

Appendix B: Language Assistance Plan (Updated May 2022)

The North Central Texas Council of Governments (NCTCOG) is committed to incorporating environmental justice elements and Title VI considerations into the public participation process for transportation planning. Input and involvement are sought from populations that have been traditionally underserved by existing transportation systems, including, but not limited to, low-income and minority households and individuals with limited English proficiency. These groups' needs are considered during planning. Various communication strategies and information formats seek to make information easily accessible and understandable.

Title VI states that no person shall, on the ground of race, color, or national origin, be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance. Related civil rights statutes protect persons based on age, sex, disability, and religion. Title VI prohibits discrimination in three forms:

- Disparate treatment, where persons are intentionally treated differently because of their race, color, or national origin.
- Disparate impact, where a facially neutral policy or practice disproportionately affects members of a group identified by race, color, or national origin.
- Retaliation against persons who have claimed discrimination.

The North Central Texas Council of Governments Transportation Department Title VI Complaint Procedures (Appendix D) establishes a procedure under which complaints alleging discrimination in NCTCOG's provisions, services, or activities can be made by persons who are not employees of NCTCOG.

The U.S. Department of Transportation defines limited English proficiency (LEP) as persons who do not speak English as their primary language and who have limited ability to read, write, speak, or understand English.

Executive Order 13166

In 2000, President William J. Clinton signed Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency." The order provided clarification of Title VI in the Civil Rights Act of 1964, stating that recipients of federal funds must "ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin."

The order also required federal agencies and recipients of federal financial assistance to examine the services they provide and develop an implementation plan to provide meaningful access to LEP persons.

Guidance from the Federal Highway Administration, Federal Transit Administration, and Texas Department of Transportation stresses the importance of reducing language barriers that can prevent meaningful access by LEP persons to important services. NCTCOG values public involvement and feedback and encourages participation by all communities.

To ensure all communities have meaningful access to information and opportunities to participate in the planning process, the NCTCOG Transportation Department analyzes department activities and demographic information for the region in order to:

- Identify LEP persons who need language assistance and determine how these individuals are served or likely to be served by NCTCOG Transportation Department programs.
- Outline how language assistance will be available.
- Train staff to interact with and consider the needs of LEP persons.
- Provide notice to LEP persons.
- Monitor and update plans and strategies that address how LEP individuals have access to information and opportunities for program participation.

Spanish-speaking LEP individuals can voice their concerns about the transportation system via the Spanish-language version of Map Your Experience, NCTCOG’s online, interactive mapping tool.

Because transportation planning and services provided by NCTCOG can be both a benefit and a burden to economic development, employment, housing, education, healthcare, and social opportunities, NCTCOG staff is dedicated to assessing the location and needs of LEP communities and, consequently, the services NCTCOG provides to these communities.

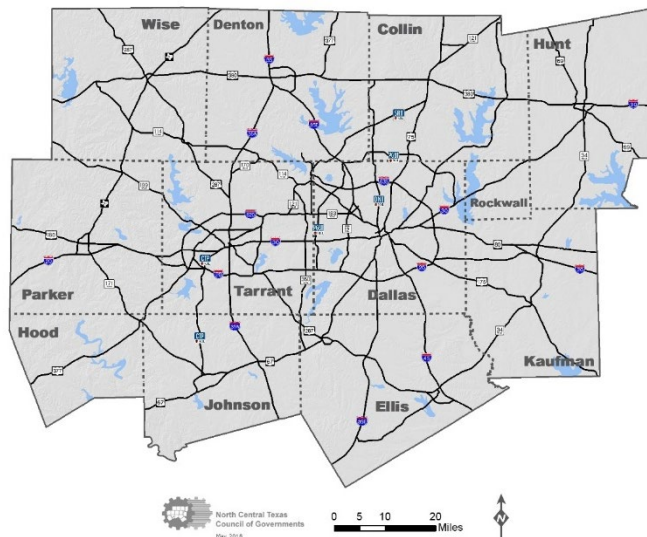
Identification of LEP Populations and Determination of How These Individuals are Served or Likely to be Served by NCTCOG Transportation Department Programs

The U.S. Department of Transportation issued Policy Guidance to federal financial assistance recipients regarding Title VI prohibition against national origin discrimination affecting LEP persons. In this guidance, the U.S. Department of Transportation provided the four-factor analysis as an approach to evaluate the extent to which language assistance measures are required to ensure meaningful access to LEP persons.

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

The Metropolitan Planning Area boundary encompasses 12 counties (Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise).

Limited English Proficiency Service Area



Data for the 12-county Metropolitan Planning Area was gathered using the 2012-2016 and 2015-2019 American Community Survey datasets. LEP persons were classified as anyone age five or older who described their ability to speak English as less than 'very well' (i.e., 'well,' 'not well,' or 'not at all'). The aggregate LEP population decreased by 0.32 percentage points between 2016 and 2019 but increased by 35,251 people. Due to changes in the Census Bureau's coding of language data, it is not possible to compare current language group data to data preceding 2016 estimates.

In 2019, the LEP population was 914,371, which was 13.32 percent of the region's 6,866,398 residents age five or older. Spanish was the largest language represented among the LEP population, with 10.30 percent of the region's total population age five or older.

LEP Population for the 12-County Dallas-Fort Worth Metropolitan Planning Area

	2012-2016 American Community Survey		2015-2019 American Community Survey	
	Region Aggregate (Population Age 5 and Older)	Percentage of Total Population Age 5 and Older	Region Aggregate (Population Age 5 and Older)	Percentage of Total Population Age 5 and Older
Total Population Age 5 Years and Older	6,446,768		6,866,398	
Spanish: Speak English less than "very well"	694,804	10.78%	707,165	10.30%
Other Indo-European Languages: Speak English less than "very well"	37,081	0.58%	42,571	0.62%
Vietnamese: Speak English less than "very well"	41,086	0.64%	41,222	0.60%
Other Asian and Pacific Island Languages: Speak English less than "very well"	26,677	0.41%	32,745	0.48%
Chinese (incl. Mandarin, Cantonese): Speak English less than "very well"	22,953	0.36%	24,557	0.36%
Other and Unspecified Languages: Speak English less than "very well"	15,461	0.24%	19,914	0.29%

	2012-2016 American Community Survey		2015-2019 American Community Survey	
Korean: Speak English less than "very well"	13,363	0.21%	13,191	0.19%
Arabic: Speak English less than "very well"	8,918	0.14%	11,729	0.17%
French, Haitian, or Cajun: Speak English less than "very well"	6,130	0.10%	8,279	0.12%
Tagalog (incl. Filipino): Speak English less than "very well"	5,432	0.08%	6,112	0.09%
Russian, Polish, or other Slavic Languages: Speak English less than "very well"	5,326	0.08%	5,352	0.08%
German or other West Germanic Languages: Speak English less than "very well"	1,889	0.03%	1,534	0.02%
Total LEP Population	879,120	13.64%	914,371	13.32%

Source: 2012-2016 and 2015-2019 American Community Survey 5-Year Estimates, C16001

Limited English proficiency (LEP) is classified as any person whose primary language is other than English and who answered that their ability to speak English was "well," "not well," or "not at all."

In 2016, the US Census Bureau changed the way it codes language data. Consequently, language groupings cannot be compared between American Community Survey estimates developed before and after 2016.

Recognizing that low literacy regardless of native language could also result in the need for language assistance, data from the National Center for Education Statistics was analyzed. The center’s Program for the International Assessment of Adult Competencies includes data on adult literacy skills. The assessment used population estimates for persons aged 16 to 65 from 2011 to 2017. The assessment defines literacy as “understanding, evaluating, using and engaging with written text to participate in society, to achieve one’s goals, and to develop one’s knowledge and potential.”¹ People whose literacy skills were at or below Level 1 may not be able to understand the structure of sentences or paragraphs or make use of other text features. In the NCTCOG region, only Dallas County had a percent of residents below Level 1 literacy that was higher than the state average of 28 percent.

Dallas-Fort Worth Metropolitan Planning Area Results from the Program for the International Assessment of Adult Competencies

Location	Population Size Age 16-74*	Percent Below Level 1 Literacy
Texas	19,698,535	28%
Collin County	664,152	12%
Dallas County	1,839,032	33%
Denton County	578,297	14%
Ellis County	117,488	23%
Hood County	39,207	16%
Hunt County	65,414	24%
Johnson County	114,766	22%
Kaufman County	81,450	22%
Parker County	91,526	15%
Rockwall County	64,473	14%
Tarrant County	1,426,715	24%
Wise County	45,891	21%

*2013-2017 American Community Survey 5-Year Estimates. The Census Bureau’s method of reporting age data prevents reporting a population size that matches the study group, age 16 to 65.

This Language Assistance Plan outlines how the needs of the LEP population in the Metropolitan Planning Area will be addressed, how language services will be made available, and how LEP persons will be notified of these services.

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

The nature of the programs associated with the Metropolitan Planning Organization (MPO) dictate that the majority of contact with the public and LEP persons is through inquiries submitted to the MPO, public input opportunities, public outreach events, the MPO website, and program implementation activities.

In order to better inform the frequency with which LEP individuals come in contact with MPO programs, a staff survey of LEP encounters was updated in 2022. Department staff members were asked if they had encountered an LEP individual in the past three years, and if so, what languages they had encountered, the frequency, and what type of work activity they were

¹ National Center for Education Statistics, What PIAAC Measures, <https://nces.ed.gov/surveys/piaac/measure.asp>

conducting. Of the approximately 200 department staff members who received the survey, 25 indicated they encountered LEP individuals speaking four total languages in a period of three years. Spanish was the most common, followed by rare encounters of Vietnamese, Arabic, and an unspecified language. The most frequent work activities in which staff encountered LEP individuals were phone calls, community outreach events, and public input opportunities, including in-person meetings.

As a result of this survey, NCTCOG maintains a voluntary directory of employees who are able to communicate in languages other than English and are willing to provide assistance to LEP individuals. If an employee encounters a LEP individual with whom it is difficult to communicate, they may be able to refer the individual to an employee who can better assist them in another language. At present, 19 languages are represented in this language assistance directory.

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

NCTCOG is the agency responsible for the regional transportation planning process; in this capacity, NCTCOG must ensure that all segments of the population are involved, or have the opportunity to be involved in, the decision-making process. As required by federal guidelines, NCTCOG produces a Metropolitan Transportation Plan that outlines long-range transportation investments, a Transportation Improvement Program that provides short-range planning for transportation investments, a Unified Planning Work Program that outlines tasks to be performed in the upcoming year, and a Congestion Management Process for developing and implementing operational and travel demand strategies that improve transportation system performance.

Consistent with the Public Participation Plan, planners seek public input on these products, which influence quality of life and mobility options in the region. Public input opportunities, conducted both virtually and in person, represent one way for North Texans to be informed and involved. Public input opportunity notices are provided in English and Spanish. Notices include the telephone number and email address to request special accommodations for language translation or disability. Public input opportunities are posted online and advertised in newspapers, and staff interact regularly with local reporters, some of whom contribute to minority publications. Translated ads are placed in the major Spanish and Vietnamese newspapers.

Factor 4: The resources available to the recipient and costs.

NCTCOG currently has bilingual staff who assist with translation needs and/or translation review. NCTCOG also has agreements with translation services that cover many languages, as well as American Sign Language. Since 2017, NCTCOG has received one request for translation at a public input opportunity, one request for a sign language interpreter at a public input opportunity, and one request for a meeting transcript for a hearing-impaired person.

To translate documents, NCTCOG currently utilizes both a translation service and department staff. The average cost for the outside translation service is \$0.15 per word. At no cost, the Google Translate tool was added to the NCTCOG Transportation Department website, making information more readily accessible in more than 120 languages. Each year a portion of the community outreach budget is proactively allocated to translation services. Visualization tools such as animations, maps, renderings, photos, and others are also used, when possible, to increase understanding among all audiences. These tools can also be especially beneficial for LEP persons. All language assistance is provided at no charge to LEP individuals.

Guidelines for Making Language Assistance Available

The four-factor analysis will be used as a tool for analyzing to what extent and how the needs of LEP communities are addressed during transportation planning and program implementation. For example, the four-factor analysis will be used to determine initial translation or alternative format needs for documents and the website. Department reports, newsletters, brochures, other publications, and website information include instructions about how to request information in other formats. Translators and interpreters used by the NCTCOG Transportation Department will be evaluated to ensure accurate, high-quality language services are available to LEP persons.

Increased use of visualization tools will be used to make information more understandable and, in some cases, reduce the need for English proficiency.

Plans, projects, and programs for areas with a high number of LEP persons will have materials that address the needs of the population in those areas. Environmental justice communities, including non-English speakers, are mapped whenever possible to provide, as much as possible, plan- or project-specific data.

The NCTCOG Transportation Department will make every effort to accommodate language translation needs, if provided sufficient notice. A minimum of three business days advance notice is required for these arrangements to be provided for a public input opportunity.

NCTCOG Transportation Department staff will consistently seek input and involvement from organizations and agencies which serve LEP populations to complement other language assistance and outreach efforts.

Staff Training for Interacting with and Considering the Needs of LEP Persons

All NCTCOG Transportation Department staff members employed as of July 2019 completed in-person training on the requirements and techniques for providing meaningful access to services for LEP persons. Training materials and resources continue to be available for review by all staff—including new employees.

Notice of Assistance Available for LEP Persons

Public input opportunity notices, which are available in English and Spanish, include the telephone number and email address to request special accommodations for language translation or disability. On each notice, this information is included in English and Spanish.

Notice of the North Central Texas Council of Governments Transportation Department Title VI Complaint Procedures is accessible online and in a brochure made available online, at public meetings, and outreach events. Title VI complaint forms are available in both English and Spanish.

Language assistance can be obtained by contacting the NCTCOG Transportation Department:

North Central Texas Council of Governments, Transportation Department
P.O. Box 5888
616 Six Flags Drive (76011)
Arlington, TX 76005-5888
Phone: (817) 695-9240
Fax: (817) 640-3028
Email: transinfo@nctcog.org
Website: www.nctcog.org/trans/

Monitoring and Updating Plans and Strategies that Address How LEP Individuals Have Access to Information and Opportunities for Program Participation

This Language Assistance Plan is intended to be reviewed and updated in conjunction with the NCTCOG Transportation Public Participation Plan.

Environmental justice and Title VI activities will be periodically summarized to provide information about how the NCTCOG Transportation Department:

- Addresses the needs of LEP persons and those traditionally underserved by existing transportation services.
- Facilitates opportunities for full and fair participation from all individuals.
- Makes information accessible and understandable.
- Ensures no person shall, on the basis of race, color, national origin, age, sex, disability, or religion, be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance.