

Limited English Proficiency Plan



**Decatur Metropolitan Planning
Organization (MPO)**

**Prepared by the Staff of the
Decatur Metropolitan Planning Organization**

May 2014

**Decatur Metropolitan Planning
Organization (MPO)**

Limited English Proficiency (LEP) Plan

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Date adopted:
Date amended:

This document was prepared as a cooperative effort of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Alabama Department of Transportation (ALDOT), and local governments, in fulfillment of requirements set forth in amended 23 USC 134 and 135 (MAP-21, Sections 1201 and 1202), and circular FTA C 4702.1B, titled Title VI Requirements and Guidelines for Federal Transit Administration Recipients. The contents of this document do not necessarily reflect the official views or policies of the U.S. Department of Transportation.

**Decatur Metropolitan Planning
Organization (MPO)**

MPO and Advisory Committee Officers

Fiscal Year 2014

Decatur Metropolitan Planning Organization (MPO)

Melvin Duran, Chairman
Don Kyle, Vice Chairman

Mayor, Town of Priceville
Mayor, City of Decatur

Decatur Technical Coordinating Committee (TCC)

Jeff Johnson, Chairman
Wally Terry, Vice Chairman

Decatur Citizens Advisory Committee (CAC)

Blake McAnally, Co-Chairman
John Seymour, Co-Chairman

Decatur MPO Staff

Dewayne Hellums, Director of Transportation Planning
Lee Terry, Transportation Planner

RESOLUTION 14 - 06

WHEREAS, the Decatur Metropolitan Planning Organization (MPO) is the organization designated by the Governor of the State of Alabama as being responsible, together with the State of Alabama, for implementing the applicable provisions of amended 23 USC 134 and 135 (amended by MAP-21 Section 1201 and 1202, July 2012); 42 USC 2000d-1, 7401; 23 CFR 450 and 500; CFR 51 and 93: and

WHEREAS, Title VI of the Civil Rights Act of 1964, 42 USC 2000d, et seq., Executive Order 13166, and FTA C 4702.1B provides that the MPOs must prepare a Limited English Proficiency Plan to describe the process to ensure all citizens have reasonable opportunities to be involved in the transportation planning process regardless of ability to speak English, defines the segments of population to be included in that process, and further describes the means, methods and formats used in providing those opportunities; and

WHEREAS, in meeting requirements of 42 USC 2000d, EO 13166, and FTA C 4702.1B the MPO agrees to periodically review the effectiveness of procedures and strategies intended to provide full and open access to all citizens; and

WHEREAS, consistent with the declaration of the above provisions, the Decatur Area Metropolitan Planning Organization, in consultation with the Alabama Department of Transportation, has prepared a Limited English Proficiency Plan;

NOW THEREFORE, BE IT RESOLVED that the Decatur Area Metropolitan Planning Organization has reviewed its LEP procedures, hereafter referred to as the Limited English Proficiency (LEP) Plan, to ensure that full and open access to the transportation planning process is provided to all citizens and to maintain consistency with federal requirements.

Adopted this the 7th day of May, 2014

Chairman, Decatur Area Metropolitan Planning Organization

ATTEST:

Director of Transportation Planning, Decatur Area Metropolitan Planning Organization

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1.0 Purpose

In accordance with Title VI of the Civil Rights Act of 1964, 42 USC 2000d, et seq., and Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, The Decatur MPO has developed the following Limited English Proficiency (LEP) Plan. Title VI states 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 subjected to discrimination under any program or activity receiving federal financial assistance.” Executive Order 13166 expands Title VI by indicating that differing treatment based upon a person’s inability to speak, read, write, or understand English is a type of national origin discrimination. All federal agencies publish guidelines for its funding recipients to clarify their obligations to ensure that this discrimination does not take place. As a recipient of federal funds through the United States Department of Transportation, the Decatur Metropolitan Planning Organization (MPO) must comply with these guidelines.

2.0 Plan Summary

The goal of this Limited English Proficiency Plan is to identify the measures that will be taken by the Decatur MPO in order to ensure meaningful access to and participation in the transportation planning process for the LEP population within the Decatur MPO Planning Area. Based on the results of a “four factor analysis” (developed by the USDOT for the purpose of determining the appropriate language services to provide), specific procedures will be outlined to address the accommodation of LEP persons in the planning process. These procedures will cover interpretation services, staff training, plan monitoring and updating, and dissemination of the plan.

3.0 Four Factor Analysis

The “four factor analysis” was developed by the USDOT and outlined in the circular FTA C 4702.1B, titled *Title VI Requirements and Guidelines for Federal Transit Administration Recipients*. It is intended to be a guide for identifying the LEP population within a specific area as well as the resources available to agencies within that area to accommodate LEP persons. The results of the “four factor analysis” performed by the Decatur MPO are detailed below:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a MPO program, activity, or service.

The Decatur MPO staff reviewed the 2006-2011 American Community Survey (ACS) 5-year Dataset (the latest available 5-year dataset) and determined that approximately 6,900 persons (8.5% of the total population) in the MPO Planning Area speak a language other than English. Of those who speak a language other than English, approximately 4,500 (66%) have Limited English Proficiency, that is, those persons reported to the Census Bureau that speak English “less than very well”; this is approximately 5.6% of the total population of the MPO Planning Area. Within the LEP population, the language groups reported to the Census Bureau as being represented in the Decatur MPO Planning Area are Spanish or Spanish Creole (4258), French (14), German (10), Russian (30), Hindi (24), Chinese (14), Japanese (90), Vietnamese (69), Other Asian Languages (29), Tagalog (14), and Other Pacific Island Languages (5).

2. The frequency with which LEP persons come in contact with MPO programs, activities, or services.

The Decatur MPO staff has reviewed the past frequency with which it has come in contact with LEP persons. To date, MPO staff has had no requests for interpreters and no requests for translated planning documents. The MPO staff has had very little to no contact with LEP persons at Policy Board and other public meetings concerning the transportation planning process.

3. The nature and importance of programs, activities, or services provided by the MPO to the LEP population.

There is a significant LEP population within the MPO Planning Area with the largest concentration being in the City of Decatur. The MPO provides a number of services that have the possibility of placing the staff or board members in contact with LEP persons. The most important service that the MPO provides that could bring the MPO into contact with LEP persons is the public involvement process for transportation planning. While the MPO does not foresee significant contact with LEP persons, the possibility is still there and will need to be addressed.

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

The Decatur MPO has identified various resources available, most with little to no cost. The Decatur Police Department has an officer available for Spanish interpretation. The local Community College has language resources that could be tapped for various purposes. The MPO has also identified potential websites that can be used for informal translations that are free of charge. These along with numerous other resources can be utilized to provide better assistance to the LEP population. These resources will be outlined in detail with the resulting LEP Plan.

4.0 Interpretation Services

The Decatur MPO can make available a formal interpreter for all public meetings and for help in understanding any content of the MPO's formal planning documents. This service is available on an as needed basis. The interpreter is not present at any meeting unless a LEP person requests in advance for interpretation services. The MPO also allows for the use of informal interpreters at all meetings. These informal interpreters may include family members, friends, legal guardians, service representatives, or advocates of the LEP person. These informal interpreters will be subject to verification by the Decatur MPO and will only be approved if deemed appropriate by the MPO staff after circumstances and subject matter of the communication is taken into account. In the case where a LEP person prefers an informal interpreter to the free interpretation services offered by the Decatur MPO, the LEP person and informal interpreter should sign a waiver of free interpretation services (Appendix D). The Decatur MPO also reserves the right to have a formal interpreter present in the case where the LEP person prefers an informal interpreter.

5.0 Staff Training

The Decatur MPO will provide the following training to MPO staff:

- Information on MPO responsibilities for LEP and Title VI policy
- Detailed descriptions of language assistance services provided to the public
- How to document language assistance requests
- How to handle potential Title VI/LEP complaints

This information will be given to all MPO staff members with no exceptions.

6.0 Plan Monitoring and Updating

This Limited English Proficiency Plan will be reviewed yearly and updated as needed or as required by USDOT. Statistics, including the size of the LEP population within the Decatur MPO Planning Area, will be updated in this plan as new data becomes available. Updates for this document will include, but not be limited to:

- The number of encounters between the Decatur MPO and LEP persons
- How effective the plan has been to LEP persons
- The size of the LEP population within the planning area
- Review and inclusion of complaints submitted to the MPO about LEP procedures

7.0 Dissemination of the Decatur MPO LEP Plan

After the adoption of the Decatur MPO LEP Plan by the Policy Board, the document will be posted on the department website (<http://www.decaturlabamausa.com/departments/mpo/>). Copies of the plan can be viewed at the following locations: Decatur City Hall, Hartselle City Hall, Priceville City Hall, Trinity Town Hall, Morgan County Courthouse, and Limestone County Courthouse. Copies of this document may be obtained by contacting the Decatur MPO Director, Dewayne Hellums, as follows:

U.S. Mail

Decatur MPO
Decatur City Hall Annex
P.O. Box 488
Decatur, AL 35602

Phone:

(256) 341-4716

Fax:

(256) 341-4727

Email:

dhellums@decatur-al.gov

There will be a nominal fee for printing or reproduction

Appendix A Abbreviations and Acronyms

ACS	American Community Survey
ADA	Americans with Disabilities Act
ALDOT	Alabama Department of Transportation
CAC	Citizen Advisory Committee
CFR	Code of Federal Regulations
EO	Executive Order
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
LEP	Limited English Proficiency
MAP-21	Moving Ahead for Progress in the 21st Century
MPA	Metropolitan Planning Area
MPO	Metropolitan Planning Organization
TCC	Technical Coordinating Committee
USC	United States Code
USDOT	United States Department of Transportation

Appendix B MPO Organization

MPO Policy Board

Voting Members

Chairman Melvin Duran, Mayor Town of Priceville
Vice-Chairman Don Kyle, Mayor, City of Decatur
Honorable Don Hall, Mayor City of Hartselle
Honorable Roger Anders, Councilman, City of Decatur
Honorable Gary Hammon, Councilman, City of Decatur
Honorable Chuck Ard, Councilman, City of Decatur
Honorable Charles Kirby, Councilman, City of Decatur
Honorable Ray Long, Chairman, Morgan County Commission
Honorable Stanley Menefee, Chairman, Limestone County Commission
Honorable Vaughn Goodwin, Mayor, Town of Trinity
Mr. James Brown, Division Engineer, Alabama Department of Transportation

Non – Voting Members

Honorable Bobby Burch, Commissioner, Lawrence County Commission
Mr. Mark Bartlett, Division Administrator, Federal Highway Administration, Alabama Office
Mr. Robert Jilla, Bureau Chief, Transportation Planning and Modal Programs, Alabama Department of Transportation

MPO Technical Coordinating Committee

Chairman Jeff Johnson, City of Hartselle
Vice-Chairman Wally Terry, City of Decatur
Mr. Steve Kelso, City of Decatur
Mr. Mark Petersohn, City of Decatur
Mr. Sonny Wright, Town of Priceville, Town of Trinity
Mr. Greg Bodley, Morgan County
Mrs. Debra Rains, Morgan County Area Transit System
Mr. Jeremy Griffith, City of Hartselle
Mr. John Seymour, Decatur/Morgan County Chamber of Commerce
Mr. Dwight Cooley, Wheeler National Wildlife Refuge
Mr. Tom Hill, Limestone County Economic Development Association
Mr. Jeremy Nails, Morgan County Economic Development Association
Mr. Butch Roberts, Port of Huntsville
Mr. Gary Borden, Decatur Utilities
Mr. Roger Huntzinger, Decatur Police Department
Mr. Allen Teague, Second Division, Alabama Department of Transportation
Mr. Joe Nix, Multimodal Bureau, Alabama Department of Transportation
Mr. Darnell Spencer, Second Division, Alabama Department of Transportation
Mr. Colyn Moatts, Design Bureau, Alabama Department of Transportation
Dr. Emmanuel Oranika, Transportation Metropolitan Planning Administrator, Alabama Department of Transportation
Mr. Cornell Tatum, Human Resources Bureau Alabama Department of Transportation

MPO Citizens Advisory Committee

The Citizens Advisory Committee is comprised of numerous members of the Decatur/Morgan County Chamber of Commerce transportation sub-committee and members of the general public. The Citizens Advisory Committee meets on a regular basis and is involved in the transportation process as a grass roots organization. This group is vital to the transportation process and to the public involvement process concerning transportation related issues in the MPO planning area.

Co-Chairman, Blake McAnally

Co-Chairman, John Seymour

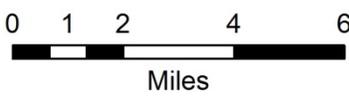
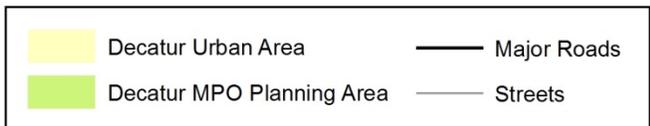
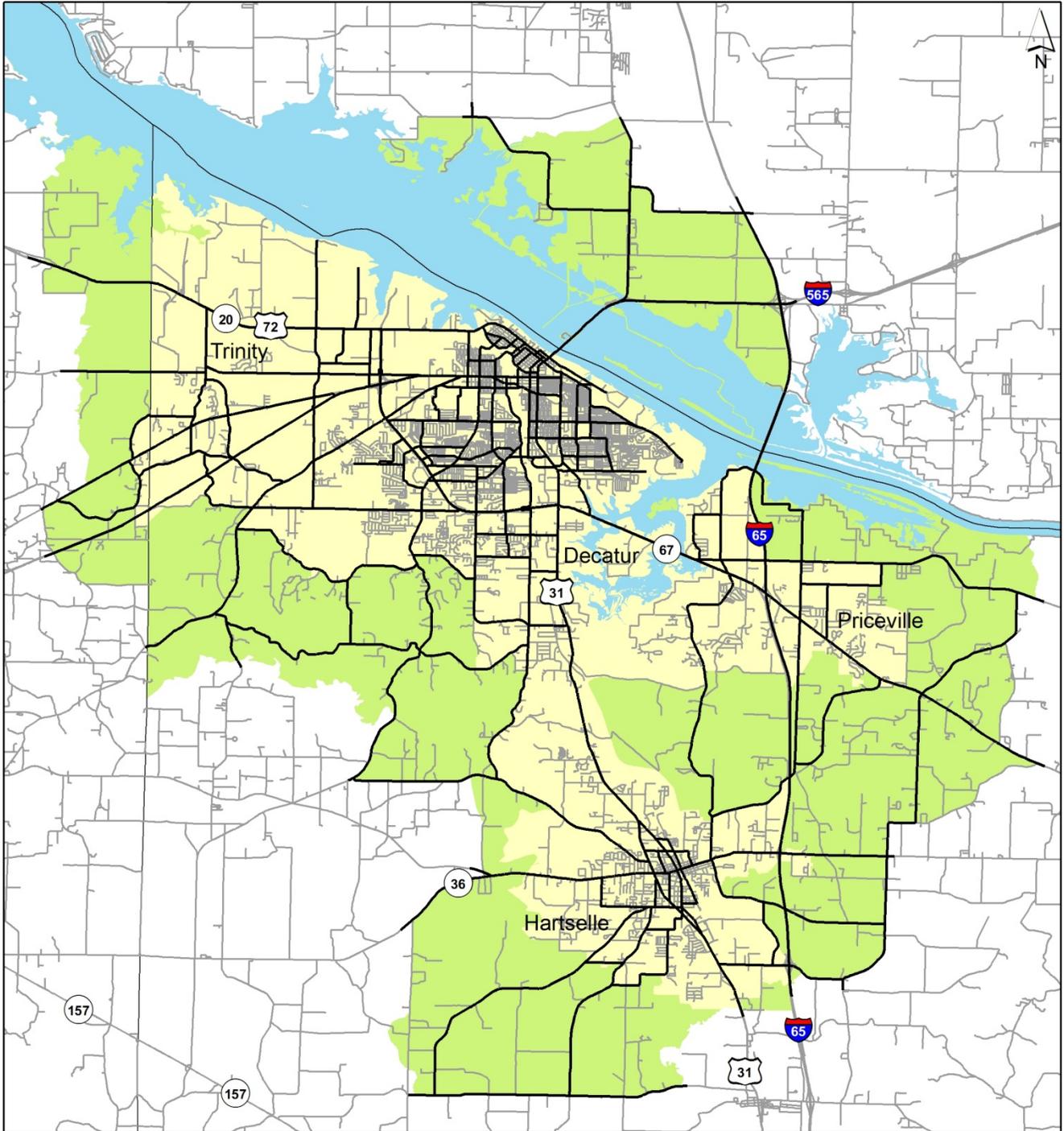
MPO Secretary and Staff

Mr. Dewayne Hellums, Director of Transportation Planning, Decatur Area MPO

Mr. Lee Terry, Transportation Planner, Decatur Area MPO

Appendix C MPO Planning Area Map

Decatur Metropolitan Planning Organization Urbanized and Planning Area



Data Source:
2010 U.S. Census Data

Appendix D Formal Interpretation Waiver Form

I hereby waive my right to have a formal interpreter present in favor of an informal interpretation provided by a party of my own choosing. I understand that the Decatur MPO does not certify the accuracy of this informal interpretation and does not take responsibility for any mistakes made by said informal interpreter. I understand that the Decatur MPO has the right to reject the use of any informal interpreter if, for any reason, they are determined to be unsuitable to the task after circumstances and subject matter of the communication is taken into account. I understand that the Decatur MPO also has the right to have a formal interpreter present, even if the right to a formal interpretation has been waived. I understand that the Decatur MPO will not incur any fee that may be charged for an informal interpretation; any fee charged for an informal interpretation will be the responsibility of the party being served.

Attendee:

Sign

Date

Informal Interpreter:

Sign

Date

Witness:

Sign

Date

Appendix F Public Notice

Attached to this document is the meeting notice concerning the 2014 Limited English Proficiency Plan. Also attached here are any comments received during the open comment period allowed for prior to the adoption of the 2014 Limited English Proficiency Plan by the Decatur MPO Policy Board.