

HIDALGO COUNTY
REGIONAL MOBILITY AUTHORITY

Language Assistance Plan

TITLE VI COORDINATOR
203 W. Newcombe Ave
Pharr, TX 78577
(956) 402-4762

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INTRODUCTION

This Language Assistance Plan (LAP) has been prepared to address the Hidalgo County Regional Mobility Authority's (HCRMA) responsibilities as a recipient of federal financial assistance as it relates to the needs of individuals with Limited English Proficiency (LEP) language skills. An LEP individual is a person who does not speak English as his or her primary language and who has a limited ability to speak, read, write, or understand English.

FEDERAL AUTHORITIES

Title VI of the Civil Rights Act of 1964, as amended, provides that no person 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, services, or activity of an entity receiving Federal financial assistance”.

Executive Order 13166, entitled “Improving Access to Services for Persons with Limited English Proficiency”, is directed at implementing the protections afforded by Title VI of the Civil Rights Act of 1964 and related regulations. It prohibits recipients of Federal financial assistance from discriminating based on national origin by failing to provide meaningful access to services to individuals who are LEP. Differing treatment based upon a person’s inability to speak, read, or understand English is a type of national origin discrimination. This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services that are normally provided in English.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

Title VI and its regulations require the HCRMA to take reasonable steps to ensure “meaningful” access to the information and services it provides. The reasonable steps to take are contingent on four factors: the number or proportion of LEP persons in the eligible service population, the frequency with which LEP individuals come in contact with the program or service, the importance of the service provided by the program, and the resources available to the recipient and overall cost. The HCRMA performed an analysis of these four factors and determined the following:

- 1. The number or proportion of LEP persons in the eligible service population.** Staff reviewed data from the 2011-2015 U. S. Census American Community Survey (ACS) and determined that 230,407 persons in Hidalgo County who are 5 Years and over speak a language other than English at home and speak English less than “Very Well”. This represents approximately 32.3% of the overall population in Hidalgo County. Of those persons with LEP, 227,597 speak Spanish and 2,810¹ or 1.2% speak other languages.

Hidalgo County Population	LEP Population	LEP - Spanish	LEP - Other
714,016	230,407	32.27%	227,597

- 2. The frequency with which LEP persons come in contact with HCRMA services.** Since the HCRMA issues Overweight/Oversized (OW/OS) permits to customers in Mexico, the HCRMA does have frequent contact with LEP persons by phone and by email for this service. Contact with these customers is not tracked since the HCRMA is aware of the frequency of interactions and has taken the necessary steps of having bilingual staff readily available to communicate with these individuals and have all information regarding Overweight/Oversized permits translated to Spanish. In regard to other HCRMA services or activities, there have been no requests for interpreters

¹ Of the 2,810, 732 speak Tagalog, 444 speak French, 375 speak Korean, 209 speak Japanese, 173 speak Chinese, 80 speak German, 68 speak Thai, 63 speak Persian, 63 speak Urdu, 59 speak Italian, 55 speak Cambodian, and the remaining 489 speak a variety of other languages.

and no requests for translated documents in the last five years. Should such requests be made, the HCRMA will log and track these requests.

3. The nature and importance of services provided by HCRMA to the LEP population. In assessing the importance of services, the HCRMA provides, the HCRMA relied on policy guidance from the Department of Justice (DOJ)² to help gauge the severity of importance. According to the DOJ's policy guide, programs where the denial or delay of access may have life or death implications are crucial and require more affirmative steps while reasonable steps be taken for programs that are not as crucial to one's day-to-day existence. Although the HCRMA does not have any programs that have life or death consequences, it does construct transportation projects that may have direct impact to individuals in proximity to project sites. For this reason, the HCRMA does have public outreach/involvement in planning for these projects and makes the planning process as inclusive as possible, which may include LEP individuals. Involvement by any citizen in these public meetings is voluntary. The HCRMA does have translated public outreach literature and bilingual staff attend these events.

4. Resources available to HCRMA and overall cost to provide LEP assistance. Staff reviewed available resources for providing LEP assistance, as well as, which of its documents would be most valuable to be translated. The HCRMA determined that the use of existing bilingual staff to assist a person with LEP and free translating software (Google Translate) to translate documents would be the most cost effective. If staff is not able to assist, private interpreter and/or translation services will be obtained at no cost to the LEP individual.

LAP PLAN SUMMARY

As a result of its four-factor analysis, the HCRMA has developed this LAP plan to describe the reasonable steps it will take to ensure that LEP individuals receive "meaningful" access to its programs and activities. This plan outlines how to identify a person who may need language assistance, the ways in which language assistance may be provided, training that staff will receive, and how to inform LEP persons that assistance is available.

A. IDENTIFYING A PERSON WHO MAY NEED LANGUAGE ASSISTANCE

The HCRMA will take the following steps to help identify a LEP person who may need language assistance:

- Post the U.S. Census Bureau's language identification flashcard, "I Speak" card in the front lobby of the building. *See Exhibit A LEP Notices.*
- Post notices in commonly encountered languages to notify LEP individuals that language assistance is available and to encourage them to identify themselves to staff. *See Exhibit A LEP Notices.*
- When public meetings/hearings or an informational meeting or event is held, a sign-in table will be set up and a staff member that speaks Spanish will attend and greet participants as they arrive. By briefly speaking to each attendee, staff will informally gauge the person's ability to speak and understand English.

B. WAYS TO PROVIDE LANGUAGE ASSISTANCE

A person who is LEP may be entitled to language assistance such as interpretation or translation services. For the purpose of this document, interpretation is the **oral or spoken** transfer of a message from one language into another language and translation is the **written** transfer of a message from one language into another language.

1. Interpretation Services

Oral communication between the HCRMA and LEP persons is a necessary part of the exchange of information that allows LEP persons to "effectively be informed of or participate in the program" in the same manner as persons who speak English.

² Policy Guidance: Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination Against Persons with Limited English Proficiency. Federal Register/Vol. 65, No. 159/August 16, 2000/Notices

- a) If an LEP person comes in contact with staff (in person or by phone), staff will assess the language being spoken. If the language is Spanish, bilingual staff should be available to assist in communicating with the LEP person. *See Exhibit B for list of bilingual Employees.* If another language is being used, staff may need to obtain interpreter services at no cost to the LEP person.
- b) If an LEP person or someone on behalf of the LEP person is requesting interpretation services for a HCRMA public meeting or an outreach event, the HCRMA will try to accommodate the request. Any requests for interpretation services should be made at least one week before the scheduled event by contacting (956) 402-4762. Such interpretation services, if provided, shall be free of charge.
- c) *Informal Interpreters.* The HCRMA should not rely on an LEP's informal interpreter such as a family members or friend for interpretation of its services or activities. However, should the LEP person insist on using their informal interpreter, staff will allow the use of the informal interpreter and document the situation and keep on file. Documentation should include, at minimum, the following:
 - Name of LEP person
 - Name of informal interpreter
 - Relationship between the LEP person and the informal interpreter
 - Date, Time, and Reason/Event that the informal interpreter was used
 - Reason the LEP insisted on use of the informal interpreter as opposed to one provided by the HCRMA
- d) *Minors.* While the decision to use a minor as the interpreter by a LEP person should be respected, staff should inform the LEP that there may be issues with competency, confidentiality, or conflict of interest in using a minor. Should the LEP person insist on using a minor as their interpreter, staff will allow and document the situation and keep on file. Documentation should include, at minimum, the following:
 - Name of LEP person
 - Name of Minor used as interpreter
 - Age of Minor used as interpreter
 - Relationship between the LEP person and the Minor
 - Date, Time, and Reason/Event that the Minor was used
 - Reason the LEP insisted on use of the Minor as interpreter as opposed to one provided by the HCRMA

2. Translation Services

Vital documents must be translated when a significant number or percentage of the population eligible to be served, or likely to be directly affected by the program/activity, needs services or information in a language other than English to communicate effectively. A document will be considered vital if it contains information that is critical for obtaining the federal services, benefits, or is required by law. For many larger documents, translation of vital information contained within the document will suffice and the documents need not be translated in their entirety.

- a) The HCRMA will translate into Spanish documents that contain vital information about HCRMA programs, the language assistance notice, the Title VI complaint process, and special accommodations under the Americans with Disabilities Act using bilingual staff or translating software.
- b) In public involvement or outreach events where the audience is expected to include LEP individuals, documents, meeting notices, flyers, and agendas will be translated in Spanish, or an alternative language based on the known LEP population.

- c) The HCRMA website does have the option to be translated into another language using Google Translate.
- d) The HCRMA will accept requests for copies of vital documents be translated in alternative formats or in different languages other than English or Spanish free of charge to LEP individuals. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue financial burden to the HCRMA. LEP individuals requesting documents in alternative format or language should contact the HCRMA office at (956) 402-4762.

C. STAFF TRAINING

HCRMA staff will be provided with a copy of the LAP and will be required to fully understand, enforce, and ensure its implementation. Staff will receive training on:

- The types of language assistance services offered to the public.
- The use of the “I Speak” cards.
- How to respond to language assistance requests.
- How to respond to a potential Title VI complaints as they relate to LEP individuals.

The Title VI Coordinator is available to assist with providing additional information and training request.

D. INFORMING LEP PERSON OF AVAILABLE ASSISTANCE

The HCRMA will post notices in commonly encountered languages notifying LEP individuals that free language assistance is available. Notices will be posted in public areas such as the front lobby, website, and in any public meeting event. Additionally, the HCRMA will include a statement on its agendas and public notices that language assistance is available to LEP persons upon request at (956) 402-4762.

E. DISSEMINATION, MONITORING, AND UPDATING THE LAP

- 1) The HCRMA will distribute to staff and post the LAP on its website.
- 2) The HCRMA will review and update, if needed, this plan periodically. At a minimum, the plan will be reviewed every five years, or when data from the most current U.S. Census data is available. Updates will include changes to demographics, types of services, or other needs that determine re-evaluation frequency of the Plan. Each re-evaluation should examine all plan components and assess the following:
 - The number of LEP persons requesting interpreters or translation of documents.
 - Determination if the needs of LEP persons have been addressed.
 - An analysis of the current LEP population in the service area.
 - Determination as to whether the language assistance programs have been effective and sufficient to meet the needs.
 - Determination as to whether HCRMA’s financial resources are sufficient to fund language assistance resources needed.
 - Determination as to whether HCRMA fully complies with the goals of this plan.
 - Determination as to whether complaints have been filed against the HCRMA for failure to meet the needs of LEP individuals.

EXHIBIT A – LEP NOTICES

U.S. CENSUS “I SPEAK” CARD

LANGUAGE ASSISTANCE NOTICE

"I Speak" Language Identification Cards

<input type="checkbox"/> Unë flas shqip (Albanian)	<input type="checkbox"/> op a N <u>Klào</u> .niW (Kru)
<input type="checkbox"/> አማርኛ አንገļኛ (Amharic)	<input type="checkbox"/> ຂ້າພະເຈົ້າເວົ້າ ພາສາລາວ. (Lao)
<input type="checkbox"/> أنا اتكلم اللغة العربية. (Arabic)	<input type="checkbox"/> Yie gorngv Mienh waac. (Mien)
<input type="checkbox"/> Ես խոսում եմ հայերեն (Armenian)	<input type="checkbox"/> म नेपाली बोल्छु (Nepali)
<input type="checkbox"/> আম বাংলা ভাষী। (Bengali)	<input type="checkbox"/> Mówię po polsku . (Polish)
<input type="checkbox"/> Ja govorim bosanski jezik (Bosnian)	<input type="checkbox"/> Eu falo Portugês . (Portuguese)
<input type="checkbox"/> ကျွန်တော်မြန်မာစကားပြောသည်။ (Burmese)	<input type="checkbox"/> ਇਸ਼ਪੇਅਰਕ ਪੰਜਾਬੀ (Punjabi)
<input type="checkbox"/> 我说中文 (Chinese Simplified)	<input type="checkbox"/> Cunosc limba Română . (Romanian)
<input type="checkbox"/> 我說中文 (Chinese Traditional)	<input type="checkbox"/> Я говорю по-русски . (Russian)
<input type="checkbox"/> Ja govorim hrvatski . (Croatian)	<input type="checkbox"/> Ou te tautala faaSamoa . (Samoan)
<input type="checkbox"/> اينجانب به زبان فارسي صحبت می کنم (Farsi)	<input type="checkbox"/> Govorim srpski . (Serbian)
<input type="checkbox"/> Je parle français . (French)	<input type="checkbox"/> Wuxaan ku hadlaa Somali . (Somali)
<input type="checkbox"/> Je parle le Français haïtien (French Creole)	<input type="checkbox"/> Yo hablo español . (Spanish)
<input type="checkbox"/> Μιλάω ελληνικά . (Greek)	<input type="checkbox"/> أتحدث السودانية (لغوي سوداني) (Sudanese)
<input type="checkbox"/> હું ગુજરાતી બોલ્યુ છું (Gujarati)	<input type="checkbox"/> Marunong po akong magsalita ng Tagalog . (Tagalog)
<input type="checkbox"/> Mwen pale Kreyòl . (Haitian Creole)	<input type="checkbox"/> ข้าพเจ้าพูด ภาษาไทย (Thai)
<input type="checkbox"/> म हंदी बोलता हूँ (Hindi)	<input type="checkbox"/> አነ ቴግርኛ ይዘረብ እየ. (Tigrinya)
<input type="checkbox"/> Kuv hais lus hmoob . (Hmong)	<input type="checkbox"/> Я розмовляю українською . (Ukrainian)
<input type="checkbox"/> Ana m a sụ Igbo (Igbo)	<input type="checkbox"/> میں اردو بولتا/بولتی ہوں۔ (Urdu)
<input type="checkbox"/> Parlo Italiano (Italian)	<input type="checkbox"/> Tôi nói tiếng Việt . (Vietnamese)
<input type="checkbox"/> 私は日本語を話します (Japanese)	<input type="checkbox"/> ייִדִיש רעד אַיִג (Yiddish)
<input type="checkbox"/> Mi chat Jamiekan langwjjij (Jamaican Creole)	<input type="checkbox"/> Mo gbø Yoruba (Yoruba)
<input type="checkbox"/> y k t ॥ k q k ॥ ॥ (Karen)	
<input type="checkbox"/> ខ្មែរយករាជការខ្លួន (Khmer)	
<input type="checkbox"/> 본인의 모국어는 한국어입니다 (Korean)	
<input type="checkbox"/> ئەز زمانى كوردى دەئاخىم. (Kurdish)	



LANGUAGE ASSISTANCE NOTICE

IF YOU HAVE A LIMITED ABILITY TO SPEAK, READ, WRITE, OR UNDERSTAND ENGLISH, PLEASE NOTIFY STAFF AT THE FRONT DESK FOR ASSISTANCE OR CALL (956) 402-4762. ANY LANGUAGE ASSISTANCE PROVIDED IS FREE OF CHARGE.

AVISO DE ASISTENCIA LINGÜÍSTICA

SI TIENE UNA CAPACIDAD LIMITADA PARA HABLAR, LEER, ESCRIBIR O ENTENDER EL INGLÉS, NOTIFIQUE AL PERSONAL DE LA RECEPCIÓN PARA OBTENER AYUDA O LLAME AL (956) 402-4762. CUALQUIER ASISTENCIA LINGÜÍSTICA PROPORCIONADA ES GRATUITA.

EXHIBIT B
LIST OF HCRMA BILINGUAL EMPLOYEES



HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY

List of Bilingual Employees

Below is the list of employees who possess language skills other than English and who are willing to assist a Limited English Proficiency (LEP) individual who requires language assistance.