

**Title VI - Attachment A**

**Limited English Proficiency (LEP)  
Plan**



**CYMPO**

Central Yavapai Metropolitan  
Planning Organization

**Endorsed and Approved on, June 21, 2023, by the  
CENTRAL YAVAPAI METROPOLITAN PLANNING ORGANIZATION  
EXECUTIVE BOARD**

As prepared by the

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**En Español:**

Para mas informacion, a esta interesado en participar en el planeamiento del proceso de transporte en su comunidad y necesita asisencia con idioma, por favor comuniquese:

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## **Introduction**

The Central Yavapai Metropolitan Planning Organization (CYMPO) is responsible for transportation planning within the regional area of over 400 square miles. Encompassing this area are the City of Prescott, the towns of Prescott Valley, Chino Valley and Dewey-Humboldt, as well as unincorporated portions of Yavapai County within CYMPO's boundary.

CYMPO's LEP/Language Access Plan complies with Title VI of the Civil Rights Act of 1964 and Executive Order 13166 which prohibit recipients of Federal financial assistance from discrimination based on national origin.

### ***What is Limited English Proficiency?***

Limited English Proficiency (LEP) is a term used to describe individuals who are not proficient in the English language. Limited English Proficient (LEP) individuals are those whose primary language spoken at home is other than English and have a limited ability to read, write, speak or understand English.

Arizona's diverse population makes it critically important that CYMPO be innovative and proactive in engaging individuals from different cultures, backgrounds and businesses in planning, project development and other program areas.

## **Laws and Policy**

Executive Order (EO) 13166 - *Improving Access to Services for Persons with Limited English Proficiency* implements 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 discriminating based on national origin by failing to provide meaningful access to services to individuals who are LEP. This protection provides LEP persons an equal opportunity to benefit from or have access to services normally provided in English.

## **Authorities**

The following matrix illustrates legal and policy considerations that require CYMPO to provide LEP persons with meaningful access to programs, activities, and services.

<b>Title VI of the Civil Rights Act of 1964</b>	<b>Limited English Proficiency Executive Order 13166</b>
Federal law	Federal policy
Enacted July 2, 1964	Signed August 11, 2000
Considers all persons	Considers eligible population
Contains monitoring and oversight compliance review requirements	Contains monitoring and oversight requirements
Factor criteria is required, no numerical or percentage thresholds	Factor criteria is required, no numerical or percentage thresholds
Provides protection on the basis of race, color, and national origin; focuses on eliminating discrimination in federally funded programs	Provides protection on the basis of national origin; focuses on providing LEP persons' federally-funded programs with meaningful access to services using factor criteria
Annual Accomplishments and Upcoming Goals Report to FHWA	Annual Accomplishment and Upcoming Goals Report to FHWA
Provides protection on the basis of age, sex, and disability	Provides protection on the basis of age, sex, and disability

## Program Responsibility

EO 13166 directs recipients of Federal financial assistance to take reasonable steps to provide LEP individuals with meaningful access to their programs, activities and services.

1. Notify LEP customers of the availability of language assistance services

LEP persons have the right to language assistance at no cost to them in their spoken language. Language self-identification forms or posting meeting notifications in public areas are methods used to provide notice of the service.

2. Translation of vital documents in languages other than English

It is appropriate to have written materials translated into languages regularly encountered. The translation of vital documents into languages other than English is particularly important where a significant number or percentage of the customers served and/or eligible for service have limited English proficiency. Written materials include electronic documents and websites. CYMPO provides notification on its website and newspaper publications of translation availability.

Vital documents convey information that critically affects the ability of the recipient/customer to make decisions about his/or her participation in the program or activity. 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.

Translating documents for LEP to a fourth (4th) grade literacy level ensures the targeted audience understands the information. Community based organizations or focus groups can assist with testing translations for language and literacy level appropriateness.

The Department of Transportation Policy Guidelines give recipients of federal funds substantial flexibility in determining what language assistance is appropriate based upon a local assessment. Current financial constraints prohibit the translation of large plans, documents and maps at this time. CYMPO will provide translation services, if requested within reasonable notice of when the services are needed.

## **Four Factor Analysis**

CYMPO has analyzed the four factors identified below:

- 1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee. There are 140,331 people in the Central Yavapai Planning Metropolitan area (Source: ACS 2017-2021, <https://geo.azmag.gov/maps/azdemographics/#>). The limited English proficiency population is 3.5% or 4,698 of the total population with Spanish being the predominate language.
- 2) The frequency with which LEP individuals come in contact with the program. Transportation planning and air and water quality touch the lives of all persons in the CYMPO member area. CYMPO believes every effort should be made to provide those who speak English “less than very well” the opportunity to participate in the planning process. In 2019, CYMPO received and accommodated two requests for sign language interpretation. No additional requests have been received since then. Public Meeting notices provide information on obtaining interpreter services.
- 3) The importance of the service provided by the program to people’s lives. CYMPO activities related to identifying and planning future funding for future projects which will then be implemented by its member agencies. These activities are vital and affect all persons living in communities under the jurisdiction of CYMPO.
- 4) The resources available and the overall cost to the MPO. CYMPO has limited staff and financial resources and has determined that the translation of large plan documents and maps are not warranted at this time. However, CYMPO does provide translation services upon request with advance notice.

## CONCLUSION

CYMPO understands that language needs will change as the Yavapai County population changes. Further, CYMPO will comply with the requirement to assess its programs and services each year to determine compliance with various nondiscrimination regulations. For questions or concerns regarding CYMPO's commitment to nondiscrimination, or to request additional information about LEP services, contact Vincent Gallegos, CYMPO Executive Director, at [Vincent.Gallegos@yavapaiaz.gov](mailto:Vincent.Gallegos@yavapaiaz.gov) or 928-442-5730.