



STAFF REPORT

Date: December 8, 2021

To: TRPA Governing Board

From: TRPA Staff

Subject: Adoption of the TMPO Title VI Program Plan and Limited English Proficiency Plan

Summary and Staff Recommendation:

Staff recommends that the Tahoe Metropolitan Planning Organization (TMPO) Governing Board adopt the attached resolution (Attachment A) approving the TMPO Title VI Program Plan and Limited English Proficiency Plan.

Required Motion:

In order to adopt the proposed resolution, the Board must make the following motion, based on the staff report:

- 1) A motion to adopt the proposed Resolution 21-__ (Attachment A) approving the TMPO Title VI Program Plan and Limited English Proficiency Plan.

In order for motion to pass, an affirmative vote of any eight Board members is required.

Project Description/Background:

Title VI of the Civil Rights Act of 1964 and related statutes state that no persons in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, receiving federal financial assistance. Pursuant to this mandate, recipients of federal financial assistance must take affirmative steps to ensure that discrimination, as addressed by Title VI, does not occur in its organization. The Tahoe Regional Planning Agency (TRPA), acting as the TMPO, is a recipient of federal funds, and therefore must adhere to Title VI requirements including adopting a Title VI Program Plan and Limited English Proficiency (LEP) Plan and updating it every three years. The TMPO Governing Board adopted the last Title VI Program Plan and LEP Plan in August 2018.

Public Comment:

The Title VI Program Plan and Limited English Proficiency Plan were available for a seven-day public comment period between November 29, 2021 and December 6, 2021. The public comment period was noticed publicly on TRPA's website. No public comment was received.

Regional Plan Compliance:

The proposed plans comply with all requirements of federal funding recipients, and the objectives of the TRPA Regional Plan Goals and Policies. Additional changes were made to capture recent updates to the Regional Transportation Plan (RTP) adopted by the Governing Board in April 2021. The Title VI plan includes details about TRPA/TMPO's methodology used to evaluate proposed projects and programs for disproportionate burdens and disparate impacts to disadvantaged communities.

Contact Information:

For questions regarding this agenda item, please contact Kira Smith, Senior Transportation Planner, at (775) 589-5236 or ksmith@trpa.gov.

Attachments:

- A. TMPO Resolution 2021-__ to Adopt the TRPA/TMPO 2021 Title VI Program Plan and Limited English Proficiency Plan
- B. Title VI Program Plan
- C. Limited English Proficiency Plan

Attachment A

TMPO Resolution 2021-__ to Adopt the TRPA/TMPO 2021 Title VI Program Plan and Limited English

Proficiency Plan

TAHOE METROPOLITAN PLANNING AGENCY
TMPO RESOLUTION NO. 2021 –

RESOLUTION TO ADOPT THE TRPA/TMPO 2021 TITLE VI PROGRAM PLAN AND LIMITED ENGLISH
PROFICIENCY PLAN

WHEREAS, Title VI of the Civil Rights Act of 1964 and related statutes state that no persons in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, receiving federal financial assistance; and

WHEREAS, Federal Transit Administration (FTA) Circular 4702.1B, was released in 2012, requires Metropolitan Planning Organizations (MPOs) to prepare a Title VI Program as part of FTA guidelines; and

WHEREAS, TRPA/TMPO is the designated MPO for the Lake Tahoe Region; and

WHEREAS, the purpose of the Title VI Program is to prohibit discrimination on the basis of race, color, or national origin in TMPO programs or activities; and

WHEREAS, FTA Circular 4702.1B requires the developed of a Title VI Program Plan, of which specific parameters and outreach processes must be implemented.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency that the Tahoe Metropolitan Planning Organization approves the attached Title VI Program Plan and accompanying Limited English Proficiency Plan.

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this 15th day of December 2021, by the following vote:

Ayes:
Nays:
Absent:

Mark Bruce, Chair
Tahoe Metropolitan Planning Organization
Governing Board

Attachment B

Title VI Program Plan

Title VI Program Plan



December 2021

Tahoe Regional Planning Agency
Tahoe Metropolitan Planning Agency
128 Market Street
Stateline, NV 89449
(775) 589-5256

2021 TITLE VI PROGRAM PLAN

Table of Contents

1. TRPA TITLE VI POLICY AND PROGRAM ADMINISTRATION	2
2. TITLE VI NOTICE TO THE PUBLIC	5
3. POSTED NOTICE LOCATIONS	5
4. PROCEDURES FOR FILING A TITLE VI COMPLAINT	6
5. RECORD OF PUBLIC TRANSPORTATION-RELATED INVESTIGATIONS, COMPLAINTS, LAWSUITS.....	7
6. PUBLIC PARTICIPATION PLAN – PROMOTING INCLUSIVE PUBLIC PARTICIPATION	7
7. LIMITED ENGLISH PROFICIENCY (LEP) PLAN	9
8. BREAKDOWN OF COMMUNITY RACIAL DEMOGRAPHICS	10
9. TITLE VI EQUITY ANALYSIS	12
10. ADDITIONAL REQUIREMENTS FOR METROPOLITAN PLANNING ORGANIZATIONS	17

APPENDICES

- APPENDIX A:** Title VI Notice to the Public
- APPENDIX B:** TRPA/TMPO Title VI Brochure (in English and Spanish)
- APPENDIX C:** Title VI Complaint Form (in English and Spanish)
- APPENDIX D:** Outreach Documentation (2018 – 2020)
- APPENDIX E:** TRPA/TMPO Limited English Proficiency (LEP) Plan
- APPENDIX F:** Demographic Maps - Minority and Low-Income Density

1. TRPA TITLE VI POLICY AND PROGRAM ADMINISTRATION

TITLE VI REQUIREMENTS

Title VI of the Civil Rights Act of 1964 and related statutes state that no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, receiving federal financial assistance. Pursuant to this mandate, recipients of federal financial assistance must take affirmative steps to ensure that discrimination, as addressed by Title VI, does not occur in its organization. The Tahoe Regional Planning Agency (TRPA), acting as the Tahoe Metropolitan Planning Organization (TMPO) is a recipient of federal funds, therefore must adhere to Title VI requirements. Title VI activities fall into one or more of the areas listed below:

- Adoption of assurances, policies, and procedures supportive of Title VI requirements.
- Ensure that the level and quality of transportation services are provided without regard to race, color, or national origin.
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations.
- Prepare and maintain an Environmental Justice Plan (Executive Order 12898).
- Promote the full and fair participation of all affected populations in transportation decision making.
- Prepare and maintain a Public Participation Plan (PPP) to ensure adequate public involvement.
- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations.
- Ensure meaningful access to programs and activities by persons with limited English proficiency (LEP).
- Prepare and maintain a LEP Plan (Executive Order 13166).
- Implement controls and data collection mechanisms to monitor for any adverse treatment or impacts on any groups.
- Ensure that contracting/procurement opportunities are awarded in a nondiscriminatory manner.
- Ensure that subrecipients, contractors, subcontractors, transferees, successors in interest, and other participants comply with all Title VI requirements.
- Conduct Title VI compliance reviews on TRPA/TMPO's subrecipients and programs.

TITLE VI POLICY

The TRPA/TMPO fully adopts Title VI requirements into its programs, activities, and services. To demonstrate the TRPA/TMPO's commitment to Title VI of the Civil Rights Act of 1964 and related statutes, the following policy statement was adopted by the Tahoe Regional Planning Agency Governing Board:

The Tahoe Regional Planning Agency (TRPA) and acting as Tahoe Metropolitan Planning Organization (TMPO) is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transportation planning activities or programs on the basis of race, color or national origin as afforded by Title VI of the Civil Rights Act of 1964, as amended.

TRPA/TMPO, as a federal grant recipient, is required by the Federal Highway Administration (FHWA) to conform to Title VI of the Civil Rights Act of 1964 and its amendments. TRPA/TMPO's sub-recipients and contractors are required to prevent discrimination and ensure non-discrimination in all of their programs, activities and services.

Any person who believes that he or she has, individually, or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, or national origin may file a Title VI complaint with TRPA/TMPO.

The complaint must be filed within 180 days of the date of the alleged discrimination. Using the attached form, written complaints may be sent to:

Tahoe Regional Planning Agency
Title VI Coordinator
PO BOX 5310
Stateline, NV 89449

TRPA/TMPO will assist with writing a complaint if the complainant is unable to do so. If requested by complainant, a language or sign interpreter will be provided.

In addition to the Title VI complaint process at TRPA/TMPO, a complainant may file a Title VI complaint with the Federal Highway Administration, Office of Civil Rights, CA Division, 650 Capitol Mall, Suite 4-100, Sacramento, CA 95814.

Within fifteen (15) working days of receipt of a complaint, TRPA/TMPO will begin an investigation.

The complainant will be contacted in writing no later than thirty (30) working days after receipt of complaint for additional information, if needed. If complainant fails to provide the requested information in a timely basis, TRPA/TMPO may administratively close the complaint.

The investigation will be completed within ninety (90) days of receipt of the complaint. If additional time for investigation is needed, the Complainant will be contacted. A written investigation report will be prepared by the investigator. This report shall include a summary description of the incident, findings and recommended corrective action.

A closing letter will be provided to the complainant. The respondent or respondent department will also receive a copy of the closing letter. Each will have five (5) working days from receipt of the report to appeal. If neither party appeals, the complaint will be closed.

For additional information or assistance, please call 775/588-4547 (Hearing Impaired: 711 TDD/TTY).

TITLE VI PROGRAM PLAN

The TRPA/TMPO exercised a systematic approach by using the FTA Circular 4702.1A Guidelines in preparing the Plan. The Plan emphasizes the planning processes of the TRPA/TMPO. Specific guidance on Public Participation, LEP, Environmental Justice, Title VI Assurances, Complaint Procedures, a Triennial Report and Data Collection is also included. The Plan will be distributed to TRPA/TMPO staff, as well as public and local partners.

The TRPA/TMPO recognizes it must identify a single point of contact to implement and manage its commitment of assurance to the Title VI Program. The TRPA/TMPO has delegated the duties and role of the Title VI Coordinator to:

Kira Smith
Title VI Coordinator
Tahoe Regional Planning Agency
128 Market Street
Stateline, NV 89449
(775) 588-4547
Fax (775) 588-4527
TDD/TTY: 711

The Title VI Coordinator:

- Provides guidance and technical assistance to the TRPA/TMPO on Title VI matters and has overall program responsibility for preparing required reports regarding Title VI compliance and developing procedures and monitoring for:
 - Prompt processing and resolution of Title VI complaints.
 - Collection of statistical data (race, color, national origin) on participants in, and beneficiaries of the TRPA/TMPO's programs, activities and services.
 - Prevention of discrimination in TRPA/TMPO's programs, activities and services.
 - Pre-grant and post-grant approval review for compliance with Title VI requirements.
- Conducts Title VI compliance reviews of TRPA/TMPO's program area activities, consultants, contractors, suppliers, and TRPA/TMPO's subrecipients of federal financial assistance.
- Ensures Title VI requirements are included in policy directives and that the procedures used have built-in safeguards to prevent discrimination.
- Coordinates the development and implementation of a Title VI training program for TRPA/TMPO employees.
- Prepares a triennial report on TRPA/TMPO's accomplishments that also reflects organizational, policy and implementation changes.
- Assists program personnel to correct Title VI problems or discriminatory practices or policies found when conducting self-monitoring and compliance review activities.
- Develops Title VI information for public dissemination, where appropriate, in languages other than English.
- Refers Title VI discrimination complaints to the appropriate investigative official.

Under the Interdisciplinary Approach, TRPA/TMPO's Program and Project managers have the responsibility to ensure Title VI compliance within their functional responsibilities. The managers will work closely with the Title VI Coordinator to administer the Plan requirements.

The Program and Project Managers will:

- Advise the Title VI Coordinator and their respective management and or Board of Directors on Title VI issues.
- Ensure that Title VI requirements are included in policy directives, contracts and program manuals and that the procedures used have built-in safeguards to prevent discrimination.
- Ensure the collection and analysis of statistical data to determine transportation investment benefits and burdens to the eligible population, including the minority and low-income populations.
- Self-monitor and take corrective action within their respective area of responsibilities for Title VI compliance.
- Provide guidance and technical assistance to program staff to correct Title VI problems or discriminatory practices or policies.
- Assist the Title VI Coordinator in coordinating and conducting compliance reviews.
- Provide the Title VI Coordinator with a triennial report of Title VI accomplishments for respective functional responsibilities.
- Refer Title VI discrimination complaints to the Title VI Coordinator.
- Collaborate with Title VI Coordinator to develop information for public dissemination, and where appropriate, in languages other than English.

2. TITLE VI NOTICE TO THE PUBLIC

TRPA's notice to the public is included in Appendix A. TRPA also uses brochures to further publicize Title VI regulations and clarify Title VI applications, processes, and rights of the public. A copy of the brochure in both English and Spanish is included in Appendix B.

3. POSTED NOTICE LOCATIONS

TRPA/TMPO operates its programs without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act of 1964. The agency informs members of the public of the protections against discrimination afforded to them by Title VI. A copy of the public notice is included below. Notices in English and Spanish are posted in the following locations:

- TRPA website (www.trpa.gov)
- TRPA office reception area
- TRPA office public meeting room

Title VI brochures are posted in the following locations:

- On the TRPA website at (www.trpa.gov)
- At the TRPA offices
- At minority and low-income organization offices
- At public meetings on subjects related to TRPA

4. PROCEDURES FOR FILING A TITLE VI COMPLAINT

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, national origin or other protected-class interests may file a written complaint with TRPA/TMPO, the FTA, the U.S. DOT Secretary of Transportation or the U.S. Department of Justice (USDOJ). Further, TRPA/TMPO prohibits intimidation, coercion, or engagement in other discriminatory conduct against anyone because he or she has filed a complaint to secure their rights as protected by Title VI.

A written and signed complaint must be filed within 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary of Transportation. The TRPA/TMPO encourages the complainant to file the complaint with the TRPA/TMPO for immediate resolution. In case the complainant is dissatisfied with the resolution by the TRPA/TMPO, the same complaint may be submitted to the FTA, U.S. DOT Secretary of Transportation or USDOJ. The TRPA Title VI complaint form is included below. In conformance with LEP requirements, the complaint form is also in Spanish.

A complainant may submit a written complaint to the TRPA/TMPO directly or to the FTA offices or the USDOJ. The contact information is:

Title VI Coordinator
Tahoe Regional Planning Agency
Mail: P.O. Box 5310
Stateline, NV 89449
Or hand delivered to:
128 Market Street
Stateline, NV 89449
Fax (775) 588-4547

Federal Transit Administration
Office of Civil Rights, Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105-1839

Federal Transit Administration
Office of Civil Rights
Title VI Program Coordinator
East Building, 5th Floor—TCR
1200 New Jersey Ave., SE
Washington, DC 20590

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Ave., N.W.
Washington, DC 20530

In case the complainant is not able or not capable of providing a written statement, but wishes the TRPA/TMPO or FTA to investigate alleged discrimination, a verbal complaint of discrimination will be accepted.

The complaint must be signed by the complainant, complainants or by designation of a representative for the complainant(s). An investigation will begin no later than fifteen (15) working days after receipt of the complaint. The TRPA/TMPO will determine jurisdictional responsibilities for handling the complaint. If the complaint alleges egregious discrimination regarding TRPA/TMPO services and activities, the complaint will be forwarded to the FTA for formal investigation. The complainant will be contacted in writing, no later than thirty (30) working days after receipt of the complaint for additional information, if needed. The complainant may be interviewed by an appropriate official authorized to investigate the complaint. In compliance with LEP, translation services will be provided to the complainant, as necessary.

The TRPA/TMPO will make every effort to complete the investigation within ninety (90) days of receipt of the complaint. However, some investigations may take longer and the TRPA/TMPO will obtain concurrence from the complainant, for an extension of time to complete the investigation.

The TRPA/TMPO will provide the complainant with a complaint closure letter with a summary description of the allegation, and investigation methodology and identification of remedial steps if discrimination is found. The respondent or respondent agency will also receive a copy of the closure letter.

The complainant will have five (5) working days from receipt of the report to appeal TRPA/TMPO's findings. If neither party appeals, the complaint will be closed.

TRPA TITLE VI COMPLAINT FORM (English and Spanish)

Instructions for filing Title VI discrimination complaints are included in the Title VI notice to the public and the Title VI brochure. Any person who wishes to file a complaint may download the complaint forms on the TRPA website, or pick up a copy of the complaint form at the TRPA offices. Copies of the complaint forms are available in English and Spanish and are included in Appendix C.

5. RECORD OF PUBLIC TRANSPORTATION-RELATED INVESTIGATIONS, COMPLAINTS, LAWSUITS

All allegations of Title VI discrimination will be tracked and monitored for compliance with this Plan. The recording of the complaint and or lawsuit will include:

- Date the complaint, investigation or lawsuit was filed.
- Summary of the allegation(s).
- The status of the complaint, investigation or lawsuit.
- Actions taken by TRPA in response to the complaint, investigation or lawsuit findings.

The recording of the complaint, investigation or lawsuit will be provided to FTA in the triennial report or upon request.

Over the past three years, there were no public transportation-related complaints, investigations or lawsuits filed upon the Tahoe Regional Planning Agency alleging discrimination on the basis of race, color, or national origin.

6. PUBLIC PARTICIPATION PLAN – PROMOTING INCLUSIVE PUBLIC PARTICIPATION

Public involvement is fundamental and essential to achieve equitable programs, services, and activities. Public participation provides for public involvement of all persons, (including Native American Tribal Governments) minorities and low-income persons, affected public agencies, employees, the general public, transportation service providers, public transit users, and other interested parties of the community affected by transit and transportation programs.

To integrate considerations expressed in the DOT Order on Environmental Justice and the DOT LEP Guidance into community outreach activities, TRPA/TMPO will seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. TRPA's public participation strategy shall offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transit and transportation decisions.

TRPA/TMPO adopted the Public Participation Plan (PPP) in September 2019. The PPP effectively expresses practices for fulfilling the inclusive public participation requirement. The latest PPP is available online at: <https://www.trpa.gov/wp-content/uploads/documents/archive/2/2019-Public-Participation-Plan-FINAL.pdf>

TRPA/TMPO's public participation process aims to give the public ample opportunities for early, meaningful, and continued involvement. Collecting diverse public input is important for determining the types of projects that meet public desire and ensures that public funds are directed to the areas of highest need. Transparency increases levels of participation, ensuring well-prepared and publicly supported planning documents. In 2016, TRPA/TMPO released a public participation survey in English and Spanish to collect data to identify residents and communities impacted by federal financial assisted projects or activities. The 2016 PPP established a methodology for documenting all public outreach. The new methodology requires TRPA/TMPO staff to record the date, the type of outreach conducted, the number of participants, any groups or agencies present, and any Spanish speakers present. This methodology was carried forward in the 2019 Public Participation Plan. A detailed table containing this information from 2018 through 2020 is included in Appendix D.

TRPA/TMPO's PPP includes the following information:

- Public participation process
- Federal and state regulatory requirements
- Government stakeholder engagement
- Standard outreach activities
- Outreach methods to reach diverse sets of stakeholders
- Specific public outreach protocols for each TMPO plan
- Evaluation of the PPP's performance
- How TMPO incorporates input to update future outreach strategies

Since the 2018 update of TRPA/TMPO's Title VI Program Plan, TRPA has collaborated with stakeholders and conducted community outreach to help complete the following plans and reports:

- 2018 Active Transportation Plan Technical Amendment
- 2018 Unmet Transit Needs Report
- 2019 Coordinated Human Services Transportation Plan
- 2019 Lake Tahoe Region Safety Strategy
- 2019 Unmet Transit Needs Report
- 2020 Unmet Transit Needs Report
- 2020 Main Street Management Plan
- 2020 Resort Triangle Transportation Plan
- 2020 State Route 89 Recreation Corridor Plan

- 2020 Linking Tahoe: Regional Transportation Plan
- 2021 Federal Transportation Improvement Program

TMPO's jurisdiction contains two states and five counties. Working with our partners to ensure plans and projects are coordinated and meet the needs of all agencies is paramount. The TMPO works very closely with other agencies responsible for planning and implementation activities within the Region. TMPO's transportation teams work with TRPA's communications team and other stakeholder staff to coordinate outreach. This enables our agency to reach a larger group of people in a variety of ways. To further support successful coordination, TMPO organizes advisory bodies during plan development, holds public hearings, and meets individually with local jurisdictions and sovereign governments on an as-needed basis.

TRPA/TMPO has conducted substantial outreach since the last Title VI Program Plan. A summary of outreach efforts made includes:

- Presented to stakeholder groups, recreation providers, visitor's authorities, and hotels on the Linking Tahoe website and outreach program.
- Hosted public workshops and meetings to gather community feedback on the Main Street Management Plan.
- Hosted public webinars to present on and gather input on the 2020 Linking Tahoe Regional Transportation Plan (RTP). Webinars and public meetings were announced on the radio in English and Spanish.
- Presented information on the 2020 RTP to various community and stakeholder groups.
- Organized public workshops and pop-up tents to gather feedback and distribute the unmet transit needs (UTN) surveys.
- Organized and hosted meetings of the Social Services Transportation Advisory Council (SSTAC).
- Hosted a community workshop with local Transportation Management Associations to brainstorm ideas on travel management and emerging mobility in Lake Tahoe.
- Presented the State Route 89 Corridor Management Plan to various stakeholders and community groups, and hosted public webinars and open houses to gather input.
- Facilitated bicycle rodeos with the local police department to educate students on bicycle safety.
- Presented Safe Routes to School (SRTS) to elementary, middle, and high schools throughout the Region.
- Conducted intercept surveys throughout the Region to collect data on travel mode share.

7. LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Limited English proficient (LEP) individuals are those who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. In keeping with Title VI requirements, TRPA/TMPO provides language assistance to ensure that its LEP users have meaningful access to its services, including route information, telephone based customer service, printed materials including public meeting notices, and other customer based services.

The TRPA/TMPO applied the Four-Factor Framework needs assessment in Section V of the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited

English Proficiency Persons—April 13, 2007 and has prepared a comprehensive LEP Plan that will supplement the Title VI Plan, as a separate document.

The TRPA/TMPO area population is under 200,000. Considering the planning area population, the LEP Plan will:

1. Assess the number and proportion of LEP persons served or encountered in the eligible planning area population.
2. Assess the frequency with which LEP persons come into contact with the program, activities, or service.
3. Assess the nature and importance of the program, activities, or service provided by TRPA/TMPO.
4. Assess the resources available to the TRPA/TMPO and the cost for a LEP Plan.

The LEP Plan will reflect the overall goal of improving and maintaining language access for TRPA/TMPO customers as transit riders and project recipients. The intent is to achieve a balance that ensures meaningful access to programs and services while avoiding undue burdens on TRPA/TMPO resources. The LEP Plan is included in its entirety in Appendix E.

8. BREAKDOWN OF COMMUNITY RACIAL DEMOGRAPHICS

The table below displays racial composition data by area, and includes nearby metropolitan statistical areas of San Francisco, Sacramento, and Reno-Sparks for comparison purposes. The data is provided by the 2010 US Census.

Racial Composition in 2010 by Area

	White	Black / African	American Indian / Alaska Native	Asian	Native Hawaiian / Pacific Islander	Other	TOTAL
States							
California	21,453,934	2,299,072	362,801	4,861,007	144,386	8,132,756	37,253,956
Nevada	1,786,688	218,626	32,062	195,436	16,871	450,868	2,700,551
Counties							
El Dorado	156,793	1,409	2,070	6,297	294	14,195	181,058
Placer	290,977	4,751	3,011	20,435	778	28,480	348,432
Douglas	42,130	201	896	725	66	2,979	46,997
Washoe	324,070	9,814	7,209	21,790	2,542	55,982	421,407
Carson	44,807	1,054	1,306	1,181	101	6,825	55,274
5-County Region	858,777	17,229	14,492	50,428	3,781	108,461	1,053,116
Urban Centers							
Reno-Sparks MSA	327,763	9,854	7,273	21,856	2,557	56,114	425,417
Sacramento MSA	1,389,804	158,426	21,603	255,995	15,840	307,459	2,149,127
San Francisco CMSA	3,981,212	484,610	51,641	1,676,939	44,829	1,229,159	7,468,390
Tahoe Basin	46,510	346	389	1,820	80	6,462	55,607

States	Percent of 2010 Racial Composition						
California	58%	6%	1%	13%	0%	22%	100%
Nevada	66%	8%	1%	7%	1%	17%	100%
Counties							
El Dorado	87%	1%	1%	3%	0%	8%	100%
Placer	84%	1%	1%	6%	0%	8%	100%
Douglas	90%	0%	2%	2%	0%	6%	100%
Washoe	77%	2%	2%	5%	1%	13%	100%
Carson	81%	2%	2%	2%	0%	12%	100%
5-County Region	82%	2%	1%	5%	0%	10%	100%
Urban Centers							
Reno-Sparks MSA	77%	2%	2%	5%	1%	13%	100%
Sacramento MSA	65%	7%	1%	12%	1%	14%	100%
San Francisco CMSA	53%	6%	1%	22%	1%	16%	100%
Tahoe Basin	84%	1%	1%	3%	0%	12%	100%

Source: Census SF1 file

TRPA encourages participation on various non-elected councils, working groups, and committees that participate in the regional planning process. As an example, TRPA hosts a Social Services Transportation Advisory Council (SSTAC) on both the north and south shores of Lake Tahoe to promote participation by representatives involved with non-profit agencies, community groups, and health and social service agencies. The SSTAC is a non-elected group whose members represent low income, Hispanic/Latino, senior communities, and individuals with a disability. Community agencies who have participated in the SSTAC include:

- El Dorado County Health and Human Services
- Tahoe Area Coordinating Council for the Disabled (TACCD)
- People First
- Tahoe Transportation District (TTD)
- Live Violence Free
- Community Collaborative of Truckee Tahoe (CCTT)
- Family Resource Center
- Town of Truckee
- Truckee North Tahoe Transportation Management Association (TNT/TMA)
- Community House
- Kid Zone Museum
- Placer County Department of Public Works (TART)
- Placer Public Health
- Sierra Nevada College
- Tahoe Forest Hospital
- Connecting Point 211
- California Tahoe Conservancy
- Lake Tahoe Community College (LTCC) Advance
- South Lake Tahoe Police Department (SLTPD)
- Department of Rehabilitation
- Nevada County Transportation Commission
- Achieve Tahoe
- Sierra Senior Services

9. TITLE VI EQUITY ANALYSIS

The recently adopted Regional Transportation Plan included a new method for evaluating proposed projects and programs for disproportionate burdens and disparate impacts to disadvantaged communities. Appendix H of the RTP includes an environmental justice demographic analysis. The demographic analysis identified Community Priority Zones, which are neighborhoods with greater transportation needs. Community Priority Zones are neighborhoods with higher densities of at least three of the following demographic characteristics:

- **Persons without Private Transportation (Zero Vehicle (ZEV) Households):** Lack of a person vehicle is a significant factor for transit need. In 2018, 72 percent of Tahoe Truckee Area Regional Transit (TART) riders and 61 percent of Tahoe Transportation District (TTD) riders did not have access to a personal vehicle.
- **Elderly (individuals 65 years and older):** Elderly individuals may choose not to drive or can no longer drive due to age.
- **Persons Below Poverty or Median Income Levels:** Purchasing and maintaining a personal vehicle might be difficult for households with lower income.
- **Individuals with a Disability:** Disability status may impact an individual's ability to live independently, including driving a personal vehicle.
- **Minorities (Latinx/Hispanic, Black, Asian, American Indian, Pacific Islander, Other, Two or More Races):** Minority groups are more likely to live in densely populated areas, are less likely to have access to a car, and are more likely to use public transportation to commute to work.

Through a geospatial analysis, TRPA analyzed the proximity to critical transportation infrastructure, such as sidewalks, bike paths, and transit stops, for identified Community Priority Zones. In this initial equity assessment, TRPA defines reasonable access to transportation services as:

- Transit Access: ¼ mile to transit stops
- Bike Access: ½ mile to bike paths
- Pedestrian Access: ¼ mile to bike paths and sidewalks

The full analysis, including maps and data tables, is available in Appendix H of the 2020 RTP at <https://www.trpa.gov/wp-content/uploads/documents/012-2020-RTP-FINAL-AppF.pdf>,

Figure 1: Community Priority Zone Proposed Transportation Improvements - Bijou



Figure 2: Community Priority Zone Proposed Transportation Improvements - Incline Village



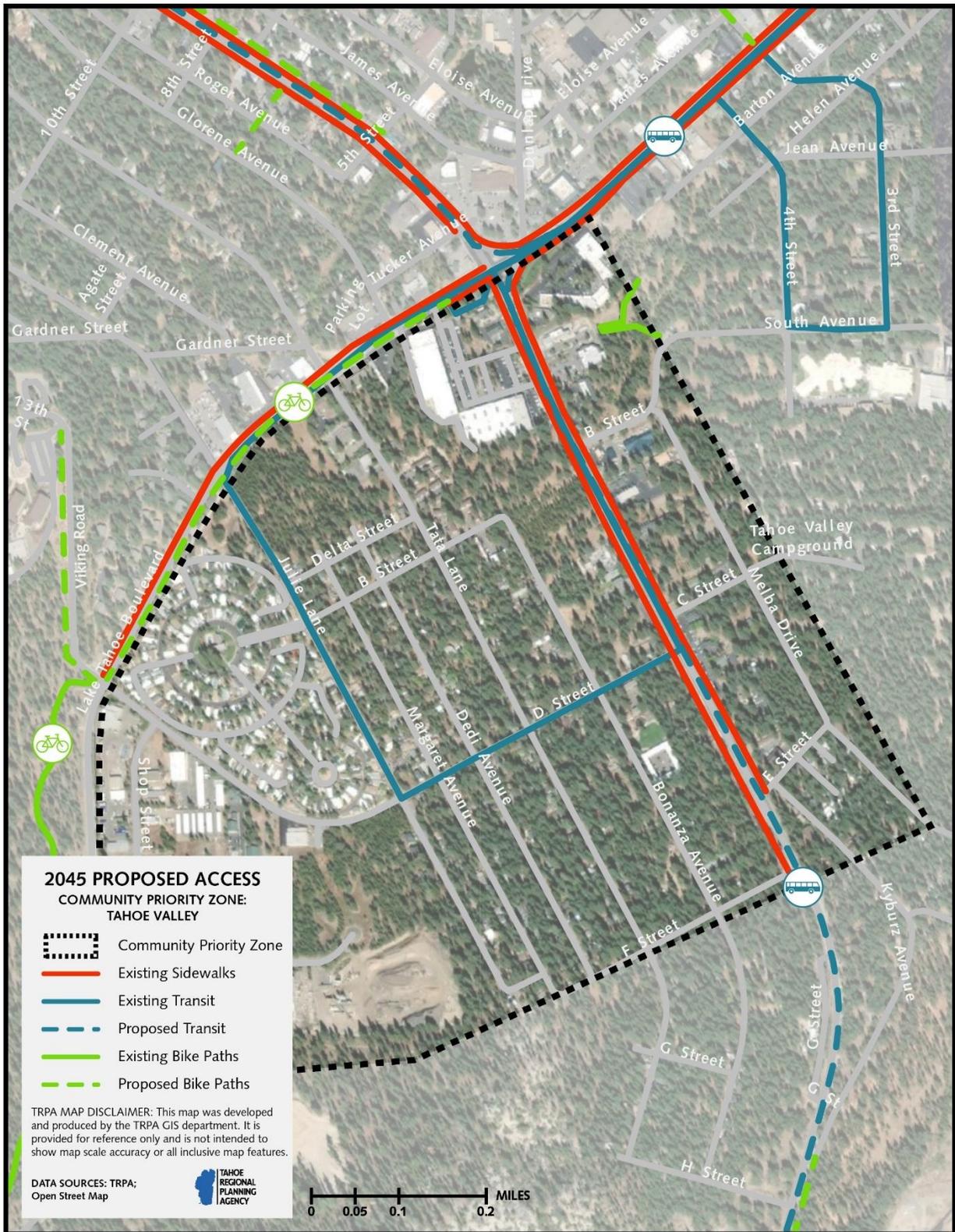
Figure 3: Community Priority Zone Proposed Transportation Improvements - Kings Beach



Figure 4: Community Priority Zone Proposed Transportation Improvements - Sierra Tract



Figure 5: Community Priority Zone Proposed Transportation Improvements - Tahoe Valley



10. ADDITIONAL REQUIREMENTS FOR METROPOLITAN PLANNING ORGANIZATIONS

This section provides additional information on TRPA/TMPO's responsibilities as a MPO to be compliant with U.S. Department of Transportation's Title VI regulations.

Demographic Profile of the Lake Tahoe Metropolitan Planning Area		
Total Population	55,607	
Ethnicity		
Hispanic or Latino (of any race)	12,203	22%
Not Hispanic or Latino	43,404	78%
	Total	100%
Race		
White	46,510	84%
Black/African	346	<1%
American Indian/Alaska Native	389	1%
Asian	1,820	3%
Native Hawaiian/Pacific Islander	80	<1%
Other (two or more races)	6,462	12%
	Total	100%

Source: 2010 Census SF1 File

The mobility needs of minority populations are considered in the transportation planning process through proactive public outreach to various minority groups, meetings, and community events. The PPP and LEP Plan provide a further description of specific meetings and groups where TRPA/TMPO staff provide information. This proactive outreach process has been an effective way to increase the participation and input of minority populations. TRPA/TMPO also routinely conducts data collection and analysis to identify minority populations. Demographic maps showing the geographic distribution of minority and low-income populations within TRPA's jurisdiction are included in Appendix F.

Figure 6: Minority Density (Persons per Acre) in the Tahoe Basin

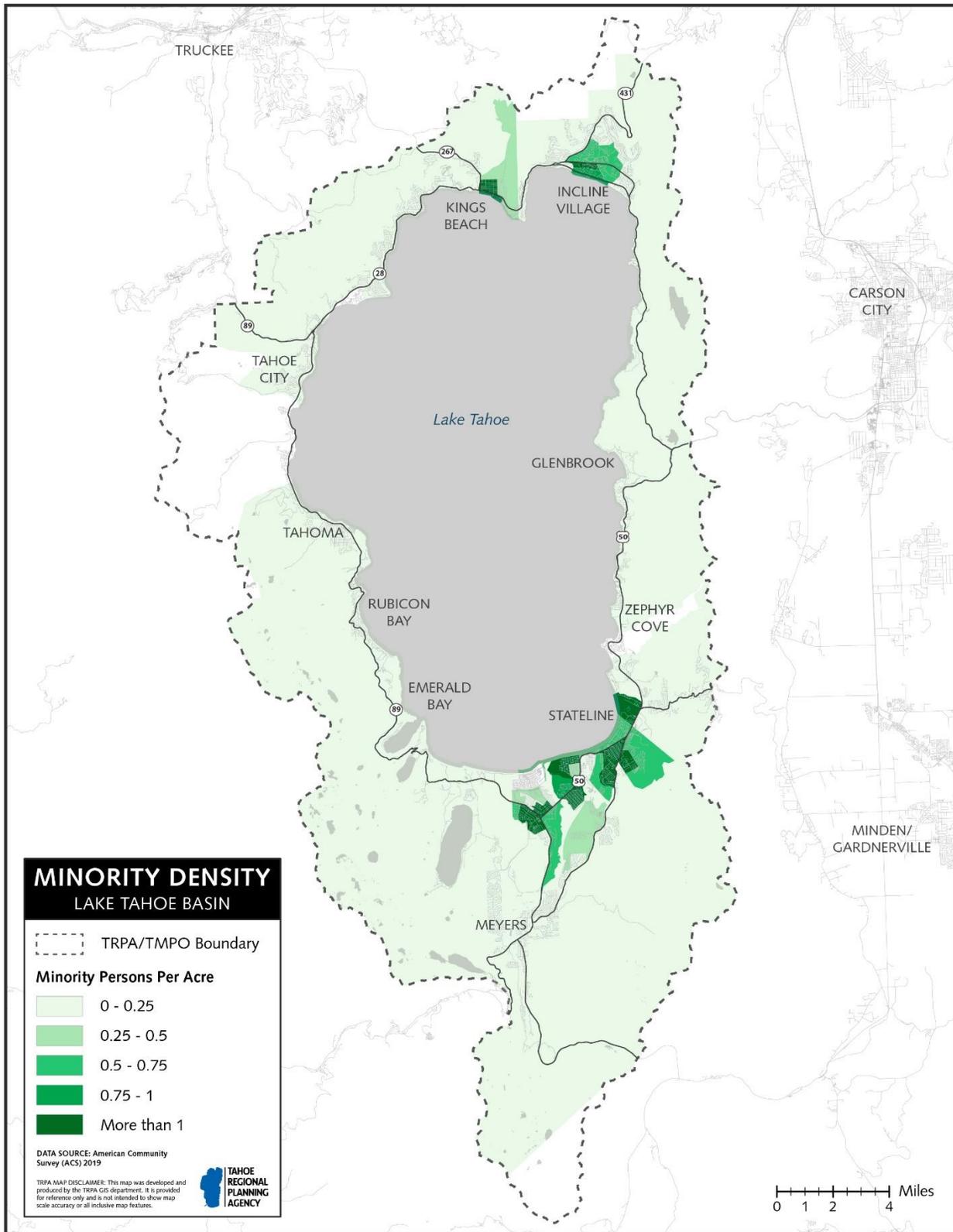
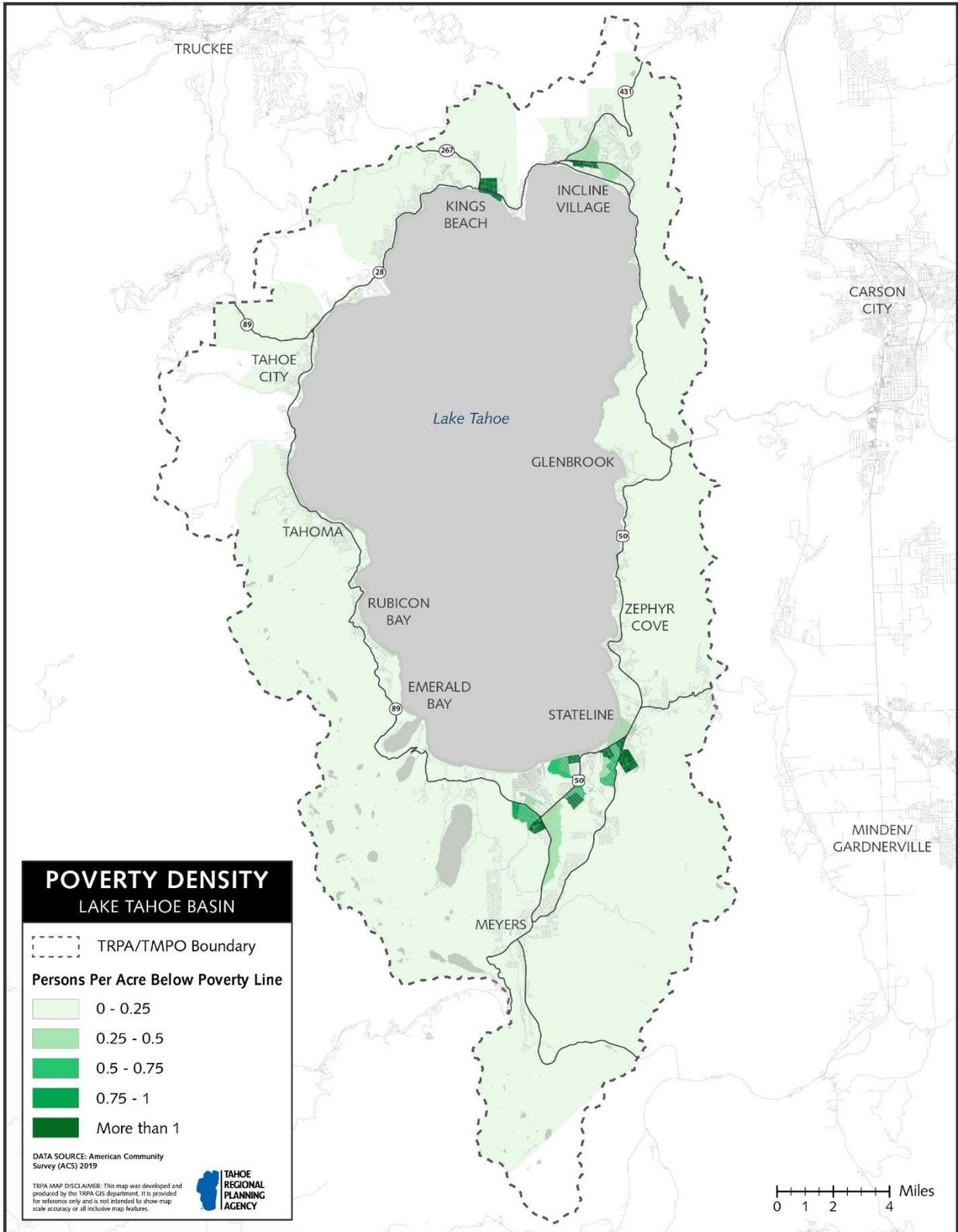


Figure 7: Poverty Density (Persons per Acre Below the Poverty Line) in the Tahoe Basin



Attachment C

Limited English Proficiency Plan

LEP

LIMITED ENGLISH PROFICIENCY PLAN



**TAHOE
REGIONAL
PLANNING
AGENCY**



Tahoe
Metropolitan
Planning
Organization

December 2021

Tahoe Regional Planning Agency
Tahoe Metropolitan Planning Organization
128 Market Street
Stateline, NV 89449
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LIMITED ENGLISH PROFICIENCY PLAN

Table of Contents

I. INTRODUCTION AND POLICY STATEMENT	2
A. PURPOSE OF A LEP PLAN.....	2
B. POLICY STATEMENT.....	2
II. AUTHORITY	3
A. FEDERAL AUTHORITIES.....	3
III. SELF ASSESSMENT USING THE FOUR-FACTOR ANALYSIS	3
IV. HOW TRPA WILL PROVIDE LANGUAGE ASSISTANCE	7
A. PROVIDING NOTICE TO LEP INDIVIDUALS.....	7
B. COMMUNICATING WITH LEP INDIVIDUALS.....	8
V. ASSESSING LANGUAGE ASSISTANCE MEASURES	9
VI. LANGUAGE ASSISTANCE RESOURCES	9
VII. TRAINING	10
VIII. COMPLAINT PROCESS	10
IX. MONITORING AND UPDATING THE LEP PLAN	10
X. DEFINITIONS	11

I. INTRODUCTION AND POLICY STATEMENT

A. PURPOSE OF A LEP PLAN

The Tahoe Regional Planning Agency (TRPA), acting as the Tahoe Metropolitan Planning Organization (TMPO) is a recipient of grants from the Federal Highway Administration (FHWA). TRPA will comply with Executive Order 13166-- Limited English Proficiency (LEP).

This TRPA/TMPO Limited English Proficiency (LEP) Plan is designed to assist the management and staff to understand their roles and responsibilities with respect to overcoming barriers for LEP individuals. The Plan will provide guidance to staff on translation, interpretation, and outreach services for LEP individuals seeking access to TRPA programs and services. Each office will ensure it follows the Plan to improve access for LEP individuals to its programs and services. The LEP Plan supplements the TRPA Title VI Program Plan and the Public Participation Plan.

TRPA utilized the FTA, Office of Civil Rights "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons" handbook and performed the Four-Factor analysis to develop the LEP Plan.

B. POLICY STATEMENT

TRPA, under Title VI of the Civil Rights Act of 1964, ensures that no person shall, on the basis of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

As clarified by Executive Order 13166, TRPA shall examine the services it provides, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them. TRPA's policy is to provide timely, reasonable, effective and meaningful access for LEP persons to all of its programs and activities. All staff shall provide free language assistance services to LEP individuals with whom they encounter or whenever an LEP person requests language assistance services. All staff are to ensure the public is treated with dignity and respect, identify the language needs for TRPA customers, and utilize available bilingual resources to assist customers, when needed.

TRPA will ensure the provisions of this policy and Plan also apply and will be incorporated into agreements with subgrantees and contractors as subrecipients of federal financial assistance.

II. AUTHORITY

A. FEDERAL AUTHORITIES

Section 601 of Title VI of the Civil Rights Act of 1964 provides that no person “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.” The United States Supreme Court in *Lau v. Nichols* (1974) stated that one type of national origin discrimination is discrimination based on a person’s inability to speak, read, write, or understand English.

Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” – was signed by President Bill Clinton to “...improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English Proficiency....” This executive order is directed at implementing the protections afforded by Title VI of the Civil Rights Act of 1964 and related regulations. Accordingly, it prohibits recipients of federal financial assistance from discrimination based on national origin by failing to provide meaningful access to services to individuals who are LEP. 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.

III. SELF ASSESSMENT USING THE FOUR-FACTOR ANALYSIS

This section sets forth the Four-Factor analysis to determine the appropriate, reasonable, resource effective and meaningful access for LEP persons to its programs and activities. In determining “reasonable,” there are four factors to be considered:

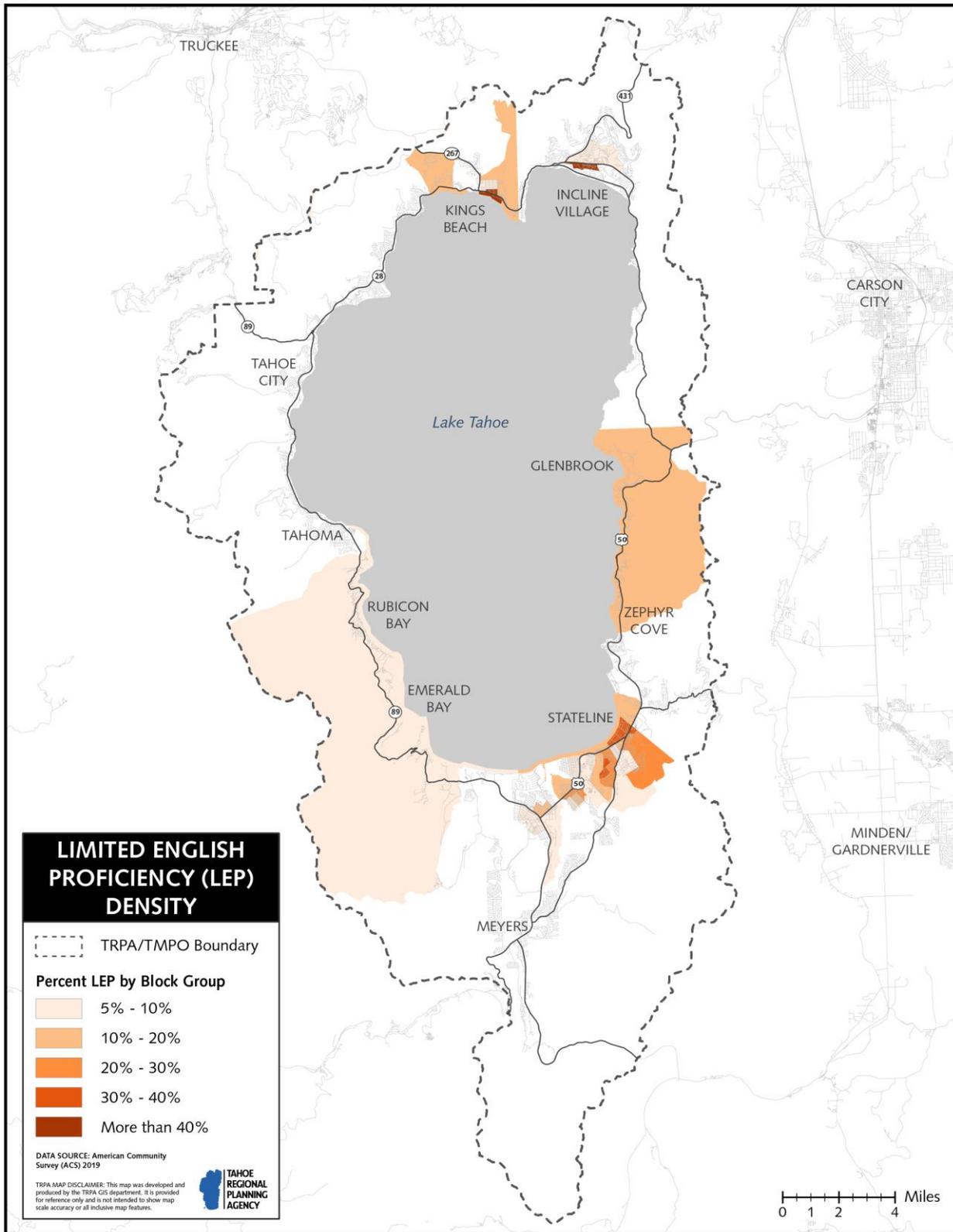
Four-Factor Analysis:

Factor 1 - The Number and Proportion of LEP Persons Served or Encountered in the TRPA Planning Area

TRPA has regional land use and transportation planning authority in the Lake Tahoe Basin. TRPA, serving as the TMPO, has a planning boundary that includes the city of South Lake Tahoe, portions of Placer and El Dorado counties in California and portions of Washoe and Douglas counties in Nevada.

TRPA used the 2015-2019 American Community Survey Five-Year Estimates to identify information on persons who speak languages other than English at home and who speak English less than very well. The geographic distribution of Tahoe residents who speak English less than very well is mapped in Figure 1.

Figure 1: Tahoe Residents who Speak English Less than Very Well



1) Census Bureau 2015-2019 American Community Survey Five-Year Estimates

Statistical Language Breakdown
Source: American Community Survey 2015-2019 Summary File (US Census)

Lake Tahoe Planning Area

Total Lake Tahoe Planning Area Population (5yrs and older)	Number who Speak English Less Than Very Well	% Who Speak English Less Than Very Well
57,434	4,377	7.6%

A review of the above Tables shows 7.6% of the total population speak English less than very well. Generally, identifying any community where the LEP population equals five percent or more in a given language automatically triggers providing language assistance services as a mandatory and normal part of the LEP program operation. Figure 1 shows all areas within TRPA/TMPO’s planning boundary where five percent or more of the populations speaks English less than very well.

2) Public Participation Plan—Community Survey

TRPA/TMPO adopted the most recent Public Participation Plan (PPP) in 2019. The PPP expresses the practices for fulfilling the inclusive public participation requirement. Due to the volume of the publication, a copy of the Public Participation Plan is found on the TRPA website at:

<https://www.trpa.gov/wp-content/uploads/documents/archive/2/2019-Public-Participation-Plan-FINAL.pdf>

The Public Participation Plan was completed through a comprehensive study to determine how, when, and how often specific public involvement measures should take place, and what specific measures are most appropriate. The study surveyed individuals, minority and low-income communities, special needs users, Native American Tribal Governments, Community Based Organizations, Faith-Based Communities, Minority Community Based Organization—League of United Latin American Citizens, and Spanish language media—Radio Azteca and Hispano de Tahoe.

The community outreach to organizations and the media that interact with LEP persons identified a need to have Spanish translators and translation services. The study also identified the following factors to effective public participation:

- Time, location, and accessibility of meetings.
- Reaching people within their own communities and during existing meeting schedules.
- Provision of food, childcare, and translation (LEP) at meetings.
- Presentations focused to specific interests of group.
- Placement of meeting announcements and flyers using different types of media.
- Cultural sensitivity for minority and Native American Tribal groups.

- Identified barriers to overcome public participation.

The Public Participation Plan describes and includes effective practices on:

- Coordinating with individuals, school districts, and organizations and implementing community-based public involvement strategies to reach out to members in the affected minority, LEP and/or low-income communities.
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- Using locations, facilities, and meeting times that are convenient and accessible to low-income and minority communities.
- Using different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities, so that communications are tailored to the particular community or population.
- Documenting all outreach efforts including the number of total participants and the number of participants who speak Spanish and need language assistance.

TRPA/TMPO’s public participation process aims to give the public ample opportunities for early, meaningful, and continued involvement. Collecting diverse public input is important for determining the types of projects that meet public desire and ensures that public funds are directed to the areas of highest need. Transparency increases levels of participation, ensuring well-prepared and publicly supported planning documents. In 2016, TRPA/TMPO released a public participation survey in English and Spanish to collect data to identify residents and communities impacted by federal financial assisted projects or activities. The 2016 PPP established a methodology for documenting all public outreach and was carried forward in the updated 2019 PPP. The new methodology requires TRPA/TMPO staff to record the date, the type of outreach conducted, the number of participants, any groups or agencies present, and any Spanish speakers present. This will enable TRPA/TMPO to better determine how often LEP individuals come into contact with TRPA services.

Factor 2 - The Frequency with Which LEP Individuals Come into Contact with TRPA Services

TRPA does have interaction with LEP persons at various public workshops and community group presentations. TRPA can provide live translation services and translated materials in most instances and certainly when LEP persons are expected to participate. While TRPA’s physical office does not have many visits from LEP persons. TRPA does have fluent Spanish speaking staff that can assist Spanish speaking individuals. Procedures will be in place to provide language assistance to LEP individuals as part of the standard business practices (see description below).

Factor 3 - Nature and Importance of the Services Provided

TRPA/TMPO assessed the nature and importance of the services provided to the public by the transportation planning program. It is apparent that regional transportation planning has the greatest consequence of interaction with the LEP individuals, so LEP services other than English will be needed. TRPA will not deny or delay information for the LEP individual. Procedures will be in place to provide language assistance to LEP individuals as

part of the standard business practices. The standard business practices to LEP individuals will include:

- Continued translation of vital planning documents and notices in Spanish.
- Appointment of Spanish translators at public participation events.
- Advise the public that TRPA can provide free LEP services to recipients of its programs and activities.

Factor 4 - Resources Available to TRPA to Assure Meaningful Access to the Services by LEP Persons

While TRPA's intent is to provide meaningful access to all participants and eligible persons, the availability of resources may limit the provision of language services in some instances. TRPA will explore the variety of tools that are available to provide efficient, effective and meaningful LEP services. TRPA will:

- Consider utilizing language software technology.
- Share language assistance materials and services among and between other transportation planning agencies and advocacy groups.
- Train bilingual staff to act as interpreters and translators.
- Share information through community groups who serve LEP persons.
- Use telephonic and video conferencing interpretation services.
- Pool resources among local agencies and standardize documents to reduce translation needs.
- Use qualified translators and interpreters to ensure that documents need not be "fixed" later and that inaccurate interpretations do not cause delay or other costs.
- Request and use qualified community volunteers in a formalized manner.

Cost for providing language assistance will not be passed on to the customer. TRPA will continue to evaluate the costs associated with providing LEP services and in future years, identify a budget for implementation of this Plan.

IV. HOW TRPA WILL PROVIDE LANGUAGE ASSISTANCE

A. PROVIDING NOTICE TO LEP INDIVIDUALS

Language assistance will be provided to LEP individuals through the translation of vital documents, as well as through oral language interpretation when necessary and possible. LEP individuals are not obligated to provide their own interpreter, although many do so.

The LEP Plan reflects the overall goal of improving and maintaining language access for TRPA customers. The intent is to achieve a balance that ensures meaningful access to programs and information while avoiding undue burdens on TRPA resources. It is important to inform LEP individuals that services are available in Spanish and they are free of charge. TRPA will continue to use existing resources to meet the requirements of Executive Order 13166. The most widely used LEP services will be translating oral and written communications. Other services include:

- Provide Spanish translator services at public meetings, as needed.

- State in outreach documents (brochures, booklets, pamphlets, and flyers) that free language services are available.
- Work with minority and low-income community-based organizations to inform LEP individuals of the programs, activities and language assistance availability.
- Include vital notices in local Spanish newspapers, as needed.
- Provide public service announcements on non-English language radio and television, as needed, about the availability of language assistance services for important events
- Offer a telephone voice menu prompt in Spanish, when necessary, as an alternate language for the caller

B. COMMUNICATING WITH LEP INDIVIDUALS

Based on the Four-Factor analysis, the frequency of contact with LEP individuals will most likely occur by in-person contact or telephone. To provide language assistance as needed for in-person contact with LEP individuals and unexpected out-of-country visitors, TRPA will use the *Language Identification I Speak Flashcard (or "I Speak" cards)*.

TRPA staff will use the following steps to orally communicate with LEP individuals:

WALK-IN SERVICE

Since the onset of the coronavirus pandemic in 2020, TPRA staff have reduced in-person hours, and walk-in services are currently unavailable. However, when walk-in services are reestablished in the future, TRPA will adhere to the following procedures:

1. Attempt to communicate in English first to determine if the customer can understand English sufficiently to be fully understood.
2. If customer cannot understand or effectively communicate in English, determine the language they are speaking, using the *Language Identification I Speak Flashcard* so the customer can point to his/her language.
3. Quickly determine if any of the employees working nearby speak the necessary language and are willing to interpret. If the volunteer cannot immediately come to the location of the LEP individual, use the telephone interpreting services for interpreting.
4. Determine the customer's needs, request, comment or complaint through the interpreter. Determine the appropriate contact to respond and have interpreter assist in providing a timely and quality response to the LEP individual.
5. Give the LEP person a Title VI brochure in their language, if available.
6. Make every effort to give the LEP customer the same level of service as an English-speaking customer.

PHONE-IN SERVICE

1. Attempt to communicate in English first. If not possible to effectively communicate in English, try to determine the language being spoken.
2. Quickly determine if an employee working nearby speaks the necessary language and ask them to interpret. If not possible, use the telephone interpreting services.

3. Determine the customer's need, request, comment, or complaint and relay it to the appropriate contact person to ensure a response is relayed to the LEP individual.
4. Make every effort to give the LEP individual the same level of service as an English-speaking customer.

V. ASSESSING LANGUAGE ASSISTANCE MEASURES

TRPA will continuously assess the type of language assistance available to provide meaningful access to TRPA services and activities. The language assistance measures include:

1. QUALITY STANDARDS FOR TRANSLATED DOCUMENTS

Ensure the translators of written documents are competent. Particularly where vital documents are being translated, competence can often be achieved by use of certified translators.

2. VITAL DOCUMENTS

It is important to make an assessment as to the population percentage and the frequency and importance of the contact while considering the potential for translating vital documents. The program areas most likely to encounter the need to translate vital documents are public involvement, public information, and transportation planning services.

3. TRANSLATING WRITTEN DOCUMENTS

TRPA will make every attempt to provide adequate and timely written translations of correspondence received through the following means:

- Determine the language the received document is written in.
- Once the language has been identified, contact an interpreter or translator to translate the entire document.
- Determine what the LEP individual requested and determine who should respond. Inform the appropriate contact person that the document has been received and relay the importance of a timely and quality response required by Title VI and related statutes.
- Translate the response and return to addressee. Include a phone number in the document in order to provide better service and be able to use the telephone interpreting services for oral translations, if appropriate.
- Make every effort to give the LEP individual the same level of service as an English-speaking customer.
- Consider US DOT Safe Harbor provision identified in FTA Circular 4702.1B.

VI. LANGUAGE ASSISTANCE RESOURCES

TRPA will continuously refer to language assistance tools to improve upon its existing LEP services. TRPA's program budget is one consideration on which additional tools may be used, however, and efforts will be made to provide effective and efficient LEP language services using the following resources:

- Bilingual Staffing

- “I Speak” Cards or Language Identification Flashcards to Identify Languages
- Qualified Interpreters
- Telephone Interpretation
- Language Assistance Volunteers
- Community Volunteers

VII. TRAINING

Training staff on the procedures of providing language assistance and how to determine whether and what type of language services a customer needs is essential to bridging the gap between policies or procedures and actual practices. Training will include how to obtain language assistance services and how to communicate needs to interpreters and translators. Providing language assistance in some program areas may also mean avoiding acronyms or industry jargon.

The TRPA Title VI Coordinator will be responsible to ensure TRPA staff obtains LEP training on a triennial basis, or more often as necessary. The Title VI Coordinator will maintain records of staff who participated in the training.

The staff training will include discussions on how to assess the appropriate LEP service to provide to a LEP individual.

VIII. COMPLAINT PROCESS

The LEP complaint procedures mirror the complaint procedures as referenced in the TRPA Title VI Program Plan—Section 4, Procedures for Filing a Title VI Complaint.

IX. MONITORING AND UPDATING THE LEP PLAN

The Title VI Coordinator shall monitor implementation of the LEP Plan, making revisions to policies and procedures as may be required periodically. In monitoring compliance, an assessment will be made whether the program’s procedures allow LEP individuals to overcome language barriers and participate in a meaningful way in the program activities and services.

Monitoring shall consider information from the following sources and criteria, as well as other factors as may be appropriate:

- Changes in demographics including new language groups, types of services and other activities.
- Frequency of encounters with LEP persons.
- Whether existing LEP language services are adequate.
- Availability of new resources, including technology.

Full review of the LEP Plan will occur with each triennial Title VI program submission.

X. DEFINITIONS

- **Bilingual** – The ability to speak two languages fluently and to communicate directly and accurately in both English and another language.
- **Interpretation** – Interpretation - The act of listening to spoken words in one language (the source) and orally translating into another language (the target).
- **Limited English Proficient Person** – Any individual who does 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.” Such person or persons may be entitled to language assistance at no cost to themselves with respect to a particular type or service, benefit, or encounter.
- **Linguistically Isolated** – This term is described in the census as the percentage of person in the households in which no one over the age of 14 speaks English well, and is used as a direct measure of those persons with a severe language barrier, as a distinct from those of foreign origin who speak English well. Those who are linguistically isolated may also be unable to benefit from transportation services and the services of other DOT recipients and, therefore, should receive attention from recipients as a high priority.
- **Primary Language** – The Language in which an individual is most effectively able to communicate.
- **Qualified Interpreter**– Qualified interpreter means an interpreter who is able to interpret effectively, accurately, and impartially, either for individuals with disabilities or for individuals with limited English skills. The interpreter should be able to interpret both receptively and expressively, using any necessary specialized vocabulary.
- **Substantial number of non- or limited-English speaking people** – Members of a group who either do not speak English, or who are unable to effectively communicate in English because it is not their native language, and who comprise of five percent or more of the people service by any local office or facility of a State agency.
- **Translation** – The replacement of written text from one language into an equivalent written text in another language. It is noted that some LEP persons cannot read in their own language and back-up oral interpretation services may be needed for written documents.
- **Vital Documents** – Documents that convey information that critically affects the ability of the recipient/customer to make decisions about his or her participation in the program. Examples of vital documents include but are not limited to: applications, public notices, consent forms, letters containing important information regarding participation in a program, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, notices advising of the availability of language assistance, and outreach and community education materials, and notices advising LEP person of the availability of free language services.