



Limited English Proficiency Plan

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Introduction:

Pima Association of Governments (PAG) is the designated metropolitan planning organization (MPO) for Pima County. As the MPO, PAG is responsible for developing federally required plans and programs related to regional planning/management of the following:

- Transportation Planning Agency per Title 23, U.S.C. Section 134
- Water Quality Management Planning Agency per Section 208 of the federal Water Pollution Control Act of 1972
- Lead Air Quality Planning Agency per agreement with Arizona Department of Environmental Quality (ADEQ) to meet requirements of the federal Clean Air Act
- Solid Waste Planning Agency per the federal Resource Conservation and Recovery Act of 1976

As both the recipient and programming agency for federal funding, PAG has the responsibility to follow federal nondiscrimination laws and policies as well as assist with the compliance of recipients of the federal funds that are programmed through the PAG process. The Civil Rights Act of 1964 and several Presidential Executive Orders outline these responsibilities.

Executive Order 13166, titled "Improving Access to Services to Persons with Limited English Proficiency," indicates that in some circumstances differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. This order applies to all state and local agencies which receive federal funding.

This Limited English Proficiency (LEP) Plan provides direction on how PAG will stay compliant with these provisions, and it was prepared in accordance with Title VI of the Civil Rights Act of 1964.

It is the policy of PAG to ensure that its programs and activities are accessible to persons with LEP, and thus PAG does not discriminate on the basis of national origin in violation of the Title VI prohibition against national origin discrimination. PAG will, to the maximum extent feasible, provide appropriate alternative non-English formats for persons with LEP to access PAG information and services in its official deliberations and communications, community outreach and related notifications, if requested.

Any person who believes that he or she, either individually, as a member of any specific class of persons, or in connection with any minority contractor, has been subjected to discrimination may file a complaint. The complaint must be based on unequal treatment related to race, color, national origin, gender, age and/or disability. A formal complaint must be filed within 180 calendar days of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct. PAG's Title VI Plan and Non-Discrimination Policy clearly explain the

complaint process. The documents, along with the Discrimination Complaint Form, can be found on PAG's website at www.PAGregion.com.

Plan Assessment:

As a recipient of federal funding, PAG needs to take reasonable steps to ensure that all members of the community, regardless of their proficiency to understand English, have the opportunity for meaningful access to the PAG planning/programming process. The U.S. Department of Transportation (U.S. DOT) provides guidance¹ on conducting a four-factor analysis to determine what language assistance is appropriate.

Factors to be analyzed are:

- Factor 1: The number or proportion of LEP persons served by the MPO service area.
- Factor 2: The frequency with which LEP individuals come in contact with the MPO programs.
- Factor 3: The importance of the service provided by MPO programs.
- Factor 4: The resources available and the overall cost to the MPO.

PAG's analysis of the four factors is provided below.

In collecting LEP data for this plan, PAG relies upon the American Community Survey dataset. The most recent year available from the ACS is used for this plan, with a preference for 5-year data over 1-year data, where both are available.

When possible, PAG will identify Safe Harbor thresholds based on specific languages and not on language families or groups. However, PAG also recognizes the need to use the most current data possible. The B16001 dataset provides the granularity PAG needs to calculate Safe Harbor thresholds, but if that dataset is more than 4 years old, PAG will use the less granular C16001 dataset.

Factor 1: The number or proportion of LEP persons served by the MPO service area.

PAG reviewed U.S. Census Bureau data for the percentage of population in Pima County that indicated that they spoke English "less than very well."

¹ Federal Register Vol. 70, No. 239 Wednesday, December 14, 2005

Languages Spoken at Home in Pima County by LEP Persons who speak English "less than very well"						
	Total Population (excluding those under 5 years old)	LEP Population	% Total Non-LEP Population	% Total LEP Population	% Total LEP Population that Speaks Spanish	% Total LEP Population that Speaks Language Other Than Spanish
Pima County	979,353	74,922	92.3%	7.7%	82.1%	17.9%
2021 American Community Survey 5-Year Estimates--Table ID: C16001 *Data for this table excludes individuals under the age of 5						

Further, the data was analyzed to determine which languages(s) were the primary languages spoken by those who spoke English "less than very well." Spanish was the predominant primary language in the PAG planning area of those who indicated that they spoke English "less than very well." Other languages that meet the Safe Harbor threshold of 5% or 1,000 individuals include Chinese, Swahili, Vietnamese, and Arabic.

Languages Spoken by LEP Individuals in Pima County*			
Language Spoken	Number of LEP individuals	% of total population	% of LEP population
Spanish	61,472	6.3%	82.0%
Chinese	5,912	0.3%	3.7%
Vietnamese	1,423	0.1%	1.9%
Arabic	1,086	0.1%	1.4%
Russian	1,080	0.1%	1.4%
2021 American Community Survey 5-Year Estimates--Table ID: C16001 *Data for this table excludes individuals under the age of 5			

* After Chinese, the ACS dataset report "Other and Unspecified Languages" having the third most number of LEP individuals at 2,279. After Vietnamese, "Other Indo-European Languages" is the next largest group. Because these classifications consist of potentially several languages, they are not shown in the table above.

It was determined that it was not cost effective to take specific actions for languages of the LEP populations other than Spanish, unless a specific request was made for an accommodation.

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

Air and water quality and transportation planning are areas that touch everyone's lives in Pima County. As such, PAG believes that an effort should be made to provide the Spanish

speaking community an opportunity to participate in the planning process. See the “Language Assistance Measures” portion of this document for more detail on how Spanish is incorporated into MPO community outreach and public involvement efforts.

To date, PAG staff have only encountered LEP individuals who speak Spanish.

Factor 3: The importance of the service provided by MPO programs.

The importance of the programs and services provided by PAG cannot be understated. Most PAG activities relate to identifying and planning funding for future projects; these projects are then designed and implemented by other jurisdictions (e.g., the City of Tucson provides transit service and builds roadways projects). While the jurisdictions’ activities bring them into more direct contact with the public, it is still important for PAG to ensure that LEP populations have input in the planning of future projects for the region. PAG does provide some direct services to the region, for example, through the Travel Reduction Program and other commuter services; these programs strive to be inclusive in soliciting community participation.

Factor 4: The resources available and the overall cost to the MPO.

PAG has limited staff and financial resources, which makes the translation of all materials cost prohibitive. Often persons with a limited English proficiency have several trusted sources to interpret for them. PAG works to provide enough bilingual information for the LEP population to understand which PAG services are available or what major planning activities are taking place, so that they can ask for assistance from PAG or one of their trusted sources.

Language Assistance Measures

- Agency training
 - All staff members will receive annual training regarding PAG’s responsibilities for providing LEP services and the resources that PAG has available in fulfilling these responsibilities.
 - Staff will receive instruction on what to do when individuals with limited English proficiency seek to participate in a PAG process or use a PAG service.
 - PAG’s Title VI coordinator shall maintain a list of PAG employees who speak or write additional languages other than English.
- Identify individuals who need language assistance
 - PAG uses the Census “Language Identification Flashcards” to identify potential future needs. These cards have been enhanced to include O’odham, as this is the primary Native American language spoken in the PAG region.
 - PAG will examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine the extent to which language assistance might be needed at future events.

- When PAG sponsors an event, there will be a staff person to greet participants as they arrive. By informally engaging participants in conversation, it is possible to gauge each attendee's ability to speak and understand English.
- Front-office staff and other staff members who speak directly with the general public will be surveyed annually on their experience concerning any contacts with LEP persons during the previous year.
- Outreach techniques
 - PAG public meeting agendas include a Title VI notice and contain a footnote in English and Spanish that translations are available upon request.
 - *In compliance with the Americans with Disabilities Act (ADA), those requiring special assistance, such as large typeface print, sign language or other reasonable accommodations, may request those through the administrative offices at: (520) 792-1093 at least two business days before the meeting.*
 - *PAG operates its programs without regard to race, color and national origin in compliance with Title VI of the Civil Rights Act. We invite you to complete our voluntary self-identification survey (English/Spanish).*
 - *If you need translation assistance, please call (520) 792-1093 and ask for Zonia Kelley. Si necesita ayuda con traducción, llame por favor al (520) 792-1093 y comuníquese con Zonia Kelley.*
 - The PAG website provides a link to program summary materials translated into Spanish.
 - The PAG website includes a Google Translate button on every page.
 - Public notices and advertisements to public meetings and PAG quarterly newsletters include a footnote, in English and Spanish, that translation is available upon request and a Title VI notice.
 - Two of PAG's member jurisdictions include the Pascua Yaqui Tribe and Tohono O'odham Nation. Some members of both the Tribe and the Nation have greater proficiency with their own tribal languages than with English. When PAG events take place on Tribal or Nation Lands, an effort is made to work with the respective jurisdictional staff to make accommodations for cultural and language assistance as the hosting jurisdiction deems appropriate.

Monitoring and Updating the LEP Plan

The LEP Plan will be updated as required by U.S. DOT guidance/direction and as instructed by ADOT Civil Rights Office. At a minimum, the LEP Plan will be updated when new census data becomes available. It is understood that the community profile of Pima County and the jurisdictions within the county will continue to change over time. Not only will the four-factor analyses need to be revisited, but the appropriate language assistance measures may need to be improved to reflect community changes.

Contact Information

PAG, through development of this LEP Plan, does not intend to exclude anyone from participating in the PAG process or from taking advantage of PAG services. PAG will make every reasonable effort to accommodate any special needs request. Questions or comments regarding this LEP Plan may be submitted to the PAG Title VI Coordinator.

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