



# LIMITED ENGLISH PROFICIENCY PLAN

This document discusses the North Florida Transportation Planning Organization's approach to meeting the needs of persons with limited English Proficiency in executing the TPO's transportation planning activities.



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## INTRODUCTION

The North Florida Transportation Planning Organization (North Florida TPO or TPO) is a transportation policy making body responsible to plan and prioritize transportation projects and allocate funds in Clay, Duval, Nassau and St. Johns Counties, Florida. The North Florida TPO works with the public, the counties, five independent transportation authorities, local elected officials, community groups and the Florida Department of Transportation to develop transportation plans and programs through a *continuing, cooperative and comprehensive (3-C)* planning process.

The **Limited English Proficiency (LEP) Plan** is a tool that helps guide the actions of the North Florida TPO in this effort and shows meaningful compliance with **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 failure to provide those with limited English proficiency meaningful opportunities to participate in federally-funded programs is a form of national origin discrimination in violation of Title VI. Additionally, requirements are outlined in **Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency** signed August 11, 2000. Its purpose is to ensure meaningful access to programs and services to eligible persons who have limited proficiency in the English language.

In the December 14, 2005 Federal Register, (Volume 70, Number 230) the U.S. Department of Transportation (U.S. DOT) published **Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient Persons**. This guidance explicitly identifies metropolitan planning organizations (MPOs), such as the North Florida TPO, as organizations that must follow this guidance. It specifies that the Limited English Proficiency Plan must include reasonable steps to ensure meaningful access consistent with the fundamental mission of the organization, though not unduly burdening the organization.

In keeping with this guidance the North Florida TPO has developed this plan to identify the local population with Limited English Proficiency and to provide them with meaningful access to the programs and services the TPO provides, including involvement in the TPO decision making process, while not incurring undue burdens on the organization's resources.

### Understanding the Scope of the Limited English Proficiency Plan

As noted in the previous section, the Limited English Proficiency Plan applies to individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English. It does not extend to those who are proficiently multilingual or to the following:

- Individuals with hearing or visual impairments—Sign language interpretation and Braille text are accommodations provided under the Americans with Disabilities Act.
- Illiteracy—The inability to speak, read or write English and conditions that may trigger language assistance under Title VI but is distinguished Limited English Proficient (LEP)

because a person who is LEP cannot speak, read or write English, but primarily speaks, reads or writes in a language other than English.

## 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 are considered limited English proficient or “LEP.” The U.S. Census Bureau, however, does not define limited English proficiency or non-limited English proficient populations. Instead it reports data based on the four categories of English-speaking ability: “very well”, “well”, “not well”, and “not at all”.

## Determining the Needs of Limited English Proficiency

As a recipient of federal funds, the North Florida TPO must take reasonable steps to ensure meaningful access to the information and services it provides. As noted in LEP guidance and directives four factors should be considered when determining “reasonable steps.” The “four-factor analysis” is outlined below:

- Factor 1**      **The number or proportion of LEP persons eligible to be served or likely to be encountered by the North Florida TPO’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 in people’s lives.**
- Factor 4**      **The resources available and the overall cost to the TPO.**

The U. S. Department of Transportation (DOT) policy guidance gives recipients of federal funds substantial flexibility in determining what language assistance is appropriate based on local assessment of the four factors listed above. What follows is a self-assessment of need in Clay, Duval, Nassau and St. Johns Counties.

## LIMITED ENGLISH PROFICIENCY SELF-ASSESSMENT FOR THE NORTH FLORIDA TPO

The North Florida TPO has assessed its programs and services using the following four (4) factors analysis.

- Factor 1**      **The number or proportion of LEP persons eligible to be served or likely to be encountered by the North Florida TPO’s programs, services or activities**

The broadest source of demographic data for the four counties in the TPO planning area is the American Community Survey compiled by the U.S. Census Bureau. This data is collected annually and aggregated over three years. Data reported by the U.S. Census in the American Community Survey for 2013 to 2017 for persons speaking English “less than well” aggregated with speaking English “not at all” is a key indicator of the linguistic landscape of the region.

Demographic data for the number of LEP persons in Clay, Duval, Nassau and St. Johns Counties who are eligible to be served, likely to be served, or likely to be encountered by the TPO through participation in the transportation planning process has been collected and analyzed.

**As illustrated on Table 1 only 56,887 persons in the region, do not speak English well or at all. This is 4 percent of total population age five and over.**

Table 1  
**Population Limited English Proficiency**  
American Community Survey 2013-2017

	Clay County	Duval County	Nassau County	St. Johns County	NF TPO
Total Population 5+	191,902	850,321	74,316	215,027	1,331,566
Speak English Very Well	185,666	805,242	73,291	210,480	1,274,679
Speak English Less Than Very Well	6,236	45,079	1,025	4,547	56,887
% of Total Population Speaks English Less Than Very Well	3.2	5.3	1.4	2.1	4.3

**Maps 1 and 2** on pages 7 and 8, illustrate the geographic distribution of this population. The percentages shown are of persons not speaking English well and not speaking English at all respectively, not of total population.

As illustrated on **Table 2** on the following page, 11.93 percent of the population for the four county

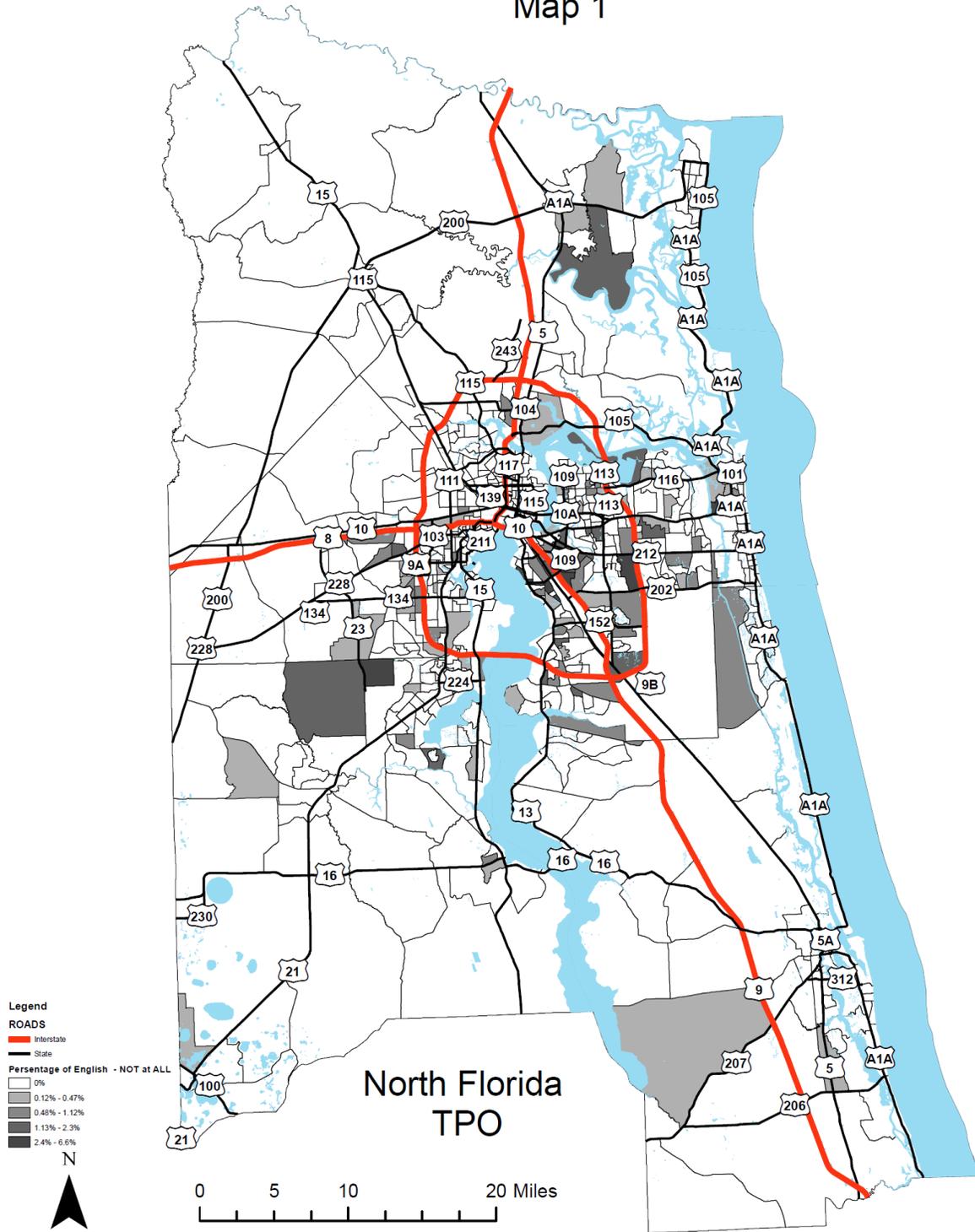
Table 2  
**North Florida Population Speaking a Language other than English**  
American Community Survey 2013-2017

	Population Estimate (5 years and older)	Speak a Language other than English	Population Speaking Spanish	Population Speaking other Indo-European	Population Speaking Asian and Pacific Island Languages	Population Speaking other Languages
Clay	191,902	19,644	10,812	4,465	3,903	464
Duval	850,321	117,869	53,471	28,995	27,894	7,509
Nassau	74,316	3,410	2,074	963	267	106
St Johns	215,027	17,951	8,632	5,559	2,683	1,077
NF TPO	1,331,566	158,874	74,989	39,982	34,747	9,156
Percent		11.93	5.63	3.00	2.61	0.69

region age five and over speaks a language other than English.

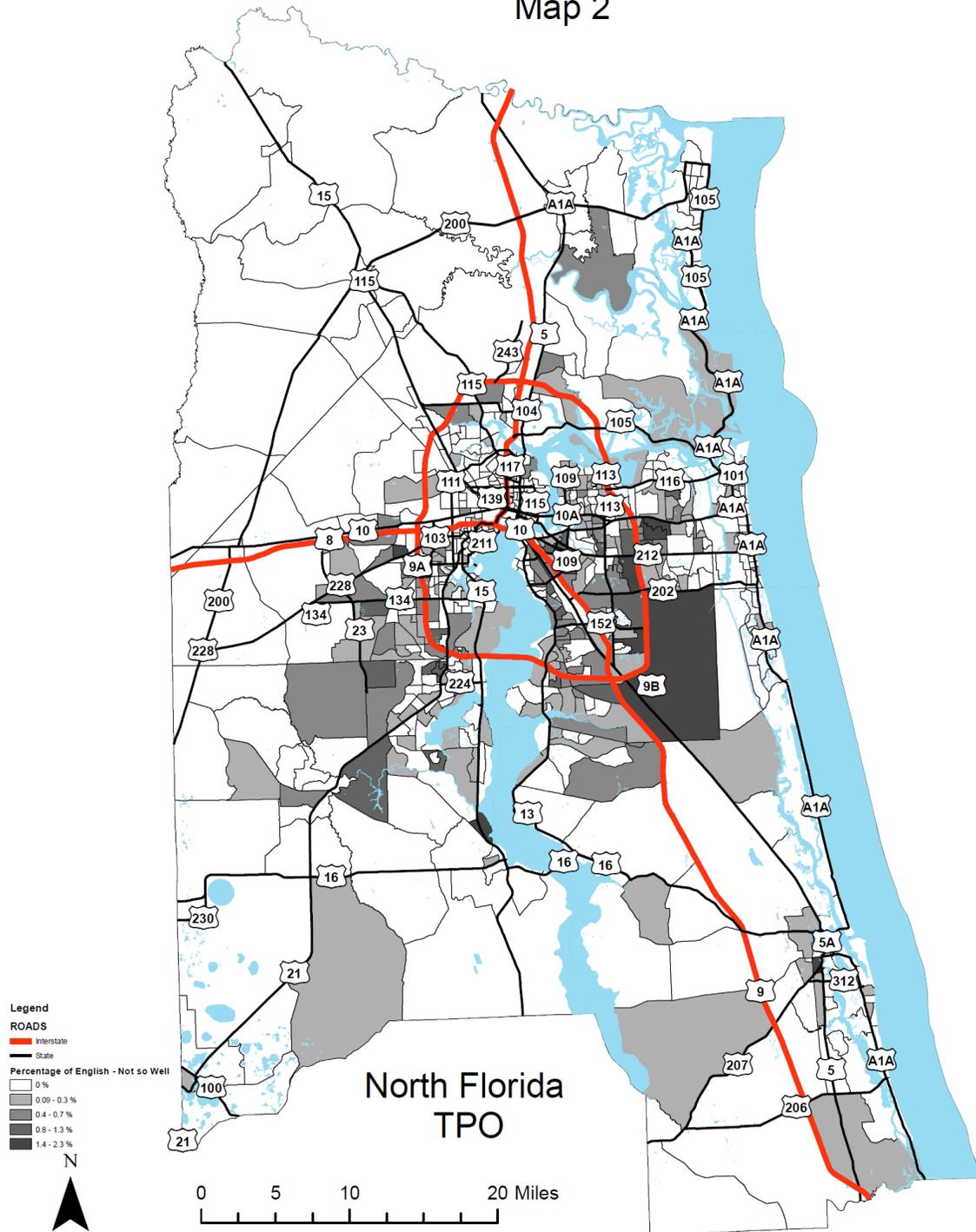
## **MAP 1—Persons Speaking English Not at All (Age 5+)**

Map 1



## MAP 2—Persons Speaking English Less than Very Well (age 5+)

Map 2



**Table 3** depicts the percentage of LEP persons age 5 and older by language in Clay, Duval, Nassau and St. Johns Counties. As illustrated, the percentage of LEP population in the North Florida region is well below the same for both the state and nation.

As shown on **Table 4** only 2 percent of the total population age five and older that speaks Spanish speaks English “less than very well.” The percentage of LEP persons who speak Indo European and Asian

Table 3  
**Top Three Languages Spoken at Home in North Florida by LEP Persons**  
 American Community Survey 2013-2017

County	Population Estimate (5 years and older)			LEP Persons Who Speak Spanish		LEP Persons Who Speak Indo-European Languages		Who Speak Asian and Pacific Island Languages	
	Number of LEP Persons	%	Estimate	%	Estimate	%	Estimate	%	
Clay	191,902	6,236	3%	3,262	2%	1,233	1%	1,620	0.0
Duval	850,321	45,079	5%	21,149	2%	8,848	1%	12,283	1%
Nassau	74,316	1,025	1%	747	1%	228	0%	50	0%
St Johns	215,027	4,547	2%	2,082	1%	1,276	1%	781	0%
<b>North Florida TPO</b>	<b>1,331,566</b>	<b>56,887</b>	<b>4%</b>	<b>27,240</b>	<b>2.0</b>	<b>11,585</b>	<b>1%</b>	<b>14,734</b>	<b>1%</b>
Florida	19,173,085	5,503,431	29%	4,078,350	21%				
United States	301,150,892	64,221,193	21%	39,769,281	13%				

and Pacific Island languages is even lower.

Table 4  
**English Spoken Less Than Very Well**  
 American Community Survey 2013-2017

County	Population Estimate (5 years and older)			LEP Persons Who Speak Spanish		LEP Persons Who Speak Indo-European Languages		LEP Persons Who Speak Asian and Pacific Island Languages	
	Number of LEP Persons	%	Estimate	%*	Estimate	%*	Estimate	%*	
Clay	191,902	6,236	3%	3,262	2%	1,233	1%	1,620	1%
Duval	850,321	45,079	5%	21,149	2%	8,848	1%	12,283	1%
Nassau	74,316	1,025	1%	747	1%	228	0%	50	0%
St Johns	215,027	4,547	2%	2,082	1%	1,276	1%	781	0%
<b>North Florida TPO</b>	<b>1,331,566</b>	<b>56,887</b>	<b>4%</b>	<b>27,240</b>	<b>2%</b>	<b>11,585</b>	<b>1%</b>	<b>14,734</b>	<b>1%</b>

\*Percent of Total Population 5 years and older

The School Boards within the North Florida TPO planning area boundary of Clay, Duval, Nassau and St. Johns Counties were contacted and asked to provide enrollment data and enrollment in English Programs for Speakers of Other Languages (ESOL), sometimes referred to as English Language Learner (ELL) programs. As indicated on **Table 5**, participation of students in ESOL is highest in Duval County, and Spanish is the predominant language spoken.

<b>County</b>	<b>School District</b>	<b>ESOL/ELL<sup>2</sup></b>	<b>Percent ESOL/ELL</b>	<b>Predominant Language</b>
<b>Clay</b>	35,927	637	2	Spanish
<b>Duval</b>	128,078	5,172	4	Spanish
<b>Nassau</b>	11,830	99	1	Spanish
<b>St. Johns</b>	34,486	241	<1	Spanish
<b>Total</b>	210,321	6,149	3	Spanish

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

The four-factor analysis did not identify a predominant language spoken by the LEP population in the area covered by the North Florida TPO. It has been demonstrated that 2 percent of the English speaking population in the region also speaks Spanish. As demonstrated in **Table 5**, school enrollment in ESOL programs in the TPO planning area is only 3 percent of total enrollment. The predominant language by these students, however, is Spanish. For

<sup>2</sup> English for Speakers of Other Languages/English Language Learner

## COMPLAINT PROCEDURE

Title VI Complaint Forms are available in Spanish. A copy is included in **Appendix A**. A complaint may be given orally. An interpreter will be provided if needed.

Complaints should be directed to **Marci Larson**, Public Affairs Manager/Title VI Officer

904-306-7513

[mlarson@northfloridatpo.com](mailto:mlarson@northfloridatpo.com)

this reason, the TPO does and will continue to provide the Title VI complaint form and instructions in Spanish. It should be noted that the LEP frequency of 4 percent is considerably less than the statewide average of nine percent.

The North Florida TPO conducts regular board meetings, advisory committee meetings and public meetings throughout the year. The frequency of contact with LEP persons is difficult to anticipate. The North Florida TPO has received no translation requests since publicizing the LEP Plan in 2012. The most frequent contact is in the appeals process for transportation disadvantaged service in Duval County. These are handled by the Grievance/Appeals Committee of the Duval County Transportation Disadvantaged Coordinating Board. The TPO uses a telephone based (speaker phone) person-to-person translation service at a government rate of \$1.95 per minute when this service is needed. A TPO staff member who speaks Spanish is also available for translation and interpretation.

This service is available for other meetings as needed.

The TPO website has translation software available at the bottom of the page (SELECT LANGUAGE). The user can select a language that will translate text on the North Florida TPO webpage ([www.northfloridatpo.com](http://www.northfloridatpo.com)). It will not translate documents.

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

The North Florida TPO’s programs use federal funds to plan for future transportation projects and improvements 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 (food and shelter). The North Florida TPO does not conduct interviews, receive applications or other activities required to participate in federal or state programs or events. Citizen involvement in TPO committees and TPO public involvement activities are voluntary.

The North Florida TPO, however, is committed to ensuring that all citizens regardless of race, ethnicity, income, including LEP persons, have the opportunity to participate in the transportation planning process consistent with the Federal Environmental Justice program and policy.

The impact of proposed transportation investments on under-served and under-represented population groups is part of the evaluation process using federal funds for three major areas:

- ◆ The biennial **Unified Planning Work Program (UPWP)** is the TPO’s two-year task based budget
- ◆ The five-year **Transportation Improvement Program (TIP)** is updated annually
- ◆ The **Long Range Transportation Plan (LRTP)** has a 20-year planning horizon and is updated every five years.

In outreach related to these and other North Florida TPO activities participation of the underserved is encouraged. The North Florida TPO is committed to ensuring opportunities for participation by all stakeholders and every effort is made to have the planning process an inclusive one.

Given the size of the LEP population (less than one half the National LEP population and one third the Statewide LEP population) it is not considered necessary to translate the TPOs major planning documents at this time. The TPO is committed to providing the Title VI Complaint Procedure and Complaint Form in both English and Spanish and will revisit this data annually to be cognizant of changing demographics.

**Factor 4      The resources available and the overall cost to the TPO.**

The approximate cost of full translation of the major reports produced by the North Florida TPO into any language other than English is shown in Table 4.

<b>Table 5</b> <b>Estimated Cost of Translation</b> <b>@ 25 cents per word</b>					
<b>Document Name</b>	Transportation Improvement Program (TIP)	Unified Planning Work Program (UPWP)	Long Range Transportation Plan Summary	Public Involvement Plan (PIP)	<b>TOTAL</b>
<b>No. of Words</b>	34,626	28,849	6,700	13,138	83,313
<b>Cost</b>	\$8,656.50	\$7,212.25	\$1,675.00	\$3,284.50	\$20,8828.25

As noted in Factor 3, current demographics do not warrant publication of TPO documents in a language other than English at this time and given the cost of doing so, it would not be fiscally prudent to do so.

**The LEP Plan will be revisited regularly to consider changing demographics.**

**LEP Updates**

The North Florida TPO is committed to providing access to all and does not intend that this LEP Plan exclude access to anyone requiring language assistance. We will continue to accommodate all reasonable requests. As noted in all advertisements, with 72 hour notice we will meet all special requests, excluding complete translation of a document. Anyone who requires special language services should contact the North Florida TPO’s Public Affairs Manager/Title VI Coordinator.

Name: Marci Larson  
Telephone: 904-306-7513  
Toll Free: 1-888-488-4898, ask for Marci Larson  
Email: [mlarson@northfloridatpo.com](mailto:mlarson@northfloridatpo.com)  
Hearing & Speech Impaired call 711 FL Relay System