

# **Pinellas County MPO Limited English Proficiency Plan**

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## **Introduction**

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq.**, and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

## **Executive Order 13166**

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and governments such as the MPO, private and non-profit entities and subrecipients.

## **Plan Summary**

The Pinellas County Metropolitan Planning Organization (MPO) has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to MPO programs as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available and information for future plan updates.

In developing the plan while determining the MPO's extent of obligation to provide LEP services, the MPO undertook a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP persons eligible in the county to be served or likely to encounter an MPO program, activity or service; 2) the frequency with which LEP individuals come in contact with an MPO program; 3) the nature and importance of the program, activity or service provided by the MPO to the LEP population; and 4) the resources available to the MPO and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

## **Four Factor Analysis**

### **1. The number or proportion of LEP persons eligible to be served or likely to encounter an MPO program, activity or service**

The MPO examined the US Census Bureau's 2006-2010 American Community Survey data and was able to determine that approximately 12.8%, or 112,361, of the Pinellas County population age 5 and older spoke a language other than English at home and 5.5%, or 48,164, reported that they speak English "less than very well". Hispanics comprised the largest non-English speaking language group. There were 48,697 Hispanic/Latinos or 5.5% who spoke a language other than English at home and 2.6%, or 22,675, said that they speak English less than very well.

### **2. The frequency with which LEP individuals come in contact with an MPO program, activity or service**

The MPO assesses the frequency at which staff has or could possibly have contact with LEP persons. This includes documenting phone inquiries and surveying public meeting attendees. From January 1, 2006 to Dec 31, 2011, the MPO recorded 14 requests for language assistance: two for informal Spanish speaking interpretation, one for informal Spanish translation of an MPO document, two requests for American Sign Language, one for Braille translation of an MPO document and eight requests for staff to read a document because the persons were unable to read. All requests received were fulfilled.

### **3. The nature and importance of the program, activity or service provided by the MPO to LEP community**

Since there is a large geographic concentration of Hispanics in Clearwater, the MPO contacted the YWCA Hispanic Outreach Operation (Centro de Apoyo Hispano de YWCA) in Clearwater, for help in identifying which MPO programs would be of importance to a Hispanic LEP person. The Hispanic Outreach Operation identified transportation as a major concern for their clients stating many do not drive and rely on public transit, walking or biking. To help accommodate the Hispanic population, the county's transit operator, the Pinellas Suncoast Transit Authority (PSTA), has translated

its system route map and many brochures and the MPO has also translated several bicycle and pedestrian safety brochures into Spanish.

Many Hispanic Outreach Operation clients are economically disadvantaged and are eligible to receive low cost transportation services through the MPO's Transportation Disadvantaged Program (TD) Program. PSTA, as the TD Program's management entity, and its taxi cab and wheelchair provider subcontractors, has Spanish speaking staff readily available to provide language assistance. The TD Program was identified as a potential provider of important services for the Hispanic LEP.

#### **4. The resources available to the MPO and overall costs**

The MPO assessed its available resources that could be used for providing LEP assistance. This included identifying what staff and volunteer language interpreters (see Appendix B) are readily available, how much a professional interpreter and translation service would cost, which documents should be translated, taking an inventory of available organizations that the MPO could partner with for outreach and translation efforts, examining which financial and in-kind sources could be used to provide assistance and what level of staff training is needed.

After analyzing the four factors the MPO developed the plan outlined in the following section for assisting persons of Limited English Proficiency.

#### **How to Identify an LEP Person who Needs Language Assistance**

Below are tools to help identify persons who may need language assistance:

- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When MPO sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gage the attendee's ability to speak and understand English, ask a question that requires a full sentence reply;
- Have the Census Bureau's "I Speak Cards" at the workshop or conference sign-in sheet table. While staff may not be able to provide translation assistance at this meeting, the cards are an excellent tool to identify language needs for future meetings. Also, have the cards available at the MPO office reception area; and
- Post a notice of available language assistance at MPO and GPTMS reception area.

## **Language Assistance Measures**

When an interpreter is needed, in person or on the telephone, the MPO shall first determine what language is required. Staff can provide Farsi, Hungarian, German, and American Sign Language informal verbal interpretation. Spanish V/TDD service is available through the Pinellas County Office of Human Rights. The phone number is 727-464-4062 (V/TDD).

Staff may be able to assist with written communications and small MPO document translation requests from LEP persons.

The following MPO documents are currently available in Spanish: Bicycle Safety Poster, MPO brochure, Transportation Disadvantaged Program brochure, application survey and the Title VI complaint form.

## **MPO Staff Training**

All MPO staff is provided with the LEP Plan and educated on procedures and services available. This information will also be part of the MPO staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI LEP responsibilities;
- What language assistance services the MPO offers;
- Use of LEP “I Speak Cards”;
- How to access a staff interpreter;
- Documentation of language assistance requests;
- How to handle a complaint; and
- The importance of educating subrecipients on the MPO’s LEP program responsibilities and their obligation to provide language assistance.

## **Providing Notice of Available Language Service to LEP Persons**

- Post signs that language assistance is available in public.

## Outreach Techniques

- If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements and agendas will be printed in an alternative language, such as Spanish.
- When placing a general public meeting notice, staff will insert “**Un traductor del idioma español estará disponible**” This means “A Spanish translator will be available”. Or if not sure of the need, staff should insert, “**Si usted necesita la ayuda de un traductor del idioma español, por favor comuníquese con la** (insert staff name) **al teléfono (727) 464-8200, cuando menos 48 horas antes de la junta**” which asks persons who need Spanish language assistance to make arrangements with the MPO within two days of the publication notice.
- Spanish speaking staff or a hired interpreter should be on hand at public meetings intended for gathering public input.

## Monitoring and Updating the LEP Plan

At a minimum, the MPO will follow the Title VI Program update schedule for the LEP Plan. The next required Title VI Program update must be forwarded to the FTA by May 14, 2013. The questions listed below will be considered in updating the LEP Plan.

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in Pinellas County?
- Has there been a change in the types of languages where translation services are needed?
- Is there still a need for continued language assistance for previously identified MPO programs and are there other programs that should be included?
- Have the MPO’s available resources, such as technology, staff and financial costs changed?
- Has the MPO fulfilled the goals of the LEP Plan?
- Were any complaints received?

## **Dissemination of the MPO Limited English Proficiency Plan**

The MPO posts the LEP Plan on its website at [www.pinellascounty.org/mpo](http://www.pinellascounty.org/mpo).

Any person, including social service, non-profit and law enforcement agencies and other community partners with internet access will be able to access the plan. For those without personal internet service, all Pinellas County libraries offer free internet access. Copies of the LEP Plan are provided to the Pinellas County Office of Human Rights, the Florida Department of Transportation, Federal Highway Administration, the Federal Transit Administration and any person or agency requesting a copy. Each MPO subrecipient is provided a copy and informed of the importance of providing language assistance. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to MPO staff at 727-464-8200 or [mpo@pinellascounty.org](mailto:mpo@pinellascounty.org).

## LEP APPENDIX A

| <b>2010 PINELLAS COUNTY POPULATION</b>          |                 |                |
|---|-----------------|----------------|
| <b>General Characteristics</b>                  | <b>Estimate</b> | <b>Percent</b> |
| Total Pinellas County Population                | 916,542         |                |
| Male  | 440,009         | 48.0           |
| Female  | 476,533         | 52.0           |
| Median age (years)                              | 46.2            | (X)            |
| Under 5 years                                   | 42,349          | 4.6            |
| 18 years and over                               | 753,654         | 82.2           |
| 65 years and over                               | 194,099         | 21.2           |
| <b>One race</b>                                 | <b>896,526</b>  | <b>97.8</b>    |
| White   | 752,892         | 82.1           |
| Black or African American                       | 94,745          | 10.3           |
| Hispanic or Latino (of any race)                | 73,241          | 8.0            |
| American Indian and Alaska Native               | 2,892           | 0.3            |
| Asian   | 27,229          | 3.0            |
| Native Hawaiian and Other Pacific Islander      | 810             | 0.1            |
| Some other race                                 | 18,039          | 2.0            |
| Two or more races                               | 20,016          | 2.2            |
| Disability status (population 5 years and over) | N/A             |                |

Source: US Census Bureau 2010 Census

An '(X)' means that the estimate is not applicable or not available from the US Census Bureau

| <b>Economic Characteristics</b>                                 | <b>Estimate</b> | <b>Percent</b> |
|---|-----------------|----------------|
| In labor force (population 16 years and over)                   | 463,533         | 60             |
| Mean travel time to work in minutes (workers 16 years and over) | 23              | (X)            |
| Median household income (in 2010 inflation-adjusted dollars)    | 62,977          | (X)            |
| Median family income (in 2010 inflation-adjusted dollars)       | 45,258          | (X)            |
| Per capita income (in 2010 inflation-adjusted dollars)          | 28,742          | (X)            |
| Families below poverty level                                    | (X)             | 8.1            |
| Individuals below poverty level                                 | (X)             | 12.1           |

Source: US Census Bureau 2006-2010 American Community Survey

An '(X)' means that the estimate is not applicable or not available from the US Census Bureau

| <b>2006-2010 LANGUAGES SPOKEN AT HOME</b>                                       |                |       |
|---|----------------|-------|
| <b>Pinellas County Population 5 years and over</b>                              | <b>875,432</b> |       |
| Speak English only  | 763,071        | 87.2% |
| Language other than English spoken at home                                      | 112,361        | 12.8% |
| Speak English less than "very well"*  | 48,164         | 5.5%  |
| <b>Hispanic/Latino</b>  |                |       |
| Hispanic/Latino's 5 years and over who speak Spanish at home                    | 48,697         | 5.6%  |
| Speak English less than "very well"*  | 22,675         | 2.6%  |
| <b>Asian and Pacific Islander languages</b>                                     |                |       |
| Persons 5 years and over who speak Asian and Pacific Islander languages at home | 18,072         | 2.1%  |
| Speak English less than "very well"*  | 10,070         | 1.2%  |
| <b>Other Languages</b>  |                |       |
| Persons 5 years and over who speak other languages at home                      | 3,240          | 0.4%  |
| Speak English less than "very well"*  | 829            | 0.1%  |

Source: US Census Bureau 2006-2010 American Community Survey

\*Of total population

## LEP APPENDIX B

### Pinellas County MPO Discrimination Complaint Procedure

#### **PINELLAS COUNTY MPO DISCRIMINATION COMPLAINT PROCEDURE**

**Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance. As a sub-recipient of the Florida Department of Transportation, the Pinellas County Metropolitan Planning Organization (MPO) has in place a Title VI complaint procedure.**

1. Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, by any Pinellas County Metropolitan Planning Organization's (MPO) programs or activities, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and related statutes, may file a written complaint. (Note: If you believe you have been discriminated against by another branch of the Pinellas County Government, please contact the Pinellas County Office of Human Rights at 727.464.4880). All written complaints received by the MPO shall be referred immediately to the FDOT's District Seven Title VI Coordinator for processing in accordance with approved State procedures.

**Written complaints may be sent to:**

Pinellas County MPO  
310 Court Street  
Clearwater, FL 33756

2. Verbal and non-written complaints received by the MPO shall be resolved informally by the MPO. If the issue has not been satisfactorily resolved through informal means, or if at any time the complainant(s) request(s) to file a formal written complaint, the Complainant shall be referred by the MPO to the FDOT's District Seven Title VI Coordinator for processing in accordance with approved State procedures.
3. The MPO will advise the FDOT's District Seven Title VI Coordinator within five (5) calendar days of receipt of the allegations. The following information will be included in every notification to the FDOT's District Seven Title VI Coordinator:
  - a. Name, address, and phone number of the Complainant;
  - b. Name (s) and address(es) of the Respondent;
  - c. Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation);
  - d. Date of alleged discriminatory act(s);

- e. Date complaint received by the MPO;
  - f. A statement of the complaint;
  - g. Other agencies (state, local or Federal) where the complaint has been filed; and
  - h. An explanation of the actions the MPO has taken or proposed to resolve the allegation(s) raised in the complaint.
4. Within ten (10) Calendar days, the MPO will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the Complainant of other avenues of redress available, such as the FDOT's Equal Opportunity Office (EEO).
5. Within sixty (60) calendar days, the MPO will conduct and complete a review of the verbal or non-written allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the MPO Executive Director.
6. Within ninety (90) calendar days of the verbal or non-written allegation(s) receipt, the MPO Executive Director will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of his/her right to file a formal complaint with the FDOT's EEO, if they are dissatisfied with the final decision rendered by the MPO. The MPO will also provide the FDOT's District Seven Title VI Coordinator with a copy of this decision and summary of findings.
7. The MPO will maintain a log of all verbal and non-written complaints received by the MPO. The log will include the following information listed below.
  - a. Name of Complainant.
  - b. Name of Respondent.
  - c. Basis of Complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation).
  - d. Date verbal or non-written complaint was received by the MPO.
  - e. Date MPO notified the FDOT's District Seven Title VI Coordinator of the verbal or non-written complaint.
  - f. Explanation of the actions the MPO has taken or proposed to resolve the issue raised in the complaint.

**FORMULARIO DE QUEJA**  
(Condado de Pinellas)

|   |  |  |  |                                   |
|---|--|--|--|-----------------------------------|
| Nombre de la persona discriminada   |  | Número de teléfono (Residencia)  | Número de teléfono (Trabajo)                                     |                                   |
| Dirección de residencia (Número y calle, número de departamento)  |  | Ciudad, estado, y código postal de residencia  |  |                                   |
|   |  |  |  |                                   |
| Nombre de la persona que discriminó contra usted, y nombre de la dependencia (si los sabe)  |  |  |  |                                   |
| Dirección de la persona o dependencia que discriminó contra usted   |  | Ciudad, estado y código postal de la persona o dependencia que discriminó contra usted |  |                                   |
| Fecha del incidente discriminatorio.  |  |  |  |                                   |
| Causa de la discriminación:   |  |  |  |                                   |
| <input type="checkbox"/> Raza   | <input type="checkbox"/> Retaliación           | <input type="checkbox"/> Sexo  | <input type="checkbox"/> Estado Civil                            | <input type="checkbox"/> Religión |
| <input type="checkbox"/> Color de Piel  | <input type="checkbox"/> Nacionalidad (Idioma) | <input type="checkbox"/> Edad  | <input type="checkbox"/> Impedimento Físico o Impedimento Mental | <input type="checkbox"/> Otro     |
| <p>Explique claramente como sucedió la discriminación y quienes participaron en ella. Incluya en su explicación cualquier conocimiento que tenga de tratamiento diferente a otras personas. Adjunte cualquier otro escrito relacionado con su caso.</p> |  |  |  |                                   |
| <b>Firma</b>  |  |  | <b>Fecha</b>   |                                   |

**TITLE VI AND RELATED STATUTES  
DISCRIMINATION COMPLAINT AGAINST THE PINELLAS COUNTY MPO**

|  |  |                                   |
|--|--|-----------------------------------|
| Name   | Telephone (home)   | Telephone (work)                  |
| Address:   | City, State, Zip Code  |                                   |
| Name of MPO Staff Person that You Believe Discriminated Against You:   |  |                                   |
| Address:   | City, State, ZIP Code  |                                   |
| Date of Alleged Incident:  |  |                                   |
| You were discriminated because of:   |  |                                   |
| <input type="checkbox"/> Race  | <input type="checkbox"/> Retaliation                           | <input type="checkbox"/> Sex      |
| <input type="checkbox"/> Color   | <input type="checkbox"/> <b>National Origin<br/>(Language)</b> | <input type="checkbox"/> Age      |
| <input type="checkbox"/> Familial Status   |  | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Disability  |  | <input type="checkbox"/> Other    |
| <b>Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also attach any written material pertaining to your case:</b> |  |                                   |
| <b>Signature</b>   |  | <b>Date</b>                       |

**LEP APPENDIX D  
NOTICE TO MPO GRANT AND PROGRAM SUBRECIPIENTS**

All programs and operations of entities that receive assistance from the federal government including the MPO and its subrecipients must comply to the fullest reasonable extent for improving access to services for LEP persons.

Subrecipients are encouraged to have in place written policies on the provision of interpreter and translation services.

I acknowledge that a copy of the MPO Limited English Proficiency Plan has been provided to our organization and I have read the contents and fully understand the LEP Plan obligations and responsibilities.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Organization