



## **VII. Action Item B**



# Metropolitan Transportation Planning Organization

For the Gainesville Urbanized Area

March 12, 2025

## MEETING MEMORANDUM

To: Technical Advisory Committee/  
Citizens Advisory Committee

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From: Brad Thoburn

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Subject: **Title VI and Limited English Proficiency Plan**

### **RECOMMENDATION**

**It is recommended that the Metropolitan Transportation Planning Organization adopt the Title VI and Limited English Proficiency Plan at the board meeting on April 4, 2025.**

### **BACKGROUND**

As with all transportation planning legislated by federal and state laws, the MTPO is responsible for ensuring adequate representation of and compatibility among state, county, and municipal projects in the transportation planning process. This includes consideration of all modes of transportation with respect to various members of the public. As a result, a responsibility is placed on metropolitan planning organizations to develop a Public Participation Plan (PPP) where the opportunity for public involvement is assured and there is no discrimination based on race, sex, age, religion, national origin, disability, color, or income. As part of the PPP, outreach will be made to connect with persons identified as Limited English Proficient and mechanisms are provided to prohibit discrimination as well as provide a process to file discrimination complaints. These requirements and the procedures are detailed further in this Title VI Nondiscrimination Plan and Limited English Proficiency Plan.

The draft Title VI and Limited English Proficiency Plan was presented to the Technical Advisory Committee and Citizens Advisory Committee for review and recommendations on February 12, 2025. It was made available for public comment along with the PPP for a 45-day comment period starting February 18, 2025. It will be presented at the Metropolitan Transportation Planning Organization Board Meeting for action on April 4, 2025. The Title VI and Limited English Proficiency Plan is attached.

Attachment

# TITLE VI and LEP Plan

*Adopted: XX*

*Updated Draft for Public Comment: February 18, 2025*



**Metropolitan Transportation Planning Organization**  
For the Gainesville and Alachua County Area

# DRAFT Title VI and LEP Plan | 2025

## Metropolitan Transportation Planning Organization for the Gainesville and Alachua County Area

### Resolution 2025-X

#### RESOLUTION OF THE METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION UPDATING AN D APPROVING THE TITLE IV NON-DISCRIMINATION PLAN AND THE LIMITED ENGLISH PROFICIENCY PLAN.

**WHEREAS**, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (MTPO) has been designated by the Governor of the State of Florida as the body responsible for the urban transportation planning process for the Gainesville Urbanized Area; and

**WHEREAS**, Florida Statutes § 339.175; 23 USC § 134; and 49 USC § 5303 requires urbanized areas, as a condition of the receipt of federal capital or operating assistance, have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

**WHEREAS**, as a part of the transportation planning work program, the public engagement documentation identified certain planning strategies and the planning activities to be undertaken by the MTPO; and

**WHEREAS**, engaging the public in the decision-making process is important to the success of all the MTPO transportation planning programs and activities; and

**WHEREAS**, the purpose of public engagement documentation is to provides goals and guidelines to ensure that the public participation and access to information regarding transportation decision making is facilitated and tracked for the general public and traditionally underserved populations; and

**WHEREAS**, the Title VI Non-Discrimination Plan and Limited English Proficiency Plan have been updated to comply with federal and state guidelines.

**NOW, THEREFORE BE IT RESOLVED** that the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area's Title VI Nondiscrimination Plan and Limited English Proficiency Plan are adopted and approved.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2025

Metropolitan Transportation Planning Organization

\_\_\_\_\_  
{Name}, Chair

Approved as to form and legality:

\_\_\_\_\_  
Alachua County Attorney



# Introduction

Representatives of the City of Gainesville and Alachua County along with representatives from the Gainesville/Alachua County Regional Airport, Alachua County Schools, and the rural municipalities within Alachua County are involved in the transportation planning process facilitated by the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (MTPO). The MTPO's purpose is to provide effective leadership in the initiation and development of transportation plans, programs and strategies.

As the governmental body most directly responsible for guidance of the transportation planning process, the MTPO strives to ensure that the recommendations are in keeping with the goals and standards of the Federal Government, the State, the City of Gainesville, Alachua County and the rural municipalities within Alachua County. The MTPO functions include, but are not limited to, the preparation of the tasks required by state rule or by federal policy.

The MTPO's major annual responsibilities are to perform the tasks of preparing the Unified Planning Work Program (UPWP), the Transportation Improvement Program (TIP), and the annual List of Priority Projects (LOPP). As with all transportation planning legislated by federal and state laws, the MTPO is responsible for ensuring adequate representation of and compatibility among state, county, and municipal projects in the transportation planning process. This includes consideration of all modes of transportation with respect to various members of the public. For example, the MTPO incorporates into its planning efforts the needs of the elderly and persons with disabilities as outlined in the Americans with Disabilities Act (ADA).

As part of the planning process, public involvement is given a major priority. Projects funded through public dollars are to be planned in a manner that encourages public participation and incorporates public comments into planning efforts. As a result, a responsibility is placed on metropolitan planning organizations to develop a Public Participation Plan (PPP) where the opportunity for public involvement is assured and there is no discrimination based on race, sex, age, religion, national origin, disability, color, or income. As part of the PPP, outreach will be made to connect with persons identified as Limited English Proficient and mechanisms are provided to prohibit discrimination as well as provide a process to file discrimination complaints. These requirements and the procedures are detailed further in this Title VI Nondiscrimination Plan and Limited English Proficiency Plan.



### Title VI Nondiscrimination Plan

The Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area (MTPO) is a Metropolitan Planning Organization (MPO) and a recipient of federal funds from the United States Department of Transportation (USDOT) through the Federal Highway Administration and Florida Department of Transportation (FDOT). All recipients of federal funding must comply with the requirements of Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the bases of race, color, and national origin. This Title VI Nondiscrimination Plan describes how the MTPO complies with Title VI and other nondiscrimination statutes, regulations, and authorities in the delivery of its federally assisted programs, services, and activities.

This Title VI Nondiscrimination Plan includes summary information on the structure of the MTPO's Title VI Nondiscrimination Program as well as the policies, procedures, and practices that support nondiscrimination requirements. It also is intended to be regularly reviewed and updated by the MTPO to meaningfully reflect the program as it changes and grows. Anyone wishing to provide input into the MTPO's Title VI Nondiscrimination Plan is encouraged to contact the Title VI Nondiscrimination Coordinator, Jacqueline Change at [jac@alachuacounty.us](mailto:jac@alachuacounty.us) or (352) 374-5275 or in writing at 12 SE 1st Street, 1st Floor, Gainesville, FL 32601.

#### A. Policy Statement

It is the policy of the MTPO to comply with Title VI and all federal authorities requiring nondiscrimination, including but not limited to Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the Age Discrimination Act of 1975, Executive Order 12898 (Environmental Justice), and Executive Order 13166 (Limited English Proficiency). The MTPO does not and will not exclude from participation in; deny the benefits of; or subject anyone to discrimination based on race, color, national origin, sex, age, disability, or income. In addition, in the delivery of its programs, services, or activities. The MTPO complies with state authorities in accordance with the Florida Civil Rights Act of 1992 and does not permit discrimination based on race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status.

The MTPO has adopted the FDOT's Title VI Nondiscrimination policy and ADA policy by reference Topic No.: 275-010-010-f –Title VI Program and Related Statutes. The FDOT Title VI Nondiscrimination policy and ADA policy statement may be found at: [FDOT Title VI Nondiscrimination Policy](#).

#### B. Title VI Coordinator Duties

The Title VI Coordinator is responsible for the development and implementation of the MTPO's Title VI Program and ensuring compliance with the provisions of Title VI of the Civil Rights Act of



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1964 and other nondiscrimination authorities, including Executives Orders for Environmental Justice (EJ) and Limited English Proficiency (LEP). Program duties include:

- Preparing the Title VI Plan and maintain complainant log.
- Coordinating activities related to the effective and efficient implementation of the MTPO's Title VI Program.
- Developing procedures and processes for preventing discrimination and addressing and resolving complaints of discrimination.
- Developing and publishing Title VI information for dissemination to the public and as appropriate ensure that the information is translated in languages other than English.
- Implementing procedures for prompt processing and disposition of Title VI complaints.
- Assisting in obtaining public input, particularly in minority and traditionally underserved areas.
- Identifying opportunities for Title VI data gathering and/or training opportunities.
- Ensuring that meetings, hearings, and other public involvement events are held in accessible locations and at times to garner the best representation of the impacted community.
- Develop and maintain a Community Characteristics Inventory (race, color, sex, national origin, age, disability, the transportation disadvantaged, head of household status, poverty level, etc.) for the jurisdictional area.
- Review of solicitation and contract documents for inclusion of required nondiscrimination provisions as well as nondiscrimination in the selection of consulting firms.

**Anyone wishing to contact the MTPO with comments, questions, or complaints regarding Title VI, please contact:**



**Jacqueline Chung,**  
*Equal Opportunity Manager/  
Title VI Coordinator*

Alachua County Equal Opportunity Office  
12 SE 1st Street, 1st Floor, Gainesville, FL 32601

[jac@alachuacounty.us](mailto:jac@alachuacounty.us)

(352) 374-5275

TDD/TTY users, call 711 (Florida Relay Service)



### C. Title VI Nondiscrimination Complaints

If an individual or group of individuals feels they have been discriminated against by any person or group associated with the MTPO, the following process is established to document and resolve the issue. See Appendix A for complaint forms in both English and Spanish.

#### 1. Title VI Nondiscrimination Complaint Process

- a) Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation prohibited by the Title VI of the Civil Rights Act of 1964 and other federal and state nondiscrimination authorities and related statutes, may file a written complaint. All written complaints received by the MTPO Title VI Nondiscrimination Liaison are sent to the Florida Department of Transportation's District Two Title VI Nondiscrimination Coordinator for processing in accordance with approved State procedures.
- b) Verbal and non-written complaints received by the MTPO shall be resolved informally by the Title VI Nondiscrimination Liaison. If the issue has not been satisfactorily resolved through informal means, or if at any time the person(s) request(s) to file a formal written complaint, the MTPO Title VI Nondiscrimination Liaison shall refer the Complainant to the Florida Department of Transportation's District Two Title VI Nondiscrimination Coordinator for processing in accordance with approved State procedures.
- c) The MTPO Title VI Nondiscrimination Liaison will advise the FDOT's District Two Title VI Nondiscrimination Coordinator within five calendar days of receipt of the allegations. The following information will be included in every notification to the FDOT District Two Title VI Nondiscrimination Coordinator.
  - 1) Name, address, and phone number of the complaint.
  - 2) Name(s) and address(es) of the respondent.
  - 3) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status, or retaliation).
  - 4) Date of alleged discriminatory act(s).
  - 5) Date of complaint received by the MTPO.
  - 6) A statement of the complaint.
  - 7) Other agency(ies) (state, local, or Federal) where the complaint was filed.
  - 8) An explanation of the actions the MTPO has taken or proposed to resolve the allegation(s) described in the complaint.
- d) Within ten calendar days, the MTPO's Title VI Nondiscrimination Liaison will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the Complainant of other avenues of redress available, such as the FDOT Equal Opportunity Office.





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- e) Within 60 calendar days, the MTPO's Title VI Nondiscrimination Liaison will conduct and complete a review of the verbal or non-written allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the Executive Director of the MTPO.
- f) Within 90 calendar days of the verbal or non-written allegation(s) receipt, the Executive Director of the MTPO will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of his/her right to file a formal complaint with the FDOT Equal Opportunity Office, if they are dissatisfied with the final decision rendered by the Executive Director of the MTPO. The MTPO Title VI Nondiscrimination Liaison will also provide the FDOT District Two Title VI Nondiscrimination Coordinator with a copy of this decision and summary of findings.
- g) The MTPO Title VI Nondiscrimination Liaison will maintain a log of all verbal and non-written complaints received by the MTPO. The log will include the following information.
  - 1) Name of complainant;
  - 2) Name of respondent;
  - 3) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation);
  - 4) Date verbal or non-written complaint was received by the MTPO;
  - 5) Date the MTPO notified the Florida Department of Transportation District Two Title VI Nondiscrimination Coordinator of the verbal or non-written complaint; and
  - 6) Explanation of the actions the MTPO has taken or proposed to resolve the issue raised in the complaint.

## 2. Title VI Nondiscrimination Liaison

The MTPO designated Jacqueline Chung, as its Title VI Nondiscrimination Liaison. For any Title VI nondiscrimination concern, she may be contacted at (352) 374-5275 or at 12 SE 1st Street, 1st Floor, Gainesville, Florida 32601.

## 3. Title VI Nondiscrimination Notice

To be displayed in all public spaces associated with the MTPO or MTPO business.

### **Metropolitan Transportation Planning Organization**

#### **for the Gainesville and Alachua County Area**

#### **Nondiscrimination Notice**

It is the policy of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area that no person shall on the basis of race, color, national origin, sex, age, disability, familial status, religious status, marital status, sexual orientation, or gender identity, as



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provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area program or activity.

It is the policy of the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area that minority business enterprises (MBE) as defined in 49 CFR Part 23, as amended, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area funds.

For further information about these laws, regulations and discrimination complaint procedures for resolution of complaints of discrimination, contact Jacqueline Chung, Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area Title VI Liaison, at (352) 374-5275 or at 12 SE 1st Street, 1st Floor, Gainesville, Florida 32601.

### **Organización Metropolitana de Planificación del Transporte**

#### **Para el Área de Gainesville y de Condado de Alachua**

##### **Aviso de No Discriminación**

Es la política de la Organización Metropolitana de Planificación del Transporte del Área Urbana de Gainesville, que ninguna persona sea excluida de poder participar, negársele beneficios, o de alguna manera ser sujeto a discriminación o represalias en cualquiera de los programas o actividades de la Organización Metropolitana de Planificación del Transporte del Área Urbana de Gainesville por razón de raza, color, origen nacional, sexo, edad, impedimento físico, estatus familiar, preferencia religiosa, estado civil, orientación sexual, identidad de género, según previsto por el Título VI del Acta de Derechos Civiles de 1964, el Acta de Restauración de Derechos Civiles de 1987 y el Acta de Derechos Civiles del Estado de la Florida de 1992.

Es la política de la Organización Metropolitana de Planificación del Transporte del Área Urbana de Gainesville que las empresas de negocio de minorías (MBE por sus siglas en inglés) según definida en el Código de Regulaciones Federales 49 (CFR por sus siglas en inglés) Parte 23, según enmendada, debe tener la máxima oportunidad de participar en el desempeño de contratos financiados parcial o totalmente con fondos de la Organización Metropolitana de Planificación del Transporte del Área Urbana de Gainesville.

Para información adicional sobre estas leyes, regulaciones y procedimiento para presentar querrelas /quejas por discriminación, puede contactar al Jacqueline Chung, del Título VI de la Organización Metropolitana de Planificación del Transporte del Área Urbana de Gainesville, al 12 SE 1st Street, 1st Floor, Gainesville, Florida 32601, teléfono 352.374.5275.



### Limited English Proficiency Plan

The MTPO is an independent yet cooperative forum for regional planning and the allocation of millions of dollars in federal transportation funding annually. The MTPO works with the public, planning organizations, government agencies, elected officials, and community groups and helps citizens speak with one voice to their state and federal legislators on transportation-related issues. The Limited English Proficiency (LEP) Plan plays an integral role in the process. This document provides guidance for assisting LEP persons to ensure accessibility to the MPOs programs and services.

#### A. Legal Basis for Language Assistance Requirements

This LEP Plan addresses Title VI of the Civil Rights Act of 1964 and its implementing regulations which provide 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 that receives federal financial assistance.

In 1974, the U.S. Supreme Court affirmed that the failure to ensure a meaningful opportunity for national origin minorities, with limited-English proficiency, to participate in a federally funded program violates Title VI regulations. Additionally, requirements are outlined in Executive Order 13166 and directives from the U.S. Department of Justice and U.S. Department of Transportation.

Signed into law in 2000, Executive Order 13166 ensures accessibility to programs and services to eligible persons who are not proficient in the English language by examining services provided, identifying specific needs to provide meaningful access for LEP persons, and implementing a system to provide meaningful access to such services. Not only do all federal agencies have to develop LEP Plans, as a condition of receiving federal financial assistance, but recipients also must comply with Title VI and LEP guidelines of the federal agency from which funds are provided.

The guidance identifies Metropolitan Planning Organizations (MPOs) as organizations that must follow the guidance and provides MPOs with technical assistance in assessing the size, location, and needs of the LEP population; implementing language access services; and evaluating the effectiveness of these services. The final LEP Plan should be consistent with the fundamental mission of the organization, though not unduly burdening the organization.

To ensure LEP individuals have meaningful access to the transportation planning process, the MTPO conducts a self-assessment in areas relevant to the development of an effective LEP Plan. This assessment includes:

- Relevant demographic information for the MTPO planning area;



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- Frequency of contact that the organization has with limited English proficiency persons;
- Nature or importance of programs or services deemed vital; and
- Resources and associated costs.

The LEP Plan works in concert with the organization’s overall PPP, which identifies specific strategies for outreach and engagement; as well as the Title VI Nondiscrimination Plan.

### **B. Limited English Proficiency Policy**

It is the policy of the MTPO to ensure that persons with Limited English Proficiency are neither discriminated against nor denied meaningful access to and participation in the organization’s programs and services. It is the intent of the organization that in providing language services to persons with limited English proficiency, the process achieves a balance that ensures meaningful access to programs and services while not incurring undue burdens on resources of the organization.

The MTPO will respond to requests for language assistance in the manner described in this plan, which includes:

- A mechanism to provide ongoing assessment of needs, programs, and activities of target audiences, along with the organization’s capacity to meet these needs using the Limited English Proficiency Plan;
- Translation of vital written materials in languages other than English where there is a significant number or percentage of persons with limited English proficiency;
- Oral language assistance to Limited English Proficiency persons for programs, where such assistance is requested and/or anticipated;
- Identified procedures and a designated representative from MTPO responsible for implementing activities related to the LEP Plan;
- Notification of the availability of free language services to those persons in the target audience, through oral and written notice in the relevant primary language assistance activities; and
- Staff training on policies and procedures of the organization’s language assistance activities.

#### **1. Who is an LEP Individual?**

The LEP Plan applies to individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. As defined in the United States Census: American Community Survey, LEP refers to any individual who speaks a language at home other than English as their primary language, and who speak or understand English less than “very well”. Individuals, who have a limited ability to read, write, speak, or understand English are LEP.



## 2. LEP Limitations

This LEP Plan applies to individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. For example, the limitations of this plan do not extend to the following individuals:

- Hearing or visual impairments – Sign language interpretation and Braille text are accommodations provided under the Americans with Disabilities Act; and
- Illiteracy, generally – The inability to speak, read, or write English and conditions that may trigger language assistance under Title VI are distinguished with a key factor.

A LEP person cannot speak, read, or write English – but rather primarily speaks, reads, or writes in a language other than English.

## C. Administration of LEP Plan


The Limited English Proficiency Plan policy and procedures are considered throughout the transportation planning process. Administration of this plan is described in the following sections.

### 1. Complaint Procedure

For persons included in a regularly encountered LEP group, written notification of the opportunity to file a discrimination complaint in accordance with federal regulations shall be provided. For infrequently encountered groups, LEP persons may be advised orally of the opportunity to file a discrimination complaint pursuant to federal regulations. See Appendix A for complaint forms in both English and Spanish.

### 2. Designated Staff Coordinator

The MTPO designates Jacqueline Chung, Equal Opportunity Manager/Title VI Coordinator, as the individual responsible for oversight and implementation of the LEP Plan. Responsibilities include coordinating and facilitating delivery of related services, staff training on the plan’s policies and procedures, and ongoing monitoring and assessment of the plan’s effectiveness. Jacqueline Chung can be reached at (352) 374-5275 or [jac@alachuacounty.us](mailto:jac@alachuacounty.us).

<p><b>Anyone wishing to contact the MTPO with comments, questions, or complaints regarding LEP please contact:</b></p>		<p><b>Jacqueline Chung,</b> <i>Equal Opportunity Manager/ Title VI Coordinator</i></p> <p>Alachua County Equal Opportunity Office 12 SE 1st Street, 1st Floor, Gainesville, FL 32601 <a href="mailto:jac@alachuacounty.us">jac@alachuacounty.us</a> (352) 374-5275</p>
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### 3. Definitions

**Limited English Proficiency (LEP):** Refers to a person who is not fluent in the English language. The MTPO has a LEP plan to ensure individuals with limited English skills can participate in the process.

**Recipient of Federal Financial Assistance:** Includes grants, training, use of equipment, donations of surplus property, and other assistance. Sub-recipients are also covered when federal funds are passed from one recipient to a sub-recipient.

**Vital Communication:** Any document or spoken work that contains information critical to benefits that are supported by federal funds or required by law. Guidance by the U.S. Department of Justice provides:

- A document will be considered vital if it contains information that is critical for obtaining federal services and/or benefits or is required by law. Vital documents include, for example: applications; consent and complaint forms; notices of rights and disciplinary action; and notices advising LEP persons of the availability of free language assistance.
- Vital documents must be translated when a significant number or percentage of the population eligible to be served, or likely to be directly affected by the program/activity, needs services or information in a language other than English to communicate effectively. For many larger documents, translation of vital information contained within the document will suffice and the documents need not be translated in their entirety.
- It may sometimes be difficult to draw a distinction between vital and non-vital documents, particularly when considering outreach or other documents designed to raise awareness of rights or services. Though meaningful access to a program requires an awareness of the program's existence, we recognize that it would be impossible, from a practical and cost-based perspective, to translate every piece of outreach material into every language. Title VI does not require this of recipients of federal financial assistance, and Executive Order 13166 does not require it of federal agencies.
- Nevertheless, because in some circumstances lack of awareness of the existence of a particular program may effectively deny LEP individuals meaningful access, it is important for federal agencies to continually survey/assess the needs of eligible service populations in order to determine whether certain critical outreach materials should be translated into other languages.

**Interpretation:** The act of listening to spoken words in one language (the source) and orally translating it into another language (the target).

**Translation:** The replacement of a written text from one language into an equivalent written text in another language.



### Self-Assessment

As a recipient of federal funds, the MTPO must take reasonable steps to ensure meaningful access to the information and services it provides. As part of the MPO certification by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), the LEP Plan will be assessed and evaluated.





Public transit is a key means of achieving mobility for many LEP persons. By providing language assistance to persons with limited English proficiency, the MTPO will help to ensure that the services are safe, reliable, convenient and accessible. These efforts may attract riders who would otherwise be excluded from participating in the service because of language barriers.

LEP services can be provided in two ways: verbal interpretation and written translation of vital documents. There are four factors for consideration when deciding what reasonable steps should be taken to ensure access for LEP persons.

#### A. Four-Factor Analysis

In accordance with the Executive Order, the United States Department of Transportation (USDOT) issued policy guidance in the Federal Register, Volume 70; Number 239 on Wednesday, December 14, 2005, concerning recipient’s responsibilities to LEP persons. The USDOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons.

**Four Factor Analysis**

 <p><b>Factor 1: Demographics</b> The number and proportion of LEP persons eligible to be served and/or encountered.</p>	 <p><b>Factor 3: Importance of Program</b> The nature and importance of the program, activity or service provided.</p>
 <p><b>Factor 2: Frequency of Contact</b> Frequency with which LEP individuals come in contact with these programs, services or activities.</p>	 <p><b>Factor 4: Resources</b> The resources available and the overall cost to the MTPO.</p>

The USDOT policy guidance gives recipients of federal funds substantial flexibility in determining what language assistance is appropriate based on a local assessments on the four factors listed above. The following is a self- assessment of needs in Alachua County in relation to the four factors and the transportation planning process. The four-factor analysis will allow the MTPO to



be in a better position to implement cost- effective language assistance measures and to target areas and resources appropriately. The results of this assessment for LEP programs and services are detailed in the following subsections.

### 1. Factor 1: The Number and Proportion of LEP Persons Eligible to be Served

The first step towards understanding the profile of individuals that could participate in the transportation planning process is a review of Census data. Table 1 summarizes the LEP population for the Alachua County and provides demographic data related to individuals who speak English "Less Than Very Well" (LEP) among different age groups.

**Table 1. Persons in Households Speaking a Foreign Language Five Years Old or Older**

Foreign Language Group	Number	Percent
Spanish-Speaking Persons	21,583	8.0%
Spanish-Speaking Persons That Do Not Speak English "Very Well"	4,201	1.6%
Other Indo-European Language-Speaking Persons	10,478	3.9%
Other Indo-European Language-Speaking Persons That Do Not Speak English "Very Well"	1,944	0.7%
Asian & Pacific Island Language-Speaking Persons	9,137	3.4%
Asian & Pacific Island Language-Speaking Persons That Do Not Speak English "Very Well"	2,598	1.0%
Other Language-Speaking Persons	2,000	0.7%
Other Language-Speaking Persons That Do Not Speak English "Very Well"	262	0.1%
Total Persons Five Years Old or Older	268,212	100%

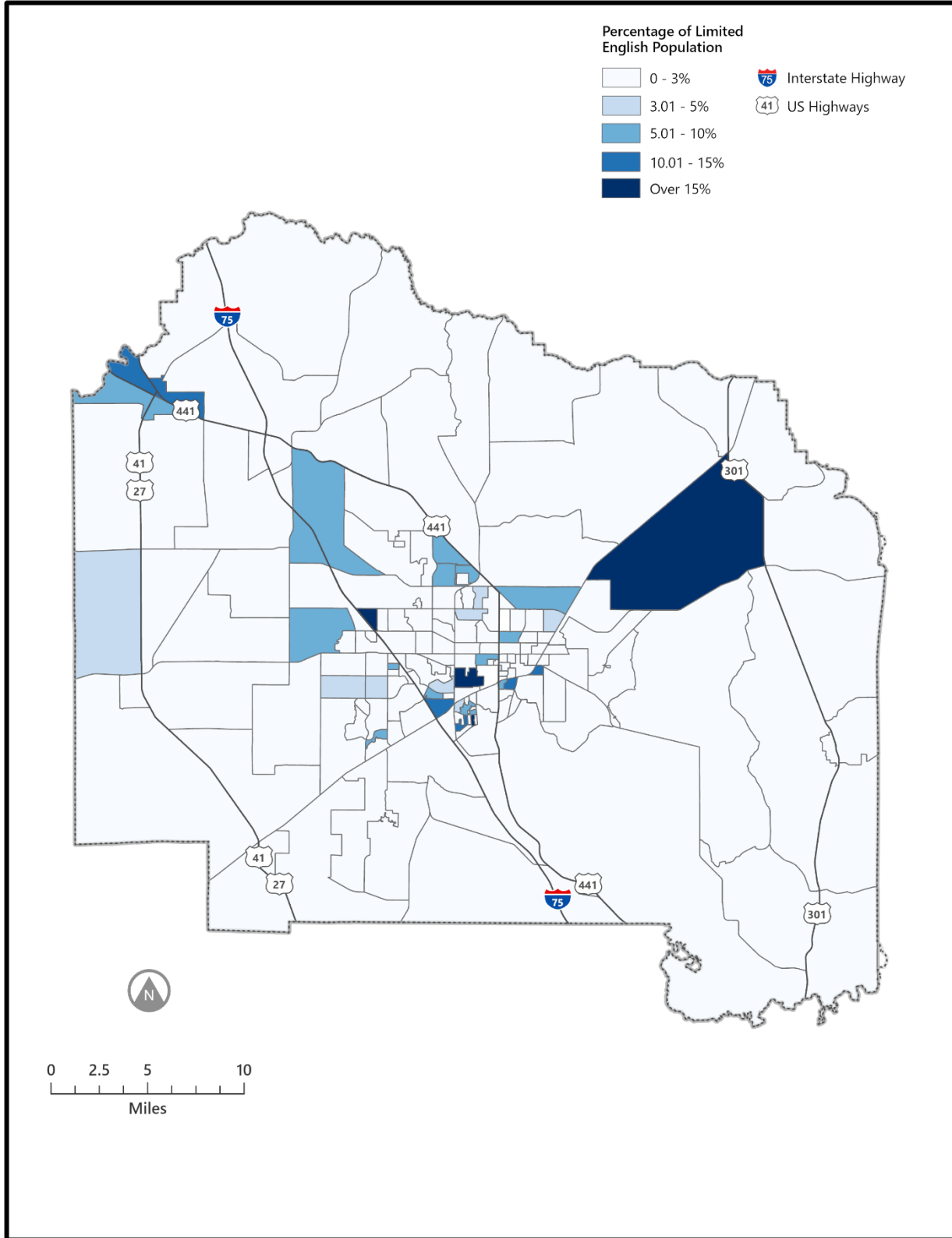
Source: 2023 American Community Survey Table B1601

To demonstrate the geographic extent of the LEP populations in the region, **Figure 1** provides a visual representation. In addition to analyzing the Census data, the MTPO consults with transit staff, community organizations, school systems, and state and local governments to better serve the LEP community.





Figure 1. Alachua County LEP Populations



## 2. Factor 2: Frequency of Contact of LEP Persons

The results of the Census data indicate that Spanish is the most significant language spoken by the LEP population in Alachua County. To date, no requests for language assistance services have been made by LEP individuals or groups to the MTPO. The MTPO public notices and information flyers in both English and Spanish, as requested. The MTPO will also provide translation services upon request at public meetings. The full list of LEP assistance is provided in Table 2.

All advertisements for public meetings sponsored by the MTPO will contain the following language:

*“Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services, which are provided at no cost, should contact Alachua County Equal Opportunity Office at (352) 374-5275 or email jac@alachuacounty.us at least three (3) business days prior to the event.”*

The MTPO conducts regular board meetings, advisory committee meetings and public hearings throughout the year. Public outreach and the MTPO website are the main sources of potential contact between the MTPO and LEP persons.

**Table 2. Administered by MTPO**

Program/Activity	Frequency of Contact	Resources Available
Board Meetings	Monthly	Special assistance notice in newspaper, and on website, LEP-specific notice on all agendas, case- by-case response
Advisory Committee Meetings	Monthly	LEP-specific notice on all board agendas, case-by-case response
Community Events	Varies	Spanish language brochures when in areas of high Spanish speaking populations, Spanish language surveys, “I Speak” cards
Website	Varies as Needed	Spanish language translation through Google Translate feature
Public Hearings	Annually	Spanish language brochures as requested, Spanish language forms, “I Speak” cards



### 3. Factor 3: The Nature and Importance of the Program Service or Activity

Metropolitan planning organizations receive federal funds to develop transportation plans for a designated urban area. The planning process is guided by federal and state law, including public involvement requirements to ensure diverse public outreach, notice, and opportunities for input. All MTPO programs are important; however, those related to safety, public transportation, right-of-way, the environment, nondiscrimination, and public involvement are among the most important. The MPO must ensure that all segments of the population, including LEP persons, have been involved or have had the opportunity to be involved in the transportation planning process to be consistent with the goal of the Federal Environmental Justice Program and Policy. One area that has been focused on is the Transportation Disadvantaged Program. This program has been identified as a potential provider of important services for LEP persons.

The planning process does not include any direct service or program that requires vital, immediate, or emergency assistance, such as medical treatment or services for basic needs (like food or shelter). Additionally, the MTPO does not require documents, such as completed applications, for participation. However, when determining whether materials, information, and/or notification related to an action is “vital,” the absence of direct services or application requirements is not the only consideration.

#### US Department of Justice



...in some circumstances lack of awareness of the existence of a particular program may effectively deny LEP individuals meaningful access, it is important for federal agencies to continually survey/ assess the needs of eligible service populations in order to determine whether certain critical outreach materials should be translated into other languages.

Language assistance involving notification of services, translation of public input forms and/or surveys related to a formal public hearings, and maintenance of the Spanish language portal on [www.acgnvmobility.org/](http://www.acgnvmobility.org/) have high priority. Other activities, such as community events, optional meetings, and specialized speakers' bureau programs have a lower priority if/when resources preclude the organization from executing all language assistance options.

### 4. Factor 4: Resources Available

Given the small size of the LEP population in Alachua County and current financial constraints, full language translations of plan documents are not considered warranted or cost feasible at this time. The MTPO will continually evaluate its programs, services and activities to ensure that persons who may be LEP are always provided with meaningful access. The MTPO will provide



verbal and written translation if requested within a reasonable time and if within the available resources.

# Language Assistance and Implementation

This section of the LEP Plan provides the implementation process used to address appropriate language needs identified and described in the Self-Assessment section.

## A. LEP Implementation Goals

- Provide meaningful access to MTPO programs and services for Limited English Proficiency persons identified using the four-factor analysis presented in Self Assessment section of the LEP Plan;
- Identify various resources, with or without associated costs, to ensure the organization can balance meaningful access to programs and services, while not incurring undue burdens on financial resources; and
- Complete plan updates every three (3) years and staff reviews annually to ensure resources identified remain consistent with identified needs.

## B. Language Assistance and Translation/Interpretation Services

Engaging the LEP population within the MTPO planning area is vital. The MTPO implements language assistance through the following strategies and techniques:

- Staff involved with the public will provide the Census Bureau's "I Speak" language cards at workshop and public meeting sign-in tables. Staff will be able to identify language needs to match them with available services. These cards will be made available at the MPO Office;
- The MTPO will develop partnerships with local agencies, organizations, law enforcement, colleges/universities, Alachua County Schools and social service agencies to inform LEP individuals of MPO services and the availability of language assistance;
- The MPO will begin to accommodate the cost of translating programs by providing fact sheets, flyers and brochures;
- Initiate the development of Executive Summaries of major programs, such as the Unified Planning Work Program, Transportation Improvement Program, Public Participation Plan and Long Range Transportation Plan, and any other key document available in Spanish. To accommodate the cost, the MTPO will provide these summaries in formats such as fact sheets, flyers, newsletters, and brochures, capturing the significant points;
- Provide Spanish language outreach materials from other organizations including federal, state, and local transportation agencies when possible;



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- The MTPO will install the Google Translate program <http://translate.google.com> on every page of the website. The use of this will allow users to view HTML content in other languages. It is understood this is not a perfect system, but it will provide enough information for an LEP individual or group to make contact to the MTPO for comments or questions;
- Efficient Transportation Decision Making (ETDM) allows for the identification of readily apparent effects and evaluation of the likelihood of potential sociocultural effects within a project area during the early phases of the transportation planning process, prior to the project entering the FDOT Work Program;
- Ensure public meetings have access by public transportation;
- Weigh the demand for language assistance against the MPO's financial resources;
- Will consider cost effective practices for providing language services;
- State in outreach documents that language services are available from the agency free of charge with sufficient advance notice; and
- Communicate through press releases, announcements at community meetings, website, signs, and handouts.

### C. Notifications

MTPO will publicize the availability of Spanish interpreter services, free of charge when requested, prior to board and committee meetings, workshops, and public hearings. Notification will be provided on the organization's website, within meeting notices, and on each agenda.

When appropriate, additional notification may be provided including:

- Signage;
- Public outreach materials;
- Partner outreach materials;
- Via community-based organizations; and
- Local Spanish newspapers and publications.

The need for additional notification will be determined, in part, by the nature of the meeting or event and the degree in which such assistance is anticipated.

### D. Standard Notification Regarding Language Assistance

As previously noted, all advertisements for public meetings sponsored by the MTPO will contain the following language:

*"Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services, which are provided at no cost, should contact*



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*Alachua County Equal Opportunity Office at (352) 374-5275 or email [jac@alachuacounty.us](mailto:jac@alachuacounty.us) at least three (3) business days prior to the event."*

### E. Staff Training

The MTPO will incorporate the LEP Plan into the PPP. Staff will be properly trained in LEP procedures to provide meaningful access to information and services for LEP individuals. Staff will assist in person as well as by telephone when requested.

### F. Providing Notice to LEP Persons

It is important to notify LEP persons of services available free of charge in a language the LEP persons would understand. The MTPO will provide meeting notifications in English and Spanish where appropriate. The MTPO will state in outreach documents that language services are available.

### G. Dissemination of the MPO Limited English Proficiency Plan

The MTPO will post the LEP Plan on its website at: [www.acgnvmobility.org/](http://www.acgnvmobility.org/). Any person may obtain copies/translations of the plan upon request.


### H. Additional Resources

Serving as additional resources to staff, the following organizations will be called as needed based on individual circumstances:

- American Translators Association: [www.atanet.org](http://www.atanet.org)
- National Virtual Translation Center: [www.nvtc.gov](http://www.nvtc.gov)

### I. Monitoring and Updating the LEP Plan

At a minimum, the MTPO will review and evaluate the plan annually to ensure compliance of federal laws and various nondiscrimination regulations. The MTPO will make appropriate changes, as needed, to ensure effectiveness. For questions or concerns regarding the MTPO's commitment to nondiscrimination or to request LEP services, contact:

<p><b>Anyone wishing to contact the MTPO with comments, questions, or complaints regarding LEP please contact:</b></p>		<p><b>Jacqueline Chung,</b> <i>Equal Opportunity Manager/ Title VI Coordinator</i></p> <p>Alachua County Equal Opportunity Office 12 SE 1st Street, 1st Floor, Gainesville, FL 32601 <a href="mailto:jac@alachuacounty.us">jac@alachuacounty.us</a> (352) 374-5275</p>
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## Appendix A: Title IV and LEP Complaint Form

Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area Title VI Program and Related Statutes Discrimination Complaint	
Complainant(s) Name: Click or tap here to enter text.	Complainant(s) Address (Street No, P.O Box, City, State, Zip Code): Click or tap here to enter text.
Complainant(s) Phone Number: Click or tap here to enter text.	
Name of person(s) who allegedly discriminated against you, their position (if known), and name of agency: Click or tap here to enter text.	
Address (Street No, P.O Box, City, State, Zip Code): Click or tap here to enter text.	
Date of Alleged Incident: Click or tap here to enter text.	
Discriminated Because of: (Check all that apply)	
<input type="checkbox"/> Race	<input type="checkbox"/> Retaliation
<input type="checkbox"/> Sex	<input type="checkbox"/> Familial Status
<input type="checkbox"/> Religion	<input type="checkbox"/> Color
<input type="checkbox"/> National Origin	<input type="checkbox"/> Age
<input type="checkbox"/> Disability	<input type="checkbox"/> Income Status
<input type="checkbox"/> Other: Click or tap here to enter text.	
Please list the name(s) and phone number(s) of any person, if known, that the MTPO could contact for additional information to support or clarify your allegation(s). Click or tap here to enter text.	
Please explain as clearly as possible how, why, when and where you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Additional Pages may be attached if needed. Click or tap here to enter text.	
Complaint(s) Signature:	Date of Signature:
Mail to: {Name} {Address}	



## Appendix B: Title IV and LEP Complaint Form

Organización de Planificación de Transporte Metropolitano para el Área de Gainesville y Condado de Alachua Queja de Discriminación del Programa del Título VI y Estatutos Relacionados	
Nombre del (los) demandante(s): Haga clic o toque aquí para ingresar el texto.	Dirección del (los) demandante(s) (número de calle, apartado postal, ciudad, estado, código postal): Haga clic o toque aquí para ingresar el texto.
Número de teléfono del (los) demandante(s): Haga clic o toque aquí para ingresar el texto.	
Nombre de la(s) persona(s) que presuntamente lo discriminó, su posición (si se conoce) y nombre de la agencia: Haga clic o toque aquí para ingresar el texto.	
Dirección (Nº de calle, apartado postal, ciudad, estado, código postal): Haga clic o toque aquí para ingresar el texto.	
Fecha del presunto incidente: Haga clic o toque aquí para ingresar el texto.	
Discriminado debido a: (Marque todo lo que corresponda)	
<input type="checkbox"/> Raza	<input type="checkbox"/> Represalia
<input type="checkbox"/> Sexo	<input type="checkbox"/> Estado Familiar
<input type="checkbox"/> Religión	<input type="checkbox"/> Color
<input type="checkbox"/> Origen Nacional	<input type="checkbox"/> Edad
<input type="checkbox"/> Discapacidad	<input type="checkbox"/> Estado de ingresos
<input type="checkbox"/> Otro: Haga clic o toque aquí para ingresar el texto.	
Indique el nombre y el número de teléfono de cualquier persona, si se conoce, con la que la policía multinacional pueda ponerse en contacto para obtener información adicional que respalde o aclare sus acusaciones. Haga clic o toque aquí para ingresar el texto.	
Por favor, explique lo más claramente posible cómo, por qué, cuándo y dónde cree que fue discriminado. Incluya la mayor cantidad posible de información de fondo sobre los presuntos actos de discriminación. Se pueden adjuntar páginas adicionales si es necesario. Haga clic o toque aquí para ingresar el texto.	
Firma(s) de la(s) Queja(s):	Fecha de firma:
Enviar a: {Nombre} {Dirección}	







**10 SW 2<sup>nd</sup> Ave,  
Gainesville, FL 32601**  
Email | (352) 374-5249