



# MAG MPO

## Limited English Proficiency Plan

Update Approved 2024



**MAG**

Expert Resources. Enriching Lives.



## **MAG MPO Limited English Proficiency Plan**

The Mountainland Association of Governments (MAG) Metropolitan Planning Organization (MPO) Title VI Plan is prepared by the MPO staff, in cooperation with the United States Department of Transportation, Utah Department of Transportation (UDOT), Utah Department of Environmental Quality (UDEQ), Utah Transit Authority (UTA), and the members of the MPO Board:

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## **Notice of Nondiscrimination**

The MAG MPO follows all civil rights provisions of federal statutes and related authorities prohibiting discrimination in programs and activities requiring federal financial assistance. Therefore, the MPO does not discriminate based on race, sex, color, age, national origin, religion, disability, or income status in admission or access to and treatment in the MPO's programs and activities, as well as the MPO's hiring or employment practices. If you have any complaints of alleged discrimination or inquiries regarding the MPO's nondiscrimination policies, you may contact the MAG Title VI Administrator, Rebecca Smyrniotopoulos, 586 East 800 North Orem, UT 84097, or [rsmyrn@magutah.gov](mailto:rsmyrn@magutah.gov)

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## MAG Background

The Mountainland Association of Governments (MAG) is a planning organization through which local governments collaborate to establish guidelines, set policies, and allocate funding for transportation, local planning, community development, and aging and disability resources. The region includes Summit, Utah, and Wasatch Counties.

Within MAG is the federally designated Metropolitan Planning Organization (MPO) for the Provo-Orem urban area which provides comprehensive, coordinated planning for the metropolitan transportation planning process.

## LEP Background

Most people living in the United States read, write, speak, and understand English. There are many people, however, for whom English is not their primary language. If those persons have a limited ability to read, write, speak or understand English, they are limited English proficient (LEP). Language barriers can often inhibit or prohibit LEP persons from accessing benefits and services, understanding and exercising rights, fulfilling responsibilities and obligations, and understanding the information provided to them regarding federally funded programs, activities, and services.

In an effort to ensure that all residents of the MPO region can, to the fullest extent practicable, participate in the transportation planning and decision-making process, the MPO has developed this LEP Plan. The LEP Plan outlines how to identify people who may need language assistance, the ways in which assistance may be provided, staff training that

may be required, and how to notify LEP persons that assistance is available.

## Legal Framework

The following acts and executive orders guide the framework of this plan as they relate to nondiscrimination:

### Federal Nondiscrimination Acts

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

### Executive Orders

The President issues Executive Orders to federal agencies, and agencies that receive federal assistance are required to follow the same mandates.

- Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency requires federal agencies to examine the services they provide, identify any need for services to those with Limited English Proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

## Four-Factor Analysis

The U.S. Department of Transportation provides guidance that outlines four factors that the MPO uses to assess language needs and decides what reasonable steps should be taken to ensure meaningful access for LEP persons. The four-factor analysis considers:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to people's lives.
4. The resources available to the recipient and costs.

### **Factor 1 Analysis: The Number or Proportion of LEP Persons in MAG's Service Area**

For the purposes of the Limited English Proficiency Plan, people 5 years and older who identified themselves as speaking English less than "very well" are considered to be people with limited English proficiency. Data is derived from the U.S. Census Bureau 2018-2022 American Community Survey. The data is shown in data form in table 1 and map form in figure 1.

The Safe Harbor Provision states that federal agencies are considered to have strong evidence of compliance if they have translated vital documents into the languages for LEP

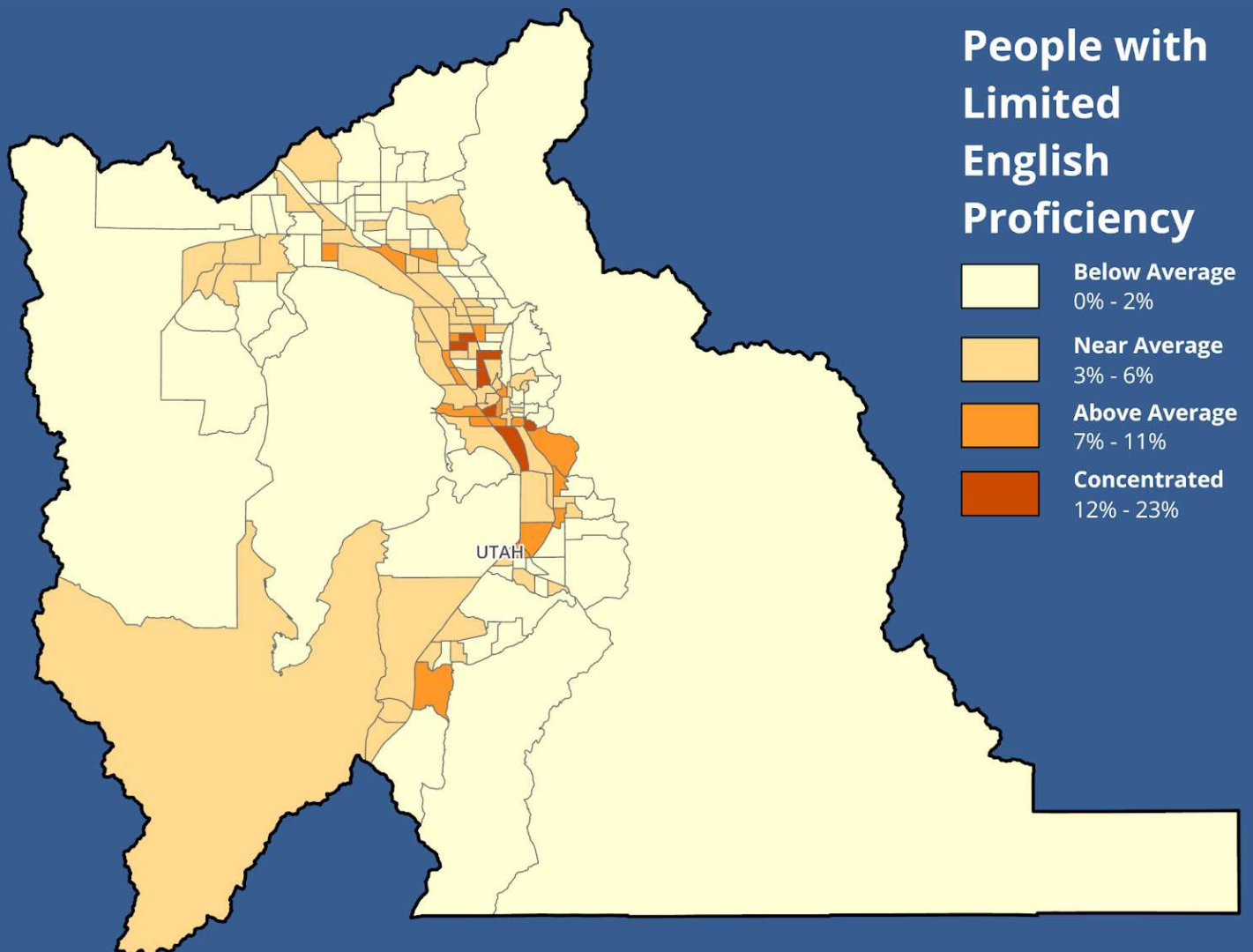
groups numbering 5% of the population or 1,000 persons, whichever is less.

**Table 1 Number or Proportion of LEP Persons in MAG MPO's Service Area**

Number or Proportion of LEP Persons in MAG MPO's Service Area		
Languages	Utah County	
	Total	Percent
Spanish	19,612	3.2%
French, Haitian, or Cajun	126	0.0%
German or other West Germanic languages	69	0.0%
Russian, Polish, or other Slavic languages	172	0.0%
Other Indo-European languages	1,248	0.2%
Korean	554	0.1%
Chinese (incl. Mandarin, Cantonese)	970	0.2%
Vietnamese	283	0.0%
Tagalog (incl. Filipino)	80	0.0%
Other Asian and Pacific Island languages	869	0.1%
Arabic	167	0.0%
Other and unspecified languages	155	0.0%
<b>Percent LEP Persons</b>	4%	
<b>Total population</b>	607,764	

Table Source: ACS 5-Year 2018-2022, C16001, Utah County Census Tract Summary

**Figure 1: People with Limited English Proficiency**



**Factor 2 Analysis: The Frequency With Which LEP Individuals Come in Contact with MAG**

The MPO region has a rapidly growing population. Although MPO staff have acted only in limited ways with LEP persons to date, this relationship is anticipated to grow in the future. The previous analysis showed that approximately 4% of the region's population are people with limited English proficiency. Since the previous Limited English Proficiency Plan was completed in 2019, the MPO has received no formal requests by people with limited English proficiency seeking the translation of documents or interpreters at public meetings.

**Factor 3 Analysis: The Importance of the Service Provided by MAG**

MAG programs use federal funds to plan for various activities such as:

- Planning for short and long-range transportation projects implemented by the MPO, local governments, and other agencies.
- Partnering with local agencies and community organizations to develop corridor and small area transportation plans.

The MPO does not include any direct service or program that requires vital, immediate, or emergency assistance, such as medical treatment or services for basic needs such as food or shelter.

Furthermore, the MPO does not conduct activities, such as applications or interviews, prior to participation in its programs or

events. Involvement by any citizen with the MPO or its committees is voluntary.

However, the MPO will ensure that all segments of the population, including LEP persons, have the opportunity to be involved in the process.

As part of the transportation programming and planning process, the impact of proposed transportation investments on underserved and underrepresented population groups is part of the evaluation process for the use of federal funds in of the MPO's Regional Transportation Plan (RTP)

The MPO encourages public input and involvement from all residents or their representatives. The MPO posts agendas for all meetings, which are open to the public, on the MAG website. MPO staff are available to address community organizations as requested. MAG staff field inquiries from the public regarding transportation projects, other planning activities, and aging services. The MPO frequently updates its website so residents can learn about and follow MPO activities.

**Factor 4 Analysis: The Resources Available and Overall Cost**

The fourth factor of the analysis weighs the preceding three factors to assess the needs of people with limited English proficiency within the MPO region compared with the resources available to the MPO and the costs of providing access. The MPO is committed to offering all residents in the region the opportunity to participate in and receive services from the MPO's activities.

Due to budget constraints, the MPO is unable to translate all vital documents into all languages identified in the Safe Harbor Provision analysis. However, the MPO is committed to providing free oral language translation services at any time requested, as long as an appropriate amount of time is allowed to acquire translation services. MAG will consider requests for translation of other, non-vital, written documents on a case-by-case basis.

### **Identifying LEP Individuals Who Need Language Assistance**

When first encountering an LEP individual in a face-to-face situation, the MPO will use language identification flashcards developed by the U.S. Census Bureau. These cards have the phrase, "Mark this box if you read or speak 'name of language,'" translated into 38 languages. They were designed for use by government and non-government agencies to identify the primary language of LEP individuals. The Census Bureau's language identification flashcard can be downloaded at [www.lep.gov/ISpeakCards2004.pdf](http://www.lep.gov/ISpeakCards2004.pdf). The MPO may make them available at public meetings and other community input events. Once a language is identified, a relevant point of contact will be notified to assess feasible translation or oral interpretation assistance.

### **Types of Language Services Available**

In the event that the MPO should receive a request for assistance in a language other than English, staff members will obtain the name and contact information of the person. Initially, the MPO will use Language

Identification Flashcards, if needed, to determine the person's primary language.

The MAG website may be translated using free online translation services, browser extensions, and tools such as Google Translate.

The MPO will provide free oral language translation assistance, if requested. Within its budget and capabilities, and to the best of its abilities, MAG will ensure that LEP persons have a meaningful opportunity to participate in the transportation planning and decision-making process.

### **MAG MPO Staff Training**

Current and incoming staff members will be briefed on the LEP Plan and how to assist LEP persons. They will also be instructed to keep a record of language assistance requests so that needs may be accurately assessed in the future.

### **Monitoring and Updating the LEP Plan**

The Limited English Proficiency Plan will be updated every three years in connection with the required regular three-year update of the Title VI Implementation Plan. The MPO understands that its community profile continues to change and that the four-factor analysis may reveal the need for additional LEP services in the future.

The MPO will consider the following components on a regular basis.

- How many LEP persons were encountered? Were their needs met?



- What is the current LEP population in the MAG planning area?
- Has there been a change in the types of languages where translation services are needed?
- Has MAG's available resources, such as technology, staff, and financial costs, changed?
- Has the MAG fulfilled the goals of the LEP Plan?
- Were there any complaints received?
- Have new federal or state regulations concerning LEP Plans been approved that necessitate changes to the current LEP Plan or MAG process for addressing LEP persons?
- Are there new methods or opportunities to conduct outreach to LEP populations?

### Providing Notice to LEP Persons

As it is important to notify LEP persons that oral translation services are available, free of charge, in a language that would be understood, where appropriate and feasible, the MPO will include the following language in English and Spanish on agendas, on meeting minutes, and in informational/meeting packets.

Public participation is solicited without regard to age, sex, disability, race, color or national origin. Persons who require translation for a meeting should contact MAG's Executive Assistant at 801-363-4250 or [kbreneman@magutah.gov](mailto:kbreneman@magutah.gov).

Se solicita la participación del público, sin importar la edad, el sexo, la discapacidad, la raza, color o nacionalidad. Personas que requieren servicios de traducción deben contactar a asistente ejecutiva de MAG al teléfono 801- 363-4250 o [kbreneman@magutah.gov](mailto:kbreneman@magutah.gov)

### Dissemination of the MAG MPO's Limited English Proficiency Plan

The LEP Plan will be posted on the MAG's website and will be provided to the Utah Department of Transportation (UDOT), the Federal Highway Administration (FHWA), FTA, and/or any person or agency requesting a copy.

### Complaint procedures and forms

Any individual who believes they have been subjected to discrimination or retaliation by any of the Mountainland Association of Governments programs, services, or activities, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and related statutes, may file a complaint. All complaints received by the MPO shall be reviewed immediately. Visit the MAG website [magutah.gov/public](http://magutah.gov/public) to access the latest versions of complaint procedures and forms.

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