

Limited English Proficiency (LEP) Plan for the Southwestern Pennsylvania Commission



March 2017

Southwestern Pennsylvania Commission

Two Chatham Center – Suite 500

112 Washington Place

Pittsburgh, PA 15219

Voice 412.391.5590

Fax 412.391.9160

comments@spcregion.org

www.spcregion.org

Members of the Southwestern Pennsylvania Commission

2017

Officers

Chairman: Charles W. Anderson
Vice Chairman: Larry Maggi
Secretary-Treasurer: Rich Fitzgerald

Executive Director: James R. Hassinger

Allegheny County

Rich Fitzgerald
Lynn Heckman
Clifford Levine
Robert J. Macey
David Miller

Armstrong County

Vonne Andring
Pat Fabian
Richard Palilla
Jason L. Renshaw
George J. Skamai

Beaver County

Tony Amadio
Daniel Camp
Sandie Egley
Kelly Gray
Charles Jones

Butler County

Kevin Boozel
Jack Cohen
Kim Geyer
Richard Hadley
Leslie A. Osche

Fayette County

Joe Grata
Fred Junko
Dave Lohr
Vincent A. Vicites
Angela Zimmerlink

Greene County

Dave Coder
Jeff Marshall
Robbie Matesic
Archie Trader
Blair Zimmerman

Indiana County

Michael Baker
Sherene Hess
Rodney D. Ruddock
Byron G. Stauffer, Jr.
James B. Struzzi

Lawrence County

Steve Craig
Robert Del Signore
James Gagliano
Amy McKinney
Daniel J. Vogler

Washington County

Larry Maggi
Harlan Shober
Michael A. Silvestri
Diana Irey Vaughan
Christopher Wheat

Westmoreland County

Charles W. Anderson
Robert J. Brooks
Tom Ceraso
Gina Cerilli
Ted Kopas

City of Pittsburgh

Scott Bricker
Rev. Ricky Burgess
William Peduto
Mavis Rainey
Aurora Sharrard

Pennsylvania Department of Transportation (2 Votes)

H. Daniel Cessna
Joseph Dubovi
Kevin McCullough
James Ritzman
Joe Szczur

Governor's Office

Erin Molchany

Pennsylvania Department of Community & Economic Development

Johnna Pro

Port Authority of Allegheny County (1 Vote)

Ellen McLean
Ed Typanski

Transit Operators Committee

John Paul

Federal Highway Administration*

Renee Sigel

Federal Transit Administration*

Theresa Garcia-Crews

U.S. Environmental Protection Agency*

Laura Mohollen

Federal Aviation Administration*

U. S. Economic Development Administration*

*Nonvoting Members

The preparation of this publication was financed in part through grants from the United States Department of Transportation's Federal Highway Administration and Federal Transit Administration; the U.S. Department of Commerce; the Appalachian Regional Commission; the Commonwealth of Pennsylvania; the Department of Transportation of the Commonwealth of Pennsylvania; and, the counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Washington, Westmoreland, and the City of Pittsburgh. The views and opinions of the authors or agency expressed herein do not necessarily state or reflect those of these agencies.

**Limited English
Proficiency (LEP) Plan
for the
Southwestern Pennsylvania
Commission**



March 2017

Este documento está disponible en español.
Llame por favor (412) 391-5590 para más información.

Dieses Dokument wird zum Deutschen auf Antrag übersetzt.
Telephonieren Sie SPC an (412) 391-5590 zu mehr Information.

Questo documento è disponibile in italiano su richiesta.
Telefoni lo SPC (412) 391-5590 per le più informazioni.

Ce document est disponible en français sur demande.
Veuillez appeler le SPC (412) à 391-5590 pour plus d'information.

This document is available in alternate formats upon request.
Please call SPC at (412) 391-5590 for more information.



The Southwestern Pennsylvania Commission (SPC) hereby gives public notice that it is the policy of the Commission to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI and other related statutes require that no person in the United States of America shall, on the grounds of race, color, sex, national origin, age, or disability, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which SPC receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice by SPC under Title VI has a right to file a formal complaint with the Commission. Any such complaint must be in writing and filed with SPC's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discrimination Complaint Form, please see our website at: www.spcregion.org or call 412-391-5590.

Introduction

As a recipient of federal funds, the Southwestern Pennsylvania Commission (SPC) follows the United States Department of Transportation Policy Guidance (U.S. DOT 2005) regarding recipients' responsibilities to Limited English Proficient (LEP) persons. The purpose of this Limited English Proficiency Plan is to outline the responsibilities of the Southwestern Pennsylvania Commission (SPC) in regards to Limited English Proficient individuals and to define resources and establish a process for providing assistance to LEP individuals for SPC programs, activities, and services pursuant to Title VI of the Civil Rights Act of 1964 and Executive Order 13166.

Background

The Southwestern Pennsylvania Commission

The Southwestern Pennsylvania Commission is the metropolitan planning organization (MPO) for the ten-county region of Southwestern Pennsylvania. SPC's member governments include Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Washington and Westmoreland Counties and the City of Pittsburgh. As such, it is the federally mandated transportation policy board comprised of representatives from local, state and federal governments, transit agencies and other stakeholders, and is responsible for transportation planning and programming for the ten-county region. Any transportation project or program to be constructed or conducted within the SPC region and to be financed with federal transportation funds must receive approval by SPC before any federal funds can be expended. In addition, any transportation project deemed to be regionally significant, regardless of the source(s) of funding, must receive SPC approval to proceed.

Public Involvement Plan

SPC is required by federal regulations to consider public input into the transportation planning process. SPC's Public Participation Plan (PPP) provides a framework for SPC's transportation planning processes in order to facilitate a proactive public participation process and comply with federal participation plan requirements. SPC's Public Participation Plan identifies strategies and tools to enhance effective public participation in SPC's transportation planning activities. Activities in the Public Participation Plan are also coordinated with the statewide transportation planning public involvement and consultation processes associated with statewide transportation planning processes.

SPC's goal is to foster significant and ongoing two-way communication with our region's residents. Education and public outreach are essential parts of our responsibility to inform the

public about the transportation planning process. This overall goal is achieved by implementing 5 specific principles that guide the Public Participation Plan and the overall public involvement process.

Inform and Educate the Public

SPC works diligently to make information accessible to the public and to provide timely public notice. We provide information to the public that is accurate, understandable and pertinent to regional transportation planning and engagement activities, and we do so through the use of varied communication tools. In addition to informing the public, SPC makes every effort to educate the public about the planning process and provide supportive policy, program and technical information. Educating the public supports informed public contribution and continued engagement by the public. Education is enhanced through the use of visualization tools that help the public understand and relate to SPC's various planning activities.

Reach Out and Build Connections

SPC continues to develop methods and opportunities for traditionally underserved portions of the population to participate in the transportation planning process, including minority, non-English speaking, and low-income groups. It is a continual priority to increase the diversity of participants in engagement activities through building new relationships with organizations and communities that serve these populations.

Engage the Public and Encourage Continued Participation

SPC encourages continued public participation by ensuring an engagement process that is meaningful. This includes providing various ways to engage and communicate with the public, responding to all comments and questions in a timely manner, using our network of partners for help with responses as needed, and providing other opportunities for further engagement and education.

The concept of two-way communication between SPC and the public is a key element to developing our planning goals and outcomes. We encourage input, respond in a reasonable and timely manner, and include comments as feedback to decision-makers to shape the planning process. It is important to note that all regular meetings of the Southwestern Pennsylvania Commission feature a public comment opportunity.

Use Public Input to Shape Policies, Plans, and Programs

SPC documents all input received from the public. This documentation provides a record of all comments and assists SPC staff and committees in reviewing public input, which is used in the development of transportation plans and programs. The process of incorporating public input into transportation planning documents is transparent and consistent with the provisions outlined in the Public Participation Plan. SPC informs the public of the decision-making process

for each planning activity in which public comment is solicited. This is presented to the public at the beginning of each planning activity and throughout the engagement process.

Evaluate Public Participation Strategies

In order to sustain best practices in public participation, SPC continually monitors the public engagement process and has developed a framework for evaluating and improving it and the strategies that guide how SPC engages the public.

Public Participation Panels

SPC provides a unique and active opportunity for participation by bringing planning directly to residents in each county through Public Participation Panels (Panels). Panels are a key element of SPC's public participation and outreach program. SPC works in partnership with a Panel of residents and business representatives in each county to provide citizens with direct, ongoing access to the regional planning and decision-making process. The Panels help promote public awareness of the regional transportation planning process and public participation opportunities to communities throughout Southwestern Pennsylvania.

- County Commissioners in each county (in Allegheny County, the County Executive and the Mayor of Pittsburgh) appoint Panel members in accordance with the general guidance for Panel composition stated below.
- The membership of the Panels is designed to be representative of the diverse population and interests in each county, with consideration given to federal guidance on Environmental Justice.
- Due to the diverse nature of the Panels, each Panel is provided general operational guidance, but may deviate from or reflect other Panels activities as necessary through consultation with SPC staff and the Commission.
- A minimum of fifteen members are appointed to each Panel.
- Terms of Panel members last for two years, corresponding to the TIP update cycle.
- Each county may choose to appoint either Co- Chairpersons or a Chairpersons and Vice-Chairpersons, which are collectively referred to as "Chairpersons".

- Persons interested in serving on a Panel are encouraged to contact their County Commissioners (in Allegheny County, the County Executive and the Mayor of Pittsburgh).
- SPC provides County Commissioners (in Allegheny County, the County Executive and the Mayor of Pittsburgh) with the most recent demographic profiles of their county's population. These demographic profiles are available via [SPC's website](#).

Federal Law and Policy

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, and therefore, are entitled to language assistance under Title VI of the Civil Rights Act of 1964, with respect to a particular type of service, benefit, or encounter.

Title VI of the Civil Rights Act of 1964

Title VI states that “No person in the United States shall, on the ground 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: Improving Access to Service for Persons with Limited English Proficiency

Executive Order 13166 requires federal agencies to examine the services they provide, identify any need for services to those with Limited English Proficiency (LEP), and develop and implement a system to provide those services so LEP individuals can have meaningful access to them. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency. The Executive Order also requires that the federal agencies work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

The U.S. Department of Transportation published policy guidance on December 14, 2005 (Federal Register Volume 70; Number 239). The guidance explicitly identified Metropolitan Planning Organizations (MPOs) as organizations that must follow this guidance.

Determining Needs

SPC is required to take reasonable steps in ensuring meaningful access to the programs and activities by LEP individuals. The US DOT Policy Guidance gives flexibility to federal transportation funding recipients in determining the appropriate level of language assistance to LEP populations. The starting point in determining “reasonable steps” is to conduct an individualized assessment for SPC utilizing a Four Factor Analysis.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by a MPO program, activity, or service

Using US Census Bureau 2010-2014 American Community Survey (ACS) 5-year estimates, the population of the Southwestern Pennsylvania region over the age of 5 years is 2,444,261. It was determined that approximately 5% (122,876) of that population speak a language other than English at home. Approximately 31% of the 122,876 persons over 5 years old that speak a language other than English at home speak English less than “very well”. This represents 1.5% of the total population of the region over 5 years old. Table 1 illustrates the number of LEP individuals at the county level.

County	Total Population	Speak a language other than English at home	Number of Non-English Speakers	Percent of Non-English Speakers
Allegheny	1,165,008	82,519	26,441	2.3%
Armstrong	64,929	1,054	317	0.5%
Beaver	161,307	4,970	1,413	0.9%
Butler	175,526	4,807	1,173	0.7%
Fayette	128,711	3,106	757	0.6%
Greene	36,315	1,293	248	0.7%
Indiana	83,993	4,694	1,624	1.9%
Lawrence	85,108	3,500	1,271	1.5%
Washington	197,732	6,669	1,986	1.0%
Westmoreland	345,632	10,264	2,474	0.7%
TOTAL	2,444,261	122,876	37,704	1.5%

American Community Survey Five Year Estimates (2010-2014): Summary Table DP14

Table 2 illustrates the language subpopulations most frequently spoken by LEP individuals in the region. As illustrated, individuals speaking Spanish or Creole make up the largest group, followed by Chinese, Italian, and Indic.

Table 2	
LEP Populations in the SPC by Language Spoken	
Language	Number of Non-English Speakers
Spanish or Creole	7,495
Chinese	5,201
Italian	3,238
Indic Languages	2,068

American Community Survey Five Year Estimates (2010-2014): Table B16001

The concentrations of these four language groups are mostly located in Allegheny County, specifically in and around the City of Pittsburgh, the Urban Core of the region. There are also pockets of Spanish-speaking LEP individuals found around the Cities of Washington, Uniontown, Connellsville and the Boroughs of Canonsburg, Charleroi, Donora, Indiana and Waynesburg. The maps in Appendix A depict the concentrations of LEP individuals for the four language groups (Table 2) in Census Tracts that are above the regional average of LEP concentrations (1.5%). It is important to note that the Italian language group has no concentrations above the regional LEP average for Census Tracts in the region, and therefore, no mapping is provided.

Factor 2: The frequency with which LEP individuals come in contact with the program

The more frequent the contact with a particular language group, the more likely that enhanced language services are needed. If an LEP person from a specific language group utilizes a program or service on a daily basis, the federally funded agency has greater language assistance requirements than if the same person’s frequency of contact with the program or service is unpredictable or infrequent. However, federal aid recipients must bear in mind the possibility that the frequency of contact with LEP populations could increase when appropriate outreach to those LEP populations is enhanced.

The next factor to be considered in the LEP Assessment is the frequency with which LEP persons encounter the services and programs of the Southwestern Pennsylvania Commission.

The Southwestern Pennsylvania Commission provides transportation planning and programming services on behalf of the ten-county region, and serves as the regional forum for transportation decision making. Decisions made by the Commission affect the residents, including LEP individuals, of the ten-county service area. Public input is routinely sought in the development and advancement of key planning processes, including the Long Range Transportation Plan (LRTP), Transportation Improvement Program (TIP), Public Participation Plan (PPP) and other key initiatives. During these public comment periods, comments are solicited from interested parties. To date, no comments or requests for information have been received in a language other than English.

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

SPC utilizes state and federal funds to plan for improvements to the surface transportation system. This planning is multimodal and includes a wide range of strategies, programs, and services aimed at improving accessibility, mobility, safety, and quality of life for all users. No element of the SPC program requires the compulsory participation of area residents, nor does SPC administer or oversee any programs or services that impose involuntary restrictions on area residents. Involvement by any person with SPC or its committees and forums is completely voluntary.

SPC takes reasonable steps in ensuring that all segments of the population, including LEP persons, have the opportunity to be involved throughout the transportation planning process. Based on SPC's responsibility for coordinating the planning and programming of transportation investments in the Southwestern Pennsylvania region, potential interest in the planning process by the public, and any effects on the public's quality of life resulting from SPC functions; the following planning documents have been identified as the vital products of SPC's metropolitan planning process:

- 1. Public Participation Plan (PPP)** - provides a framework for SPC's transportation planning processes in order to facilitate a proactive public participation process and comply with federal participation plan requirements.
- 2. The Long-Range Transportation Plan (LRTP)** - establishes a regional vision and outlines the policy direction guides all planning and programming undertaken at SPC.
- 3. The Transportation Improvement Program (TIP)** - is a program of the highest priority transportation improvements and programs to be implemented in the next four years with federal, state and local funds.

Factor 4: The resources available to the MPO and costs to provide assistance services

Based on the language data and assessment used in Factor 1, as well as financial constraints, full multi-language translations of large transportation plan documents is not considered to be warranted at this time. In that regard, SPC will make summaries of the Public Participation Plan (PPP), the Long-Range Transportation Plan (LRTP), and the Transportation Improvement Program (TIP) available in Spanish. As identified in Table 2, Spanish is the language the SPC staff is most likely to encounter.

SPC will provide translation and/or interpretation services, upon request, for the vital products of the Metropolitan Planning Process, identified in Factor 3. Furthermore, all public meeting notices and notices for public comment periods are classified as vital services requiring translation services. To facilitate this process, SPC uses a standardized template for public meeting and comment period notices.

SPC will continue to provide in both English and Spanish notifications for newspaper advertisements. SPC also offers the Google® Translator tool on its website. This tool allows for real-time, in place translation of the SPC website in more than 100 languages. (Important: The Google® Translator tool is provided on SPC's website as a convenience for site visitors and is not intended or used by SPC in place of providing professional translation and interpretation services.)

Meeting Requirements and Implementation

The following section provides details about how SPC implements LEP provisions including providing assistance to LEP persons, disseminating LEP information to the public, training staff, and monitoring the LEP Plan.

Identifying LEP Persons in Need of Language Assistance

SPC takes the following actions in order to identify LEP individuals during meetings, events and throughout the planning process:

- Record requests for language assistance and encounters with LEP individuals at meetings, events and throughout the public involvement process.
- Assign a staff member at a sign-in table to greet attendees at public meetings and SPC events in order to informally gauge the attendee's ability to speak and understand English.

- Utilize U.S. Census Bureau’s “[I Speak Cards](#)” at the sign-in table in order to assist in identifying language needs for future meetings and events.
- Post a notice of available language assistance on the SPC website and in the SPC office reception area.

Language Assistance

SPC utilizes the following measures to reasonably provide interpretation and translation language assistance to LEP individuals:

Interpretation

- When it is determined that an interpreter is needed, either in person or via telephone, SPC staff will first determine what language is required via the “I Speak Cards” or by utilizing a web-based tool such as Google® Translator. These tools offer the translation of web pages and documents as well as online and instant speech translations through a PC or a smart phone application.
- Provide oral interpretation services for public meetings. SPC contracts with interpretation (and translation) service providers for these services. A request for such service must be made in advance, preferably with 72 hours notice, as requested by our contracting service. Should a request be made with less than 72 hours notice, we will attempt to resolve the individual’s request with the best available resources and accommodations.

Translation

- Provide translated copies of materials and plan summaries in Spanish, the most common language as identified in Factor 1 of the Four Factor Analysis. SPC will also provide translations into other languages, as requested. SPC contracts with interpretation and translation providers for these services, and can provide assistance upon request.
- Continue to offer a translator tool on SPC’s website for instant translations of website content. As referenced in Factor Four of the Four Factor Analysis, SPC currently offers the Google® Translator tool on its website. This tool allows for real-time, in place translation of the SPC website in more than 100 languages. (Important: The Google® Translator tool is provided on SPC’s website as a convenience for site visitors and is not intended or used by SPC in place of providing professional translation and interpretation services.)

SPC Staff Training

SPC staff that interact with the public will be provided access to the LEP Plan and will be offered training on procedures and services available. Training topics may include:

- Title VI of the Civil Rights Act
- LEP program responsibilities
- Use of LEP language Assistance Cards (“I Speak Cards”)
- Language assistance resources offered
- Documentation of language assistance requests

Providing Notice to LEP Individuals

Concluding the Four Factor Analysis, SPC has determined that it will provide language assistance services. It is important that the SPC notifies LEP persons of services available free of charge in a languages LEP persons will understand. Examples of notifications undertaken by SPC include:

- Signage in the SPC office reception area stating that free language assistance is available.
- Stating in outreach and vital documents that language services are available from SPC.
- Include translated meeting notices, and public notices, in three of identified languages from Factor 1, on the SPC website. Requests for any of the fifteen languages included in the Indic language group will be translated as requested.
- Distribute meeting notices, and public notices to organizations that target LEP groups.
- Include statements in notices for public meetings and participation opportunities announcing that SPC will provide assistance related to sight, language, or hearing with three day’s advance notice.
- Working through SPC’s Public Participation Panels and with community-based organizations to inform LEP individuals of SPC’s programs and service, including the availability of language assistance services.
- Include notices in local Spanish language newspaper.

- Include notices in non-English media outlets and community service organizations regarding the availability of language translation and interpretation services.

Monitoring and Updating the LEP Plan

The Southwestern Pennsylvania Commission takes the following steps to monitor, review and update its LEP Plan, as needed, to ensure meaningful access to its programs and services by LEP individuals.

- Every four years, SPC will review and update, as necessary, the demographic data of the SPC region's LEP populations.
- Review the frequency of contact with LEP individuals (i.e., interpretation and translation requests and translated website views) and adjust strategies as necessary.
- Evaluate the availability of resources, including technological advances.
- Review any feedback received from LEP individuals on the effectiveness of SPC's language assistance services.
- Review the potential need for expansion of services and/or programs.
- Review the nature and importance of programs, services and activities to LEP individuals.

Appendix A: LEP Language Group Mapping

Map 1: Spanish

Map 2: Chinese

Map 3: Indic Languages