds substantial flexibility in determining what language assistance is appropriate based on a local assessment of the four factors listed above. Below is a self-assessment of need in Broward County in relation to the four-factors and the transportation planning process.

### III. LIMITED ENGLISH PROFICIENCY SELF ASSESSMENT FOR THE BROWARD MPO

The Broward MPO has assessed its programs and services using the following four (4) factor analysis.

**Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by Broward MPO’s programs, services or activities.**

The first step was to collect demographic data on the number of LEP persons in Broward County who are eligible to be served, likely to be served, or likely to be encountered by the MPO through participation in the transportation planning process.

It should be noted that for our planning purposes, people that speak English “**less than very well**” are included in the analysis. Further, only the **top four language groups** are examined.

The table below is derived from the U.S. Census Bureau’s 2005-2009 American Community Survey. It shows the number and percent of LEP persons 5 years and over, in total and by language in Broward County. (LEP Person: Person that speaks English “less than very well”)

<b>Table 1: The Top Four Languages Spoken at Home in Broward County by LEP Persons (US Census Bureau’s 2005-2009 American Community Survey)</b>										
Population 5 years and older	Number of LEP Persons	Percentage of LEP Persons	LEP Persons who speak Spanish		LEP Persons who speak French Creole		LEP Persons who speak Portuguese		LEP Persons who speak French (including Patois, Cajun)	
			Total	Percent	Total	Percent	Total	Percent	Total	Percent
1,643,387	234,586	14.27%	<b>143,523</b>	<b>8.73%</b>	38,175	2.32%	11,882	0.72%	7,750	0.47%

Table 1 shows that of the LEP persons within the Broward MPO area, 8.73% speak Spanish at home, making this the most significant language group as a percentage of population. The next most common language of the area's LEP population is French Creole at 2.32% followed by Portuguese at 0.72% and French (including Patois, Cajun) at 0.47%.

**Factor 2: The frequency with which LEP individuals come in contact with these programs, services or activities.**

The four-factor analysis identified Spanish as the most significant language spoken by the LEP population in the area covered by the Broward MPO. The size of the LEP population in this region will likely continue to increase and, as a result, the probability of increased future contact with the Broward MPO. However, to date, no requests for language assistance services have been made by LEP individuals or groups. As we expand our LEP program, we will continue to monitor the requests for language assistance to gauge outreach effectiveness to these populations.

The Broward MPO conducts regular board meetings, advisory committee meetings and public hearings throughout the year. Community outreach and the MPO's website is the main source of potential contact between the MPO and LEP persons. As a result, the frequency of contact is difficult to anticipate. The Broward MPO's Public Involvement Plan highlights the need for outreach opportunities that engage the populations that are traditionally not involved in the transportation planning process.

The Broward MPO anticipates final development of its Integrated Transportation Information System (ITIS) by December 2011. The ITIS is an interactive web-based tool <http://itis.fiu.edu> that provides social, economic and geographic characteristics useful to identifying effective public involvement strategies. The Broward MPO will be able to produce Community Background Reports (CBRs) using the ITIS tool to help validate census data. Each of the Municipalities, who know their constituents best, have been involved in developing the ITIS tool, therefore supplementing information collected from the Census.

**Factor 3: The nature and importance of the program, service, or activity to people's lives.**

The Broward MPO programs use federal funds to plan for future transportation improvements and projects, and therefore do not include any direct service or program that requires vital, immediate or emergency assistance, such as medical treatment or services for basic needs (like food or shelter). Further, the Broward MPO does not conduct required activities such as applications, interviews or other activities prior to participation in its programs or events. Involvement by any citizen with the Broward MPO or its committees is voluntary.

However, the Broward MPO must ensure that all segments of the population, including LEP persons, have been involved or have had the opportunity to be involved in the transportation planning process to be consistent with the goal of the Federal Environmental Justice program and policy.

The impact of proposed transportation investments on underserved and underrepresented population groups is part of the evaluation process in use of federal funds in **three major areas** for the Broward MPO:

- The biennial **Business Plan** or **Unified Planning Work Program (UPWP)**
- The five-year **Transportation Improvement Program (TIP)**
- The **Long Range Transportation Plan (LRTP)**

Inclusive public participation is a priority consideration in other MPO plans, studies and programs as well. The impacts of transportation improvements resulting from these planning activities have an impact on all residents. The Broward MPO will place emphasis on language assistance for educational materials and public input related to the **three major areas** identified above. These materials are often helpful with outreach related to other Broward MPO projects and studies.

Understanding and continued involvement are encouraged throughout the process. The Broward MPO is concerned with input from all stakeholders, and every effort is taken to make the planning process as inclusive as possible. The use of the ITIS tool, as described in the “Factor 2” above, will allow MPO staff to identify concentrations of particular populations based on language using the Community Background Reports.

**Factor 4: The resources available and the overall cost to the Broward MPO.**

Currently the Broward MPO spends \$550 per newsletter for translation into Spanish and \$650 for the Creole translation. The average cost (estimate provided by vendor) for translation in to Spanish is \$0.25 per word. The approximate cost of translating, in full, the major reports produced by the MPO are shown in Table 2.

Document	UPWP	TIP	LRTP	PIP	Total
Number of words	31,432	16,209*	38,724	16,919	
Cost per word \$0.25	\$7,858	\$4,052	\$9,681	\$4,229	\$25,821

\*Note: The majority of the TIP includes data tables.

Given the size of the LEP population in the Broward MPO area and current financial constraints, full-language translations of complete transportation plan documents and maps is not considered warranted or cost feasible at this time. However, the expected continued growth of the Broward MPO’s Spanish speaking population makes offering Spanish translations a sound community investment.

As a result, the Broward MPO intends to continue its efforts to make summaries of key documents available in Spanish. To accommodate the cost, these summaries may be presented in alternative formats, such as facts sheets, flyers or brochures. An example of this is shown below (see page 5); a fact sheet was produced in both English and Spanish explaining the **Transportation Improvement Program (TIP)**.

It is the intention to produce similar fact sheets for the **Business Plan/UPWP** and **L RTP**.

The Broward MPO will continue efforts to collaborate with state and local agencies to provide language translation and interpretation services when practical and in consideration of the funding available.

## INVIRTIENDO SU \$ EN TRANSPORTE

**broward MPO**  
metropolitan planning organization

### COMPRIENDIENDO EL PROGRAMA DE MEJORA DEL TRANSPORTE TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

**¿QUÉ ES LA ORGANIZACIÓN DE PLANIFICACIÓN METROPOLITANA DE BROWARD (BROWARD MPO)?**

La MPO de Broward es una agencia responsable de la planificación del transporte, la coordinación intergubernamental y la asignación de fondos de transporte en el condado de Broward. La MPO de Broward trabaja con el público, organizaciones de planificación, agencias gubernamentales, funcionarios electos y grupos comunitarios para identificar las necesidades de transporte y desarrollar planes de transporte, tales como el Programa de Mejora del Transporte (TIP) y el Plan de Transporte a Largo Plazo (LRTP).

**¿CÓMO SE DESARROLLA EL TIP?**

El TIP es preparado por la MPO de Broward, en cooperación con las agencias de transporte locales, tales como el Departamento de Transporte de Florida (FDOT), la Autoridad de Transporte Regional del Sur de Florida (SFRTA), el Consejo de Transporte del Sudeste de la Florida, las municipalidades dentro del Condado de Broward, y proveedores de transporte del Condado Broward como las agencias de Tránsito del Condado Broward (BCT), Departamento de Aviación y el Puerto Everglades. La MPO de Broward y sus socios de la planificación desarrollan el TIP anualmente. Al final del proceso, el TIP significa un acuerdo entre funcionarios locales, estatales y regionales en cuanto a que mejoras de transporte se deben realizar.



[www.browardMPO.org](http://www.browardMPO.org)

## INVIRTIENDO SU \$ EN TRANSPORTE COMPRIENDIENDO

EL PROGRAMA DE MEJORA DEL TRANSPORTE TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

**¿CÓMO SE FINANCIA EL TIP?**

Los proyectos del TIP son financiados a través de una mezcla de fondos locales, estatales y fondos federales de transporte. Los fondos federales son administrados a través de la Administración Federal de Carreteras (FHWA) y la Administración Federal de Tránsito (FTA). Otros fondos provienen del estado, condado y las municipalidades a través de impuestos a los combustibles.

**¿CÓMO PUEDE USTED PARTICIPAR EN EL DESARROLLO DEL TIP?**

- Los principales métodos para la participación pública son las reuniones mensuales de la CIR, el TCC y la MPO de Broward. Visita <http://www.browardmpo.org/mpo/agenda.htm> para la fecha y hora de las reuniones y agendas futuras.
- Visite la página web de Broward MPO a menudo [www.browardmpo.org](http://www.browardmpo.org) y haga clic en la sección "Transportation Improvement Plan."
- Mandé un correo electrónico con sus comentarios y preguntas a [clawgesp@browardmpo.org](mailto:clawgesp@browardmpo.org) o llame a 954-876-0047.
- Envíe por fax sus comentarios y preguntas a 954-876-0062.
- Antes de la aprobación del TIP, la MPO patrocina una audiencia pública, y un periodo de 30 días para comentarios públicos. Esto suele ocurrir en Mayo-Junio de cada año.

**¿SE PUEDE MODIFICAR EL TIP?**

Si, los cambios son realizados regularmente en el TIP a través de enmiendas. El TIP puede ser modificado para agregar, cambiar o eliminar proyectos. Dichas modificaciones tienen que ser revisadas y aprobadas por la MPO y el FDOT. La revisión también incluye oportunidades para comentarios del público. Los principales métodos para la participación pública son las reuniones mensuales de la Mesa Redonda de Participación Comunitaria (CIR), el Comité de Coordinación Técnica (TCC) y la MPO de Broward que se congregan en la oficina del MPO. Visite <http://www.browardmpo.org/mpo/agenda.htm> para la fecha y hora de las reuniones y agendas futuras.

**¿POR QUÉ ES IMPORTANTE EL TIP?**

El TIP identifica, tanto para los residentes y los contribuyentes de Broward, como se están utilizando los dólares federales, estatales y locales en proyectos de transporte. El TIP es un vehículo para mover los proyectos sin fondos del LRTP a una lista de prioridades con fondos disponibles que incluye un calendario previsto y el costo de cada proyecto.

**Calendario Anual del TIP:**

**Enero-Abril:**

- La MPO cuenta con proyectos del FDOT, agencias de transporte locales y las municipalidades para su inclusión en el TIP.

**Mayo-Junio:**

- La MPO de Broward lleva a cabo el periodo de revisión y comentarios públicos para el TIP preliminar.

**Julio:**

- El TIP es aprobado por el Consejo del Broward MPO.

El documento TIP se puede encontrar en la página web del MPO [www.browardMPO.org](http://www.browardMPO.org). Haga clic en la sección "Transportation Improvement Program". Si necesita ayuda para ver este documento, por favor mande un correo electrónico a [ryanc@browardmpo.org](mailto:ryanc@browardmpo.org) o llame al 954-876-0036.

Trade Centre South · 100 West Cypress Creek Road, Suite 850 · Fort Lauderdale, FL 33309-2112 · Phone 954-876-0033

[www.browardMPO.org](http://www.browardMPO.org)

Para quejas, preguntas o preocupaciones acerca de los derechos civiles o discriminación; o para peticiones American with Disabilities Act (ADA). Por favor contactar a: Christopher Ryan, Oficial de Información Pública /Coordinador de Título VI al (954) 876-0036 o [ryanc@browardmpo.org](mailto:ryanc@browardmpo.org)

Spanish language outreach materials from organizations such as federal, state, and local transportation agencies will be used when possible.

#### IV. MEETING THE REQUIREMENTS AND IMPLEMENTATION

##### Identifying LEP Individuals Who Need Language Assistance

Broward MPO staff will use language identification cards when first encountering a LEP individual. These cards, developed by the U.S. Census Bureau, have the phrase "Mark this box if you read or speak [name of language]" translated into 38 different languages. It was developed by the Census Bureau and is used by government and non-government agencies to identify the primary language of LEP individuals during face to face contacts. The Census Bureau's Language Identification Flashcard can be downloaded for free at <http://www.lep.gov/ISpeakCards2004.pdf>. The Language Identification flashcards will be made available at public meetings and the front desk of the Broward MPO offices. Once a language is identified, the Title VI/LEP coordinator or relevant point of contact will be notified to assess feasible

translation or oral interpretation assistance.

### **Language Assistance and Translation of Materials**

- Language assistance will be provided for LEP individuals through the translation into Spanish of some key materials, as stated on page 4, upon request or as necessary, as well as through oral interpretation when necessary and possible.
- The Broward MPO also alternates the translation of its quarterly newsletter between Creole and Spanish.
- The Broward MPO is looking to install the Google Translate program <http://translate.google.com> on the website allowing users to view HTML content in other languages. It is understood this is not a perfect system but it should provide enough information for a potential LEP individual or group to make contact with the Broward MPO should they have comments or questions.
- A goal of the Broward MPO is to provide user-friendly materials that will be appealing and easy to understand. Staff often refer to “Broward MPO plain speak” when preparing materials/information for the public.
- A list of Broward MPO staff who speak and or/write a language other than English and who are willing and able to act as interpreters has been identified.
- Currently, the Broward MPO phone recording includes an option to speak to someone in Spanish.

### **Providing Notice to LEP Persons**

It is important to notify LEP persons of services available free of charge in a language the LEP persons would understand. The Broward MPO will include the following language in English and Spanish (where appropriate) on meeting notifications and other informational materials.

**Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Christopher Ryan at 954-876-0036 or [ryanc@browardmpo.org](mailto:ryanc@browardmpo.org) at least seven days prior to the meeting. If hearing impaired, telephone 1-800-273-7545 (TDD).**

**Se solicita La participación del público, sin importar la raza, color, nacionalidad, edad, sexo, religión, incapacidad o estado familiar. Personas que requieran facilidades especiales bajo el Acta de Americanos con Discapacidad (Americans with Disabilities Act) o personas que requieren servicios de traducción (sin cargo alguno) deben contactar a Christopher Ryan al teléfono 954-876-0036 o [ryanc@browardmpo.org](mailto:ryanc@browardmpo.org) por lo menos siete días antes de la reunión. Si tiene problemas de audición, llamar al teléfono 1-800-273-7545 (TDD).**

### **Staff Training**

The Broward MPO will incorporate the LEP Plan in the Public Participation Plan at its next update. In order to establish meaningful access to information and services for LEP individuals, the Broward MPO is training its employees to assist in person, and /or by telephone, LEP individuals who request assistance.

## LEP Updates

The Broward MPO understands that its community profile is changing and that the four-factor analysis may reveal the need for more LEP services in the future. As such, the Broward MPO will annually examine its LEP plan to ensure that it remains reflective of the community's needs. The ITIS tool, as described in the "Factor 2" above, will also be used to validate the community profile of the Broward MPO region.

### V. CONTACT INFORMATION

The Broward MPO does not intend that its LEP Plan exclude anyone requiring language assistance and will try to accommodate requests. Anyone who requires special language services should contact the Broward MPO's Public Information Officer/Title VI Coordinator:

Name	Christopher Ryan
Phone	954 876 0036
Fax	954 876 0062
Email	<a href="mailto:ryanc@browardmpo.org">ryanc@browardmpo.org</a>
TTD	1-800-273-7545