ADAMS COUNTY TRANSPORTATION PLANNING ORGANIZATION

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

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Limited English Proficiency Assessment

Title VI of the 1964 Civil Rights Act states that "No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Federal Executive Order 13166 of 2001 "Improving Access to Services for Persons with Limited English Proficiency" directed federal agencies to: a) publish guidance on how their recipients can provide access to persons with limited English proficiency; b) improve the language accessibility of their own federal programs; and c) break down language barriers by implementing consistent standards of language assistance across federal agencies and amongst all recipients of federal financial assistance.

"Limited English Proficient" or "LEP" persons are those individuals who do not speak English as their primary language, and who have a limited ability to read, speak, write or understand English. The key commonality among all LEP persons is their inability to communicate effectively in the English language, regardless of their native tongue. Persons who are multi-lingual, in that they speak a language *in addition to English,* are not considered to be Limited English Proficient.

As a recipient of federal financial assistance, the Adams County Transportation Planning Organization has an obligation to reduce language barriers that can preclude meaningful access to ACTPO's programs, information and services by non-English speakers. The first step is the completion of a "Limited English Proficiency Self-Assessment" or LEP Assessment.

This self-assessment is designed to balance four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or service,

2. The frequency with which LEP individuals come in contact with the program and/or activities,

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

4. The resources available to the federal financial recipient and costs.

1. LEP Populations

The LEP self-assessment begins with the identification of the potential LEP population through a demographic analysis to determine the number or proportion of LEP persons from a particular language group served or likely to be encountered in the eligible service area. The greater the number or the higher the proportion of LEP persons served or encountered the more likely language services will be needed.

Decennial Census vs. American Community Survey (ACS)

Prior to beginning any analysis, changes in demographic surveys need to be briefly discussed. Previous versions of LEP analysis used 'long form' data that was collected as part of the Decennial Census. The most recent collection using this method was with the 2000 Census. While every household in America was counted, approximately 1-in-6 received a more detailed questionnaire that asked a multitude of

additional questions regarding topics such as income, employment, disability, commuting, and language. After the 2000 Census, Congress directed the Census Bureau to devise a method to collect the same information in a timelier manner while saving costs related to the Decennial counts. The resulting American Community Survey is a monthly nationwide survey taken of roughly 3 million households per year, with data aggregated for particular time frames based on geographic populations. Areas with populations over 65,000 persons (i.e., Adams County) receive their data aggregated to a one-year time span. Areas with populations between 20,000 and 64,999 (larger townships, plus one-year areas) receive three years' worth of aggregated data, while areas with less than 20,000 persons (boroughs, most townships, plus 1- and 3-year areas) receive their data aggregated over five years.

Since information needs to be reviewed at the municipal level, and to maintain consistency between measures, data source for this self-assessment was the 2008-2012 American Community Survey. Users are cautioned that Decennial Census figures represent a point-in-time, while ACS data represent an approximation over a much longer period of time and should be viewed appropriately.

The ACTPO Region

The "service area" for the Adams County Transportation Planning Organization is all of Adams County. According to the 2008-2012 American Community Survey (ACS), the population (Age 5+ years) of the service area was approximately 95,795 persons.

Information on the ability of residents of the ACTPO region to speak English was also obtained from the Census Bureau's 2008-2012 ACS. The particular language information obtained lists both the number of speakers of more than one language other than English in the United States, as well as the number of households where nobody in the household spoke English. The data are based on responses to the question, "Does this person speak a language other than English at home?" on the ACS questionnaire, which was distributed annually to approximately 1-in-46 households nationwide. Respondents who answered in the affirmative were then asked to name the language they spoke.

County level data indicate that approximately **3,485** (Age 5+ years) residents spoke a language other than English in the period covered by the ACS. The vast majority of these individuals were *multi-lingual* in that they indicated that they spoke English "Well" or "Very Well" in addition to speaking another language. These persons are not Limited English Proficient, or LEP, and were excluded from further analysis based on their ability to communicate effectively in English.

Approximately **2,609** individuals (Age 5+ years) who spoke a language other than English at home but who indicated that they spoke English "Less than Well" or "Not at All" are Limited English Proficient, or LEP. These **2,609** LEP individuals represent **2.7%** of the region's total population. The geographic distribution of LEP individuals throughout the county are shown in Table 1.

The region's LEP persons speak more than **20** different languages, with Spanish, Chinese, Italian, French (incl. Patois, Cajun)and Hindi being the most commonly spoken. The language most commonly spoken by LEP persons is Spanish, with **2,136** speakers or **2.2%** of the region's total population (Age 5+ years). The languages most frequently spoken by Non-English speakers in the region, according to the ACS information are shown in Table 2.

Analysis of the concentrations of non-English speakers in the region reveal that the highest number of non-English speakers live in **Gettysburg Borough** than any other municipality, where approximately **271** individuals identify themselves as speaking English "less than well" or "not at all." The municipalities with the highest concentration of non-English speakers by percentage is **York Springs Borough**, where 1**8.2%** of the Borough's population identify themselves as speaking English "less than well" or "not at all." Regionally, **2.7%** of the region's residents speak English "less than well" or "not at all." This **2.7%** of the regional population represents the Limited English Proficient population in the ACTPO region.

2. Frequency of Contact with LEP Populations

The next factor to be considered in the LEP Assessment is the frequency with which LEP persons encounter the services and programs of the Adams County Transportation Planning Organization. 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 contacts accesses 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.

ACTPO provides transportation planning and programming services on behalf of all of Adams County, and serves as the regional forum for transportation decision making. Decisions made by ACTPO affect all residents of the service area. As residents of the region, LEP persons may be affected by the decisions, services and programs of ACTPO. Public input is routinely sought in the development and advancement of key planning processes, including the Long Range Plan, Transportation Alternatives Programs, Public Participation Plan and other key plans, programs and initiatives. During these public comment periods, comments are solicited from any interested party. To date, no comments or requests for information have been received in a language other than English, nor has any advocacy group informed ACTPO of the need for expanded outreach in any language other than English.

3. Importance of Services Provided to LEP Populations

Once the languages spoken by LEP persons in the service area have been identified, and the frequency of contact has been analyzed, the nature and importance of the services provided must be assessed. As a rule of thumb, the more important the activity, service or program, or the greater the possible consequences of the contact to the LEP individuals, the more likely language services are needed. The key question to be addressed is "will the denial or delay of access to services have serious implications for the LEP individual?"

The nature of the programs and services provided by ACTPO's affect the mobility and quality of life for area residents. No element of the ACTPO program requires the compulsory participation of area residents, nor does ACTPO administer or oversee any programs or services that impose involuntary restrictions on area residents. Finally, the delay or denial of ACTPO services or participation in any ACTPO program is unlikely to result in a detrimental effect on the health or well-being of any individual.

However, ACTPO will take reasonable steps to ensure that LEP persons have meaningful access to key transportation planning decisions and have opportunities to become involved in the regional transportation planning process.

4. Resource Availability and Cost

The final factor in the assessment of language service provisions relates to the costs of providing such services, and the resources available to the agency. ACTPO has assessed its available resources that could be used for providing language assistance. This included identifying what staff language interpreters are readily available and how much a professional interpreter and translation service would cost.

Language Assistance Measures
There are two language assistance services that ACTPO will provide: translation and interpretation. These terms are often used interchangeably; however, they are actually quite distinct and there are different rules for each.

- ***Translation*** refers to the process of transferring information expressed in writing from one language to another language.

- ***Interpretation*** is the process by which the spoken word is used when transferring meaning between languages.

In order to determine in which languages these assistance measures will be provided by ACTPO depends on the results of data that was analyzed as part of the 4-Factor LEP Assessment. The results of this assessment are shown in Tables 1 and 2, and indicate that there are approximately **2,609** residents of the region that speak English "less than well" or "not at all" and that these non-English speakers are fluent in **20** different languages.

The potential need to provide services in as many as **20** languages could be problematic considering the number on non-English speakers as well as the diversity of languages other than English spoken in Adams County. To help agencies such as ACTPO who serve large areas with multiple language needs, the Department of Justice and the Department of Transportation have guidance on serving LEP populations that identify "safe harbor" provisions that recommend that language assistance be provided when the LEP population reaches one percent of the population in the service area, or when the number of non-English speakers with a common native language reach 1,000 persons, whichever is less. At these levels, the federal guidance recommends that written translation of vital documents be available upon request, and that the agency have plans to address the potential need for oral translation services.

Review of ACS data for the region's LEP analysis shows that there is only one language group in the ACTPO region that meet Department of Justice "safe harbor" thresholds. Spanish or Spanish Creole language speakers are estimated at approximately **2,136** LEP persons, thus meeting the thresholds. Chinese speakers are estimated at 89 (0.09%); and Italian speakers are estimated at 62 (0.06%); and French (incl. Patois, Cajun) speakers are estimated at 50 (0.05%). These three language groups contain the three next-highest number of LEP persons, but fall below "safe harbor" thresholds.

Written Translation
ACTPO will provide written translations of its planning documents upon request. In addition, the ACTPO website has an On-Demand translation module installed, thus allowing digital translations of documents provided online. ACTPO will also translate notices of public comment periods for the vital documents identified in the Public Participation Plan: the Long Range Transportation Plan, Transportation

Improvement Program, and Public Participation Plan. In addition, ACTPO is currently exploring options for on-demand translation services.

The front piece of ACTPO documents will include language in English and Spanish, that the document is available in other languages upon request. ACTPO already provides language translations via its website, which will have the capability of translating any ACTPO web page or documents linked to the website instantly into a number of languages.

Oral Interpretation

Oral interpretation services are appropriate for a number of situations, including routine inquiries from citizens who call ACTPO or come into our offices, as well as public meetings and events. ACTPO will use telephone interpretation services provided by the Pennsylvania Department of Transportation (PENNDOT) to provide oral interpretation assistance to LEP individuals.

Telephonic Interpretation Service

ACTPO has services available through PENNDOT to provide telephonic interpretation services to assist LEP callers, walk-ins, and in cases where requests for an in-person interpretation were either not made or where insufficient notice was given to allow ACTPO to arrange for an interpreter.

In-Person Interpretation Services

ACTPO will explore contracting services similar to other County departments to provide in-person interpretation services to respond to requests for language assistance. Meeting notices for public meetings include language requesting that ACTPO be notified in advance of any specialized services.

In the event that a qualified interpreter cannot be identified in a timely fashion, efforts will be made to work with the LEP individual(s) to identify a family member or community member capable of assisting with their language needs, in compliance with FHWA Guidance on outreach to LEP individuals.

Finally, ACTPO will provide Press Releases to local minority media outlets and community service organization regarding the availability of language translation services.

ACTPO Limited English Proficiency Policy

In addition to this Limited English Proficiency (LEP) Plan, ACTPO has the following policy statement regarding services to LEP populations:

Title VI of the Civil Rights Act of 1964 as amended, and its implementing regulations require that responsible steps are taken by the Adams County MPO (also known as ACTPO) to ensure meaningful access to the benefits, services, information, and other important portions of programs and activities for individuals who are Limited English Proficient (LEP).

ACTPO provides several options to assist in communicating with individuals who do not speak English. Adams County provides translation services through *Language Services Associates*. This service provides toll-free assistance in language identification through written materials which include sample statements in over 40 languages, followed by telephone connection with an interpreter. Adams County also includes the *Microsoft Translator* language translation module on its website, which provides translation of website documents into 42 different languages.

Summary

LEP persons will be ensured meaningful access to ACTPO activities through written and/or oral interpretation services upon request. ACTPO and its staff, the Adams County Office of Planning and Development (ACOPD) have taken or will take the following actions:

1. Post language identification cards in the ACOPD office which say "If You Need an Interpreter, Please Point to Your Language";

2. Provide access to language interpreter services available through Language Services Associates provided by Penn DOT;

3. Train staff on how to respond to LEP persons who phone, visit the ACOPD office, or attend public meetings and how to provide those services;

4. Maintain an language translation program on its website making its web pages readable in other languages;

5. Post a message on the ACOPD website at http://www.adamscounty.us/Dept/Planning/Pages/default.aspx that free language interpreter services are available at the ACOPD office; and

6. Monitor and update the Limited English Proficiency (LEP) Plan to determine whether new documents, programs, services and activities are needed due to changes in LEP population, frequency of language service requests or the needs of LEP persons.

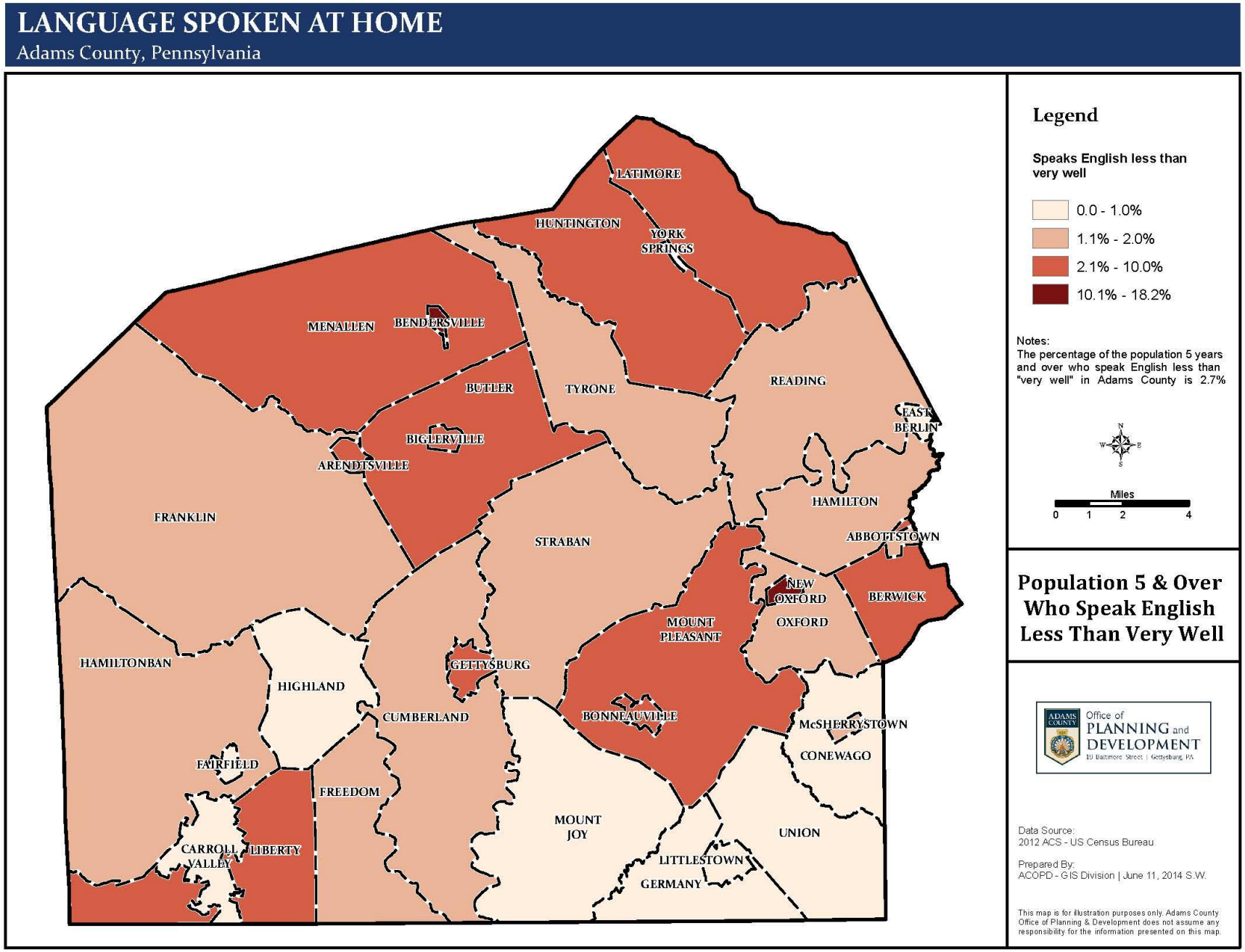
Table 1: LEP Populations in the ACTPO Region – Sorted by Municipality

Municipality	Total Persons 5 Yrs. and Over	Number Who Speak English Less Than Very Well	Percent Who Speak English Less than Very Well	Most Common Language of LEP Persons		Second Most Common Language of LEP Persons	
				Language	#	Language	#
Abbottstown boro	786	16	2.0%	Other Indic Langauges	8	Spanish or Sp. Creole	6
Arendtsville boro	866	75	8.7%	Spanish or Sp. Creole	74	Tagalog	1
Bendersville boro	561	69	12.3%	Spanish or Sp. Creole	69	/	/
Berwick township	2,069	94	4.5%	Spanish or Sp. Creole	89	German	5
Biglerville borough	1,052	84	8.0%	Spanish or Sp. Creole	84	/	/
Bonneauville boro	1,879	75	4.0%	Spanish or Sp. Creole	47	Hindi	16
Butler township	2,505	122	4.9%	Spanish or Sp. Creole	122	/	/
Carroll Valley boro	3,662	0	0.0%	/	/	/	/
Conewago township	6,893	68	1.0%	Spanish or Sp. Creole	26	Serbo-Croatian	18
Cumberland twp	5,833	90	1.5%	Spanish or Sp. Creole	51	Italian	16
East Berlin borough	1,379	3	0.2%	Chinese	3	/	/
Fairfield borough	539	0	0.0%	/	/	/	/
Franklin township	4,566	49	1.1%	Spanish or Sp. Creole	34	Polish	15
Freedom township	834	11	1.3%	Gujarati	9	/	/
Germany township	2,544	17	0.7%	Vietnamese	10	Russian	5
Gettysburg borough	7,320	271	3.7%	Spanish or Sp. Creole	144	Chinese	86
Hamilton township	2,434	31	1.3%	Spanish or Sp. Creole	24	Italian	7
Hamiltonban twp	2,097	25	1.2%	Spanish or Sp. Creole	17	Japanese	8
Highland township	835	5	0.6%	Italian	3	Spanish or Sp. Creole	2
Huntington twp	2,264	112	4.9%	Spanish or Sp. Creole	91	Laotian	12
Latimore township	2,442	76	3.1%	Spanish or Sp. Creole	76	/	/
Liberty township	1,260	50	4.0%	Spanish or Sp. Creole	26	Hindi	24
Littlestown borough	4,225	31	0.7%	Spanish or Sp. Creole	19	Japanese	12
McSherrystown boro	2,721	29	1.1%	Spanish or Sp. Creole	29	/	/
Menallen township	3,216	200	6.2%	Spanish or Sp. Creole	187	Other and Unspecified	13
Mount Joy township	3,471	15	0.4%	Spanish or Sp. Creole	15	/	/
Mount Pleasant twp	4,494	358	8.0%	Spanish or Sp. Creole	320	Other Indo-European Languages	25
New Oxford borough	1,842	237	12.9%	Spanish or Sp. Creole	223	Vietnamese	7
Oxford township	5,140	61	1.2%	Spanish or Sp. Creole	61	/	/
Reading township	5,539	63	1.1%	Spanish or Sp. Creole	63	/	/
Straban township	4,609	94	2.0%	Spanish or Sp. Creole	70	French (incl. Patois, Cajun)	14
Tyrone township	2,279	37	1.6%	Spanish or Sp. Creole	37	/	/
Union township	2,911	8	0.3%	Tagalog	8	/	/
York Springs boro	729	133	18.2%	Spanish or Sp. Creole	129	French (incl. Patois, Cajun)	4
Total	**95,796**	**2,609**	**2.7%**	**Spanish or Sp. Creole**	**2,136**	**Chinese**	**89**

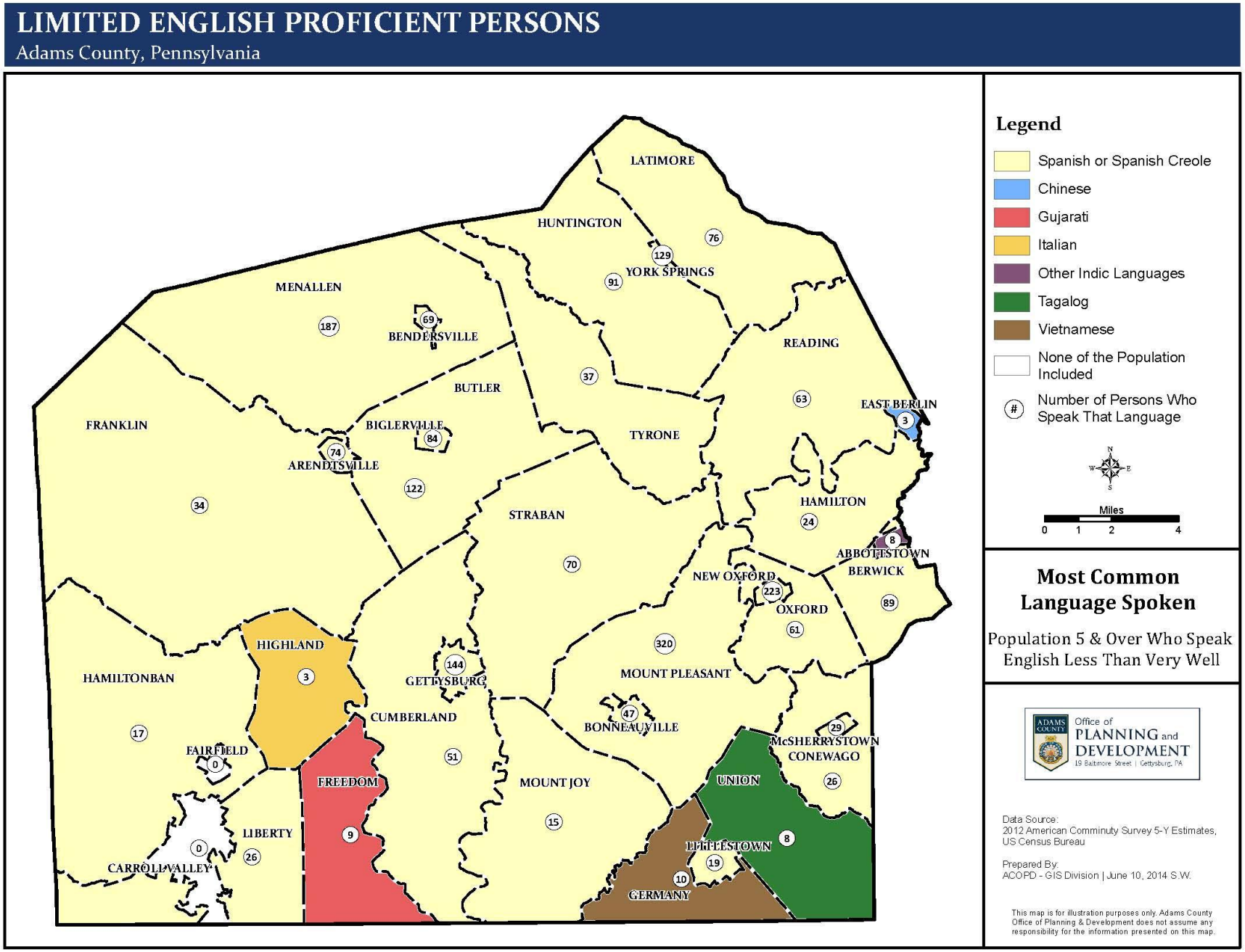
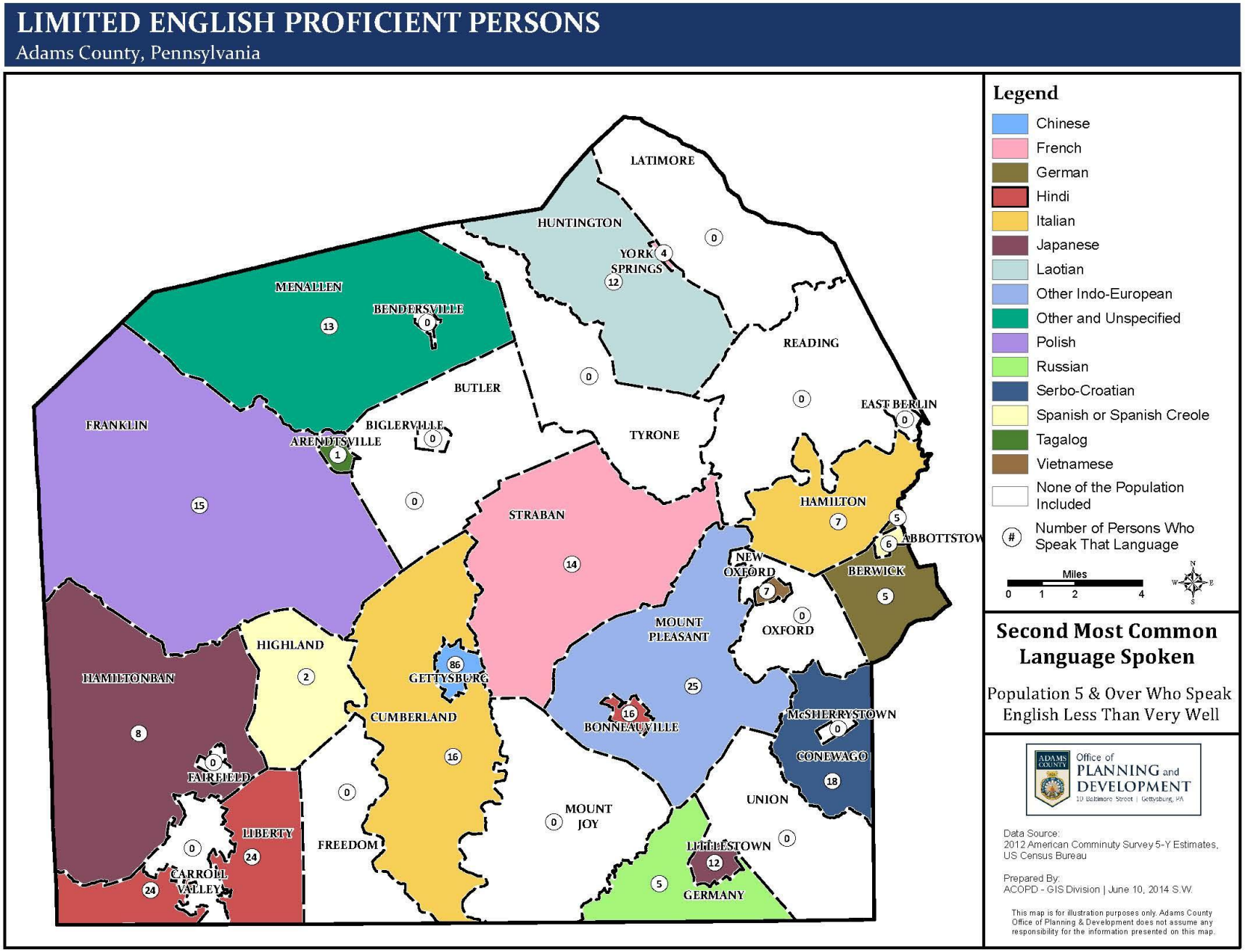
Table 2: LEP Population in the ACTPO Region – Top 10 Languages Spoken

Language	# People Speaking
Spanish or Spanish Creole	2,136
Chinese	89
Italian	62
French (incl. Patois, Cajun)	50
Hindi	42
Korean	33
Serbo-Croatian	29
Polish	27
Other Indo-European Languages	25
Japanese	21

Map #1: **% of Population that Speaks English less than Very Well**



Map #2: **Most Common Language Spoken by LEP Persons**



Map #3: Second Most Common Language Spoken by LEP Persons