

SHENANGO VALLEY AREA TRANSPORTATION STUDY MPO

PUBLIC PARTICIPATION PLAN

TITLE VI PLAN

LIMITED ENGLISH PROFICIENCY PLAN

Representing Mercer County
Approved by the Shenango Valley Area Transportation Study MPO
Coordinating Committee
February 12, 2019

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SVATS MPO's Commitment to Nondiscrimination

As a recipient of federal funds, the Shenango Valley Area Transportation Study Metropolitan Planning Organization (SVATS MPO) operates its transportation planning programs and services in accordance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, national origin (including limited English proficiency), age, sex, or disability.

The SVATS MPO also operates its programs in accordance with other federal and state laws and regulations which prohibit discrimination or disproportionate impacts based on sexual orientation, religious creed, or low income status.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice by the SVATS MPO under Title VI or other nondiscrimination laws may file a complaint with the SVATS MPO or other federal and state agencies. The Second Section of the plan (Title VI on page 15) lays out procedures for filing complaints.

1. Public Participation Plan

Purpose

It is the policy of the Shenango Valley Area Transportation Study Metropolitan Planning Organization (SVATS MPO) to have a proactive public involvement process that provides complete information, timely public notice, and full public access to SVATS MPO activities at all key stages in the decision making process. It is also SVATS MPO policy to involve the public early in the planning process, and to actively seek out the involvement of communities most affected by particular plans or projects. Furthermore, it is a goal of the community involvement policy that the Region's transportation plans and programs are developed in a manner that assures that the public, and affected communities in particular, are afforded ample opportunity to participate in the development of such plans.

The SVATS MPO's Public Participation Plan also provides a framework for focused efforts to identify, seek out and engage populations that have traditionally been underserved by existing transportation systems, including: minority populations, low-income populations, non-English speakers and those with limited English proficiency, older persons and persons with disabilities.

The foundation for these efforts is stated in Title VI of the Civil Rights Act of 1964:

"...No person in the United States shall, on the basis of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program receiving Federal financial assistance..."

--Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000)

Further reinforcement was established by the President's 1994 Executive Order on Environmental Justice, which states:

"...Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations..."

--Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994

These efforts also stem from the Americans with Disabilities Act (ADA) of 1990 as well as Executive Order 13166 (2000). The former document gives civil rights protections to individuals with disabilities and guaranteeing equal opportunity for individuals with disabilities in employment, public accommodations, transportation, State and local government services, and telecommunications. Executive Order 13166, an order "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. The Executive Order also requires that the Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

The SVATS MPO will coordinate its public involvement processes with those of the Pennsylvania Department of Transportation, the Shenango Valley Shuttle Service, the Mercer County Regional Planning Commission and the municipalities of Mercer County to improve public involvement and reduce costs where agencies are reviewing similar issues. In addition, the SVATS MPO will coordinate activities with the Eastgate Ohio, MPO. As a result of the 2000 census the two MPOs by agreement will share information and coordinated planning activities within each of their regions.

This 2019 Plan was developed by MPO staff, and in coordination with our MPO's Technical and Coordinating Committees. In addition, requests were sent out to several public agencies within Mercer County to review this plan and request that any comments or concerns be provided to MPO staff.

1. Public Meetings

A. Meeting Accessibility

- i. With the exception of those meetings that are appropriate executive sessions, all meetings of the SVATS MPO and the meetings of MPO committees shall be open to the public.
- ii. Assistance for the sight and/or hearing-impaired, those with limited English proficiency or non-English speakers shall be provided with advanced notice. When possible, written materials will be made available in languages other than English that are relevant to local populations. MPO staff will work with PennDOT Bureau of Equal Opportunity staff to provide these materials with advance notice.
- iii. The MPO Staff will provide contact information for assistance to individuals in need of auxiliary aids and services in the below mentioned meeting notice. In addition, the MPO Staff will provide information in regards to the status of the building's accessibility. *Note: The Public can request accommodations by contacting the MPO'S Transportation Planner, Matt Stewart, at 724-981-2412 or Mstewart@mcrpc.com.*
- iv. With consideration to the geographical area and diverse topics of concern to the public, the Commission shall schedule meetings at convenient and accessible facilities, locations, and times which will encourage attendance by the general public, and that are accessible and

accommodating to persons with disabilities, older persons and the sight and/or hearing-impaired. Where possible, meeting places will be accessible by public transportation. Meeting locations shall be compliant with the Americans with Disabilities Act (ADA).

B. Meeting Notice

- i. All Coordinating and Technical Committee meetings of the MPO shall be legally advertised as required.
- ii. Meeting announcements shall be provided on MPO's web site www.mcrpc.com.

2. Activities Subject to Public Involvement

The SVATS MPO shall provide early and continuing public involvement opportunities throughout the transportation planning and programming process.

A. Planning Activities

Special emphasis shall be given to engaging the public in planning studies that form the basis for later programming decisions. Planning activities include corridor studies and special regional studies, environmental assessment studies, and development of the Long Range Transportation Plan. These activities offer the public the earliest opportunity to participate in the development of project proposals that might eventually be programmed for funding. Thus, the SVATS MPO shall make an extra effort to involve the affected community through methods such as local advisory committees, public information meetings, newsletters, newspaper articles, e-blasts, social media campaigns, booths at community events, project websites, and other measures as appropriate. Methods to engage the public will vary based upon the scope of each project and the populations most affected. In all cases, MPO staff and their partners will attempt to capture the input of the public in a relevant manner.

B. Programming Activities

Opportunities for the public to participate shall also be provided through the project selection, programming, and project development phases. These activities include the adoption or amendment of the Transportation Improvement Program (TIP) and Long Range Transportation Plan (LRTP), as well as specific funding sources such as STU funding and other discretionary programs.

3. Definition of Public and Stakeholders

The SVATS MPO shall make an effort to inform and engage both the general public and stakeholders as appropriate.

A. General Program

As part of its general planning and programming process, the SVATS MPO will try to involve the member municipalities, and other parties who have expressed an interest in the process.

B. Special Studies

For special studies that the SVATS MPO conducts, it shall make an effort to identify and involve persons and groups that might be affected by potential changes to the particular transportation service or facility under review. Examples include abutting property owners, neighborhood associations, representatives from disability groups, bicycle or pedestrian advocates, chambers of commerce, school administration staffs, businesses within the study area, and other major employers affected by a potential change to the transportation system.

C. Outreach to Special Groups – Environmental Justice (EJ)

The SVATS MPO shall also make a special effort to consider the needs of groups or communities traditionally not well served by existing transportation systems. These include, but are not limited to low-income households and minority households.

It is sometimes necessary to conduct an outreach effort to EJ communities, beyond that which is normally expended. At a minimum, the SVATS MPO shall identify groups that it needs to involve, add them to the appropriate distribution lists, and define methods for engaging them in relevant programs or projects.

SVATS MPO efforts in this regard shall be consistent with the Environmental Justice Executive Order (EO 12898) dated February 11, 1994, and other related guidance from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).

4. Adequate Time for Public Comment

The SVATS MPO shall allow reasonable time for public review and comment at key decision points. These include, but are not limited to, action on the Long Range Transportation Plan and the Transportation Improvement Program (TIP). Minimum notification periods shall be as follows:

- Adoption of the TIP, Long Range Transportation Plan and air quality documentation – 30 days
- Coordinating and Technical Committee meetings – 7 days
- Adoption of the Public Participation Plan – 45 days

5. Methods of Notifying the Public

The SVATS MPO shall use appropriate methods to notify the public of its activities and of opportunities for public involvement. Determination of which methods to use must be done for each individual planning project or study. However, the minimum requirements are listed below.

A. Schedule of Meetings

For committees with regularly scheduled meetings (Coordinating and Technical Committees), the annual schedule of meetings shall be published in The Sharon Herald and The Record Argus and sent to MPO Coordinating Committee members in January of each calendar year.

B. Meeting Notices

A notice of each committee or subcommittee meeting shall be distributed to municipal offices, as appropriate. Municipalities are encouraged to retain these on file and post information about these meetings at their discretion. In an effort to actively engage minority and low-income populations, non-English speakers and those with limited English proficiency, older persons and persons with disabilities, and other populations traditionally underserved by the existing transportation system, announcements of regularly scheduled meetings will be distributed in a manner that specifically targets these groups as needed and appropriate. For studies or committees that involve only a few municipalities, the notice shall be filed only in with the municipalities of the affected communities.

C. Public Comment

Every meeting conducted by the Coordinating or Technical Committee of the SVATS MPO will include on the agenda an opportunity for public comment.

D. Mailing Lists

The SVATS MPO shall maintain mailing lists and email distribution lists for each committee or study. Notices of meetings shall be sent to all persons on these lists. Anyone may request that his or her name be added to a particular mailing list, by indicating the appropriate list and providing either an email address or a regular mail address.

E. SVATS/MCRPC MPO Website

The SVATS MPO through www.mcrpc.com shall maintain a calendar of meetings and activities on its website. All SVATS MPO meeting agendas will be posted approximately at least one week prior to the meeting date. Minutes from the MPO meetings will be posted within a reasonable timeframe of their approval by the MPO members. The website shall also

include copies of appropriate reports and plans that individuals can read online or download to their own computer.

F. Legal Notices in Newspapers

Anytime the SVATS MPO initiates a formal 30-day or 45-day public comment period, notice of the opportunity to comment shall be posted in a legal ad in the area's major daily newspaper.

G. Additional Methods

The SVATS MPO shall give consideration to alternative methods of involving the public appropriate to the project. Such methods may include, but are not limited to newsletters, distributing information through public libraries and community groups (especially those serving EJ and Limited English Proficiency (LEP) communities, the elderly and persons with disabilities), using open house format meetings, conducting surveys, involving focus groups for specially selected topics, preparing press releases, through project websites or social media pages, and holding events at special locations like shopping malls and community events.

6. Documentation of Public Comment and Response

The SVATS MPO shall document public comments received during the course of a study or an amendment of the Public Participation Plan (PPP), Long Range Transportation Plan (LRTP), or Transportation Improvement Plan (TIP). The SVATS MPO shall also document how it responded to public comments.

A. Comments Received

Documentation of comments may be accomplished in a manner appropriate to the project and the nature of the comments. Documentation may consist of meeting minutes, a file of letters, or a special memo that summarizes the comments. A written summary is preferred at key points in the decision-making process when members of the relevant study committee must decide to narrow the range of alternatives, select a preferred alternative, or make a decision of similar nature. The written summary of comments made at public information meetings shall be given to the committee members prior to any committee action.

B. Response to Comments

The SVATS MPO shall provide a descriptive summary of how it responded to public comments during the development of a plan or document such as the TIP. The summary may be produced as a separate report or included as a short section in the final plan or document.

C. Extended Comment Period

If required plans (PPP, TIP, LRTP) differ significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts, an additional 30-day comment period shall be provided for additional comment. SVATS MPO will discuss alterations made to these documents during the first public comment period to determine whether changes are significant enough to trigger additional public comment.

7. Public Information Requirements for Section 5307 Grants

The public involvement process adopted by the SVATS MPO for its TIP shall also serve to satisfy the public involvement requirements of the Shenango Valley Shuttle Service (SVSS) as applicant for regular Section 5307 (FTA Transit Capital) funds. This applies to the Authority's annual purchase of replacement vehicles for programs such as, the regional ADA service, or the commuter bus services. This does not apply to non-routine capital projects that require an environmental assessment or environmental impact statement. For major projects the SVSS shall conduct its own separate public involvement process.

8. Access to Technical Information

The SVATS MPO shall provide reasonable public access to technical and policy information used in the development of the SVATS LRTP, the TIP and related studies, the PPP, special studies, plans, programs, and visualization tools. All documents will be available by request and digitally, when possible, through the MCRPC website (www.mcrpc.com).

9. Reassessment of Public Participation Plan

The SVATS MPO shall conduct a biennial review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all. Amendments shall be initiated when public comment deems reassessment necessary, or the MPO Staff or committee members recommend changes. As necessary, a group of MPO stakeholders and other interested parties may convene when beginning an update to the Public Participation Plan. Amendments shall occur whenever Federal law dictates change in public involvement to correspond with the current transportation planning legislation.

Appendix A

Definitions

Air quality conformity determination:

A process in which transportation plans and programs are reviewed to ensure that they are consistent with federal clean air requirements. Changes to the transportation system collectively must not worsen air quality; in areas where air quality does not meet federal standards, transportation plans and programs are expected to improve the air quality.

Long-Range Transportation Plan:

A transportation plan addressing at least a twenty-year planning horizon, including both long-range and short-range strategies/actions of an integrated, intermodal transportation system that facilitates the efficient movement of people and goods and meets Federal requirements (23CFR Part 450.322).

Major amendment:

Any amendment to a long-range transportation plan or Transportation Improvement Program (TIP) that does not qualify as a minor amendment, or an amendment that meets the criteria for a minor amendment but is treated as a major amendment because of controversy or high visibility. Procedures for TIP modifications and amendments are provided in the TIP document.

Major decision:

The adoption or major amendment of the long-range transportation plan, Transportation Improvement Program (TIP), air quality conformity determination, or other significant transportation plan or program.

Minor TIP or long-range transportation plan amendment:

Correction of clerical errors; changes that are air quality neutral (projects and project types which are not required to be included in regional air quality conformity assessments for transportation plans and programs as listed in Sections 126 and 127 of Environmental Protection Agency's Transportation Conformity Rule, 40CFR Part 93). Procedures for TIP modifications and amendments are provided in the TIP document.

Metropolitan Planning Organization (MPO):

Regional planning entity responsible for transportation planning and approval of federal transportation funding for the region.

MPO Staff:

The staff of the Mercer County Regional Planning Commission.

Transportation Improvement Program (TIP):

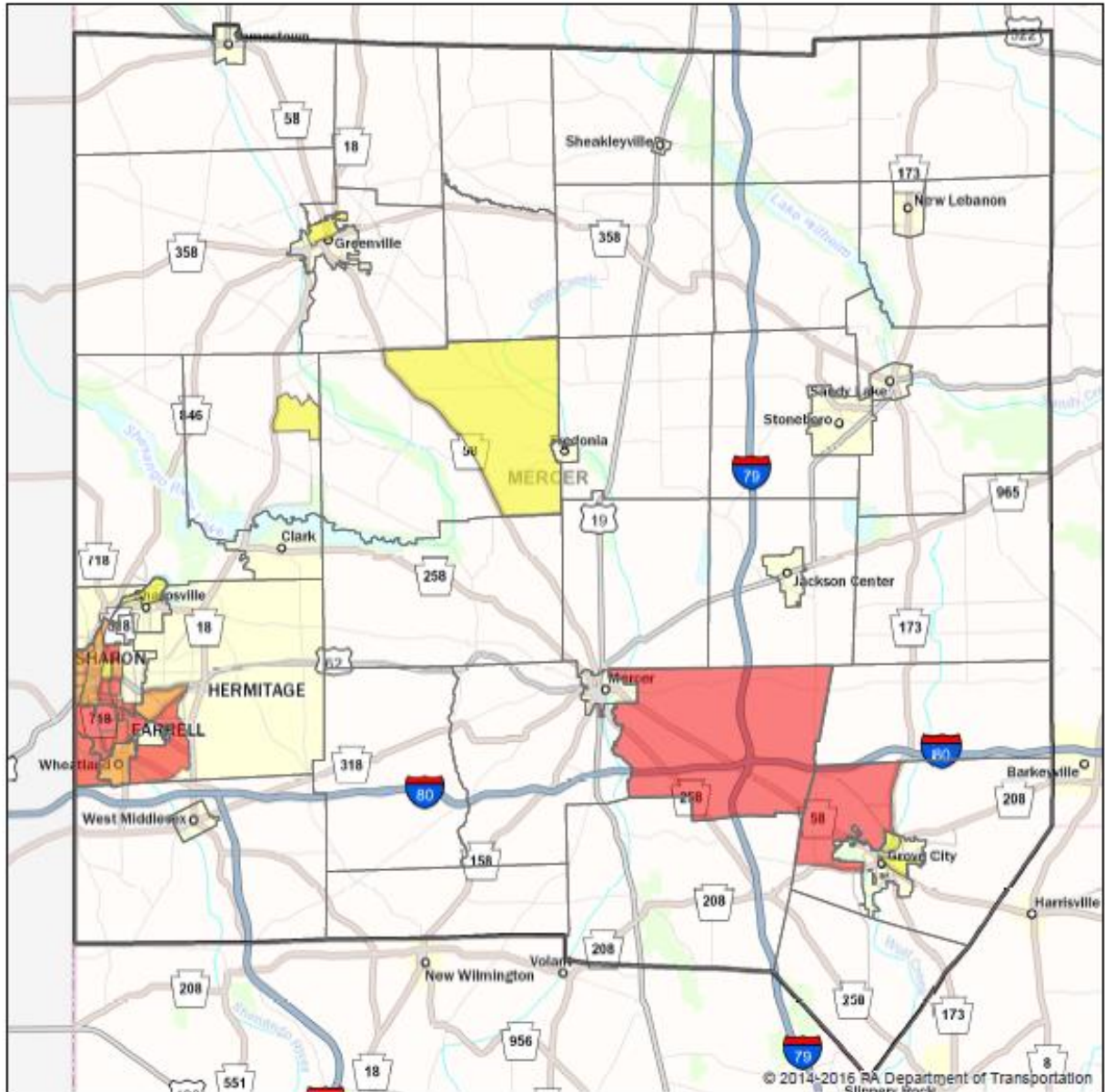
A staged, multiyear, fiscally constrained, intermodal program of transportation projects which is consistent with the long-range transportation plan. The TIP develops a prioritized program of projects and its financing plan based on estimate funding available. The TIP covers a four-year period and is updated every other year.

Appendix B

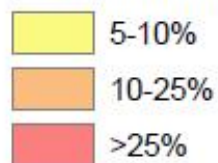
Mercer County Demographic Information

Municipality	Type	2010 Population	Minority Rate (%)	Poverty Rate (%)
Farrell	City	5,111	54.21	23.89
Hermitage	City	16,220	5.33	7.01
Sharon	City	14,038	22.82	26.31
Clark	Borough	640	0.48	14.31
Fredonia	Borough	502	1.14	19.32
Greenville	Borough	5,919	5.3	20.32
Grove City	Borough	8,322	3.97	9.26
Jackson Center	Borough	224	0	4.65
Jamestown	Borough	617	0.48	12.86
Mercer	Borough	2,002	2.32	8.89
New Lebanon	Borough	188	0	10.16
Sandy Lake	Borough	659	1.42	12.74
Sharpsville	Borough	4,415	2.66	14.49
Sheakleyville	Borough	142	0	23.13
Stoneboro	Borough	1,051	2.26	10.14
West Middlesex	Borough	863	3.13	10.08
Wheatland	Borough	632	27.97	20.91
Coolspring	Township	2,278	1.01	7.64
Deer Creek	Township	502	0.4	8.72
Delaware	Township	2,291	0.4	18.5
East Lackawannock	Township	1,682	2.1	8.4
Fairview	Township	1,085	1.27	24.85
Findley	Township	2,910	31.37	9.39
French Creek	Township	771	2.67	6.45
Greene	Township	1,091	0.85	18.07
Hempfield	Township	3,741	1.39	9.56
Jackson	Township	1,273	2.08	11.03
Jefferson	Township	1,880	2.64	6.69
Lackawannock	Township	2,662	0.45	28.08
Lake	Township	780	1.92	37.82
Liberty	Township	1,414	1.39	5.02
Mill Creek	Township	721	2.23	15.44
New Vernon	Township	504	0.68	4.97
Otter Creek	Township	589	1.6	8.19
Perry	Township	1,453	1.28	7.22
Pine	Township	5,150	10.21	9.01
Pymatuning	Township	3,281	1.97	21.73
Salem	Township	754	0.94	13.9
Sandy Creek	Township	795	0.73	11.26
Sandy Lake	Township	1,226	1.59	14.23
Shenango	Township	3,929	1.11	8.54
South Pymatuning	Township	2,695	2.02	6.82
Springfield	Township	1,981	1.77	10.34
Sugar Grove	Township	971	1.62	14.04
West Salem	Township	3,538	2.82	5.12
Wilmington	Township	1,415	1.17	11.91
Wolf Creek	Township	832	0.58	5.69
Worth	Township	899	0.37	13.61

Percent of Racial Minorities, By Census Block Group Mercer County, PA

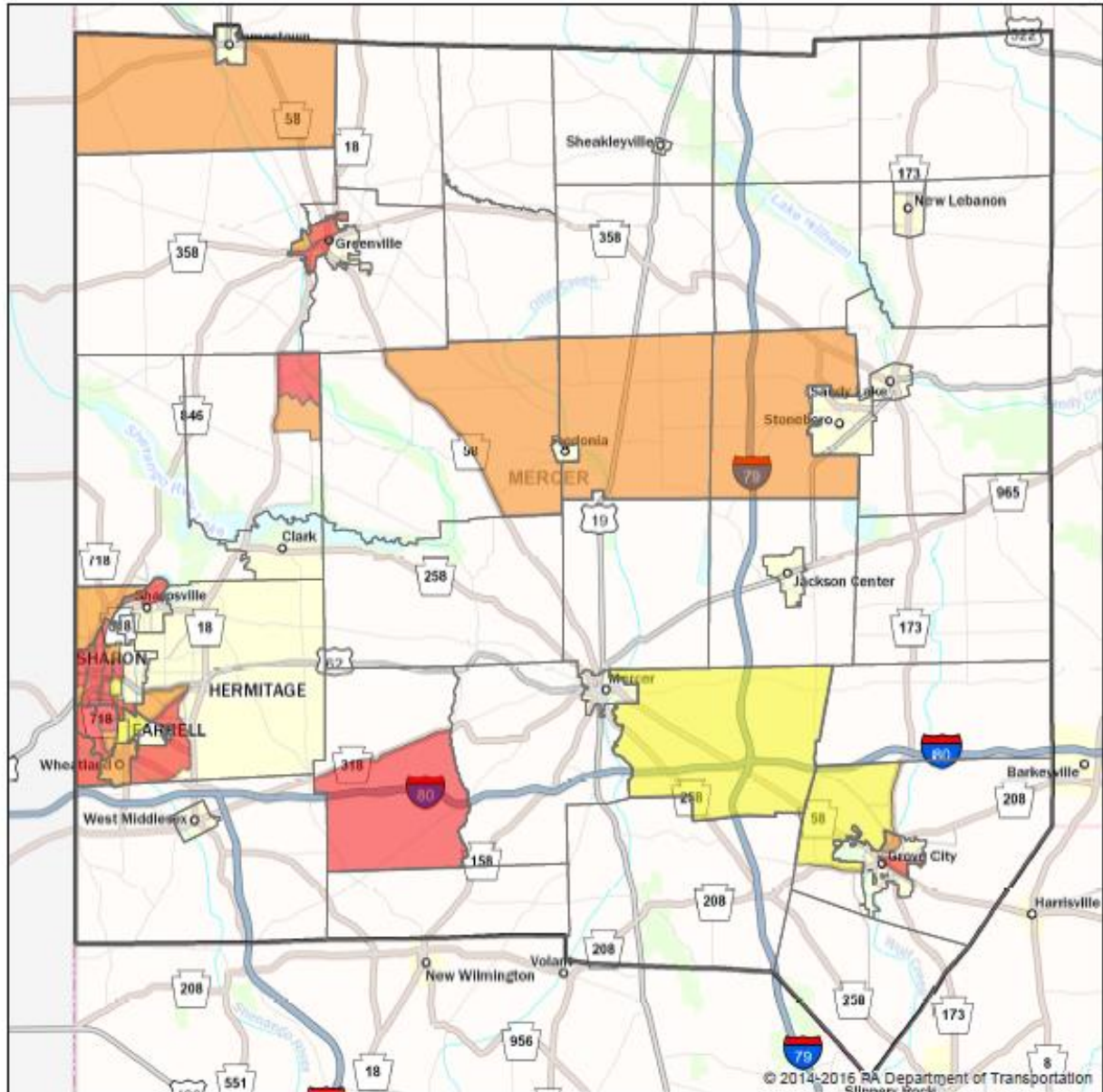


% of Minorities by Community

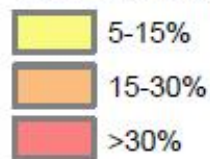


PennDOT
9/8/2018

Percent of Population in Poverty, By Census Block Group Mercer County, PA



% of Community Population in Poverty



PennDOT
9/6/2018

2. Title VI Plan/ **Complaint Procedures**

As a recipient of federal funds, the Shenango Valley Area Transportation Study Metropolitan Planning Organization (SVATS MPO) operates its transportation planning programs and services in accordance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, national origin (including limited English proficiency), age, sex, or disability.

The SVATS MPO also operates its programs in accordance with other federal and state laws and regulations which prohibit discrimination or disproportionate impacts based on sexual orientation, or low income status.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice by the SVATS MPO under Title VI or other nondiscrimination laws may file a complaint with the CCMPO or other federal and state agencies.

Purpose:

This document is written to specify to process employed by the Mercer County Regional Planning Commission and the Shenango Valley Area Transportation Study Metropolitan Planning Organization to investigate complaints, while ensuring due process for Complainants and Respondents. The process does not preclude the Mercer County Regional Planning Commission from attempting to informally resolve complaints.

This procedure applies to all external complaints relating to any program or activity administered by the Mercer County Regional Planning Commission and/or its subrecipients, consultants and contractors, filed under Title VI of the Civil Rights Act of 1964 as amended, (including Disadvantage Business Enterprise and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination on the basis of race, color, disability, sex, age, low income, nationality or Limited English Proficiency. Additional statutes include, but not limited to, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disability Act of 1990.

These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant. Intimidation or retaliation of any kind is prohibited by law.

Process:

An individual, or his or her representative, who believes that he or she has been subject to discrimination or retaliation prohibited by Title VI and other nondiscrimination

provisions, has the right to file a complaint. Prior to filing an official complaint, citizens are encouraged to contact the SVATS MPO/MCRPC Title VI Compliance officer:

Matt Stewart
mstewart@mcrpc.com
724-981-2412, x3206

If the citizen wishes to file a formal complaint either before or after talking with the on-staff Title VI Compliance officer, complaints need to be filed within 180 calendar days of alleged occurrence, when the alleged discrimination became known to the Complainant, or when there has been a continuing course of conduct, the date on which the conduct was discontinued or latest instance of the conduct.

Complaints may be mailed to:

Title VI Compliance Officer (PennDOT) Joshua Bartash 400 North Street, 5 West Harrisburg PA 17120-0041	Bureau of Equal Opportunity Pennsylvania Department of Transportation PO Box 3251 Harrisburg, Pennsylvania 17105-1720
Equal Opportunity Specialist U.S. Department of Transportation Federal Highway Administration 228 Walnut Street; Room 508 Harrisburg, Pa. 17105-1720	Equal Opportunity Specialist PA Human Relations Commission Harrisburg Regional Office Riverfront Office Center, 5th Floor 1101-1125 South Front Street Harrisburg, PA 17104-2515
U.S. Department of Justice Civil Rights Division 950 Pennsylvania Avenue, N.W. Office of the Assistant Attorney General, Main Washington, D.C. 20530	Civil Rights Officer U.S. Department of Transportation Federal Transit Administration 1760 Market St, Suite 500 Philadelphia, PA 19103-4124

Complaints shall be in writing and signed by the Complainant(s). If complaints are received by telephone or in person, the Title VI Compliance Manager or other authorized representative shall formally interview the person to provide the basis for the written complaint. If necessary, the authorized person will assist the Complainant in writing the complaint. The written complaint must include the following information:

- Name, address and telephone number of Complainant
- Basis of the complaint (e.g., Race, Color, National Origin, Sex, Age, Disability or Retaliation)
- A detailed description of the circumstances of the incident that lead the Complainant to believe discrimination occurred.

- Names address and phones numbers of people who may have knowledge of the alleged incident or are perceived as parties in the complained-of incident.
- Date or dates on which the alleged discrimination occurred
- Other agencies where the complaint was filed.
- As an investigation moves forward, additional information may be required.

If the Mercer County Regional Planning Commission receives a complaint, they will acknowledge receipt of the complaint by notifying the Complainant and immediately transmitting the complaint to the proper state and federal agency for investigation and disposition pursuant to that agency's Title VI complaint procedures.

The Mercer County Regional Planning Commission will maintain a log of all complaints received on behalf of their organization and will keep records of all subsequent correspondence with applicable agencies.

Appendix C

Mercer County Regional Planning Commission TITLE VI COMPLAINT FORM

Please Print All Information Below

Complaint Name:

Name of Individual assisting Complainant:

_____ / _____

Complaint Address:

Assisting Individual Address

Complaint Phone #

Assisting Individual Phone # {Home or Cell}

Basis of Complaint: (e.g., Race, Color, National Origin, Sex, Age, Disability, Retaliation)

Date(s) of alleged discrimination:

Please provide a detailed description of the circumstances of the incident(s), including any additional information supporting your complaint (please use additional pages as necessary):

Please provide the name(s), title and address of the person who discriminated against the Complainant.

Please provide, if applicable, names and contact information of people who may have knowledge of the alleged incident(s) or are perceived as parties in the complained-of incident(s):

Please list any other agency where complaint has been filed:

Complaint Signature:

Date:

Next Action:

3. Limited English Proficiency (LEP) Plan

Introduction

Executive Order 13166 “Improving Access to Service for Persons with Limited English Proficiency,” was signed into law in August of 2000, went beyond the Title VI of the Civil Rights Act of 1964 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. The executive order requires federal agencies—such as the SVATS MPO/MCRPC—to develop and implement a system by which Limited English Proficiency (LEP) persons can meaningfully access the services provided by the agency. The U.S. Department of Transportation (DOT) published “Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Person” in the December 14, 2005, Federal Register. This document indicates that organizations receiving DOT funds are required to follow this guidance as well:

The guidance applies to all DOT funding recipients, which include state departments of transportation; state motor vehicle administrations; airport operators; state highway safety programs; metropolitan planning organizations; regional transportation agencies; regional, state, and local transit operators; public safety agencies; hazardous materials transporters and other first responders; and state and local agencies with emergency transportation responsibilities... Coverage extends to a recipient’s entire program or activity, i.e., to all parts of a recipient’s operations.

This Limited English Proficiency (LEP) Plan was written in order to develop procedures to ensure meaningful access for LEP persons to information and services provided by the SVATS MPO. The following four-factor analysis is the mechanism used to frame this LEP Plan:

Factor 1	Determine the Number and Proportion of LEP Persons Served or Encountered in the Service Area
Factor 2	Determine the Frequency with Which LEP Individuals Come into Contact with MPO Programs, Activities, and Services.
Factor 3	Determine the nature and importance of services provided to LEP populations
Factor 4	Determine the Resources Available to the Recipient and Costs

The following plan can be used to continually improve upon the planning process and ultimately involve the LEP population that might otherwise be unengaged by future transportation planning efforts.

Factor 1: Number and Proportion of LEP Persons Served or Encountered in the Service Area

A person with Limited-English Proficiency person is defined as any individual who speaks a language at home other than English as his or her primary language, and who speaks or understands English “less than very well.”

The following data is presented in order to identify and locate persons of limited English proficiency (LEP) living in Mercer County. All data is from the U.S. Bureau of the Census American Community Survey (ACS) estimates. It should be noted upfront that accurately capturing exact LEP numbers at a municipal level has become much more difficult as the data is no longer collected as part of the decennial U.S. Census. Therefore, based on best practices shared by PennDOT’s Title VI Office and the PA Division of FHWA, analysis is shown at the County level.

According to the most recent ACS data available (2014), which is located on the U.S. Department of Justice Civil Rights Division’s Language Map App, Mercer County’s LEP population stands at 1.70%, or 1,870 people. This total percentage is less than half of the statewide average (4.04%). Indeed, LEP populations in Mercer County are considerably lower than in many areas of the Commonwealth. Nevertheless, nearly 2% is a sizeable proportion of the total population, and it merits further investigation of the composition of this total. **Table 1** outlines the estimated LEP population in the top-15 non-English languages spoken in Mercer County, PA. These 15 languages, in total, comprise just under 96% of all of Mercer County’s LEP population.

When the former LEP analysis was completed using 2000 census data, it was identified that Spanish-speaking population accounted for the largest group of LEP population, with 195 Spanish-speaking people reporting they spoke English not well or not at all. This number has grown to 289, though it should be pointed out that this also includes Spanish Creole and also that the less-reliable ACS data is being used vs. U.S. Census data that was available prior to the 2010 Census.

The current data, however, reports that those speaking German or Other West Germanic languages are by far the two most dominant LEP population cohorts. These two groups together account for nearly 1,100, or over 58% of all LEP population in Mercer County. This likely coincides with a significant Amish population within Mercer County.

Table 1
LEP Population of Top-15 non-English Languages in Mercer County, PA (2014)

Rank	Language	LEP Population	% of total population	% of LEP population
1	Other West Germanic Languages	702	0.64%	37.54%
2	German	389	0.35%	20.80%
3	Spanish or Spanish Creole	289	0.26%	15.45%
4	Vietnamese	154	0.14%	8.24%
5	Chinese	58	0.05%	3.10%
6	Other Slavic Languages	49	0.04%	2.62%
7	Italian	25	0.02%	1.34%
8	Arabic	24	0.02%	1.28%
9	Other Serbo-Croatian Languages	20	0.02%	1.07%
10	French	18	0.02%	0.96%
11	Other Indo-European Languages	15	0.01%	0.80%
12	Japanese	13	0.01%	0.70%
13	Gujarati	12	0.01%	0.64%
14	Polish	12	0.01%	0.64%
15	Russian	12	0.01%	0.64%

All other languages beyond the aforementioned three are significantly smaller in size. Vietnamese and Chinese round out the top-5 languages, accounting for about 8% and 3% of the LEP population, respectively.

Another way of looking at how language is being used in Mercer County is presented in **Table 2**. While not a straight metric of ability to speak English, it does show the preferred language group spoken at home. We can see that about 5% of people in the county primarily speak a non-English language. Other Indo-European Languages (which would include German and other Western Germanic Languages, among others) and Spanish account for by far the largest numbers. It is important to make the distinction between language spoken at home and not speaking English well or very-well. Just because a household speaks in Spanish or German (or any other non-English) language, that does not necessarily mean that they can't speak English.

Table 2
Language Spoken at Home, 2010-2014, Age 5 and Over (5 Yr. Estimate)

Language	Percentage	Number
English	95%	104,471
Spanish or Spanish Creole	0.9%	959
Other Indo European languages	3.5%	3,837
Asian and Pacific Island Languages	0.5%	516
Other Languages	0.2%	241

Factor 2: Frequency with Which LEP Individuals Come into Contact with MPO Programs, Activities and Services

Since the MPOs inception in the early 1980s, there have not been any recorded requests for translation or language interpretation services. However, the number of LEP individuals has grown, as noted above, in recent years. This increases the likelihood that LEP individuals will have the need to communicate with the MPO. It is essential that the SVATS MPO ensures that all segments of the population, including LEP persons, have the opportunity to participate in the transportation planning process and related activities. The SVATS MPO is committed to taking reasonable steps to provide meaningful access to transportation programs and activities, and makes every effort to involve stakeholders and other interested parties in the transportation planning process.

Factor 3: Nature and importance of services provided to LEP populations

The SVATS MPO uses federal funds to plan for future transportation projects and, therefore, 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 (like food or shelter). Involvement by any citizen with the SVATS MPO or its committees is on a voluntary basis. However, the SVATS 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.

The impact of proposed transportation investments on underserved and under-represented population groups is part of the evaluation process in use of federal funds in four the following major areas for the MPO:

1. Biennial Unified Planning Work Program (UPWP)
2. Transportation Improvement Program (TIP)
3. Long Range Transportation Plan (LRTP)

4. Coordinated Human Services Transportation Plan (prepared by our transit partners at SVSS)
5. Various transportation planning studies

Public involvement is a priority consideration in the SVATS MPO's plans, studies and programs. All planning efforts are built on a foundation of well-documented and transparent public involvement. Input from all stakeholders is considered during the development of the aforementioned products, and every effort is taken to make the planning process as inclusive as possible as prescribed in the aforementioned Public Participation Plan (PPP).

As a result of the regional transportation planning process, selected projects receive approval for federal funding. Projects continue to be planned and, eventually, constructed, with direct oversight from the Pennsylvania Department of Transportation, typically in tandem with the SVATS MPO and local jurisdictions. PennDOT and local municipalities have their own policies to ensure LEP individuals can participate in the process that shapes where, how and when a specific transportation project is implemented.

Factor 4: Resources Available to the Recipient and Costs

Identifying LEP Persons

As a starting point for providing language services, LEP persons must be identified or be provided with the opportunity to identify themselves. The following methods will be used situationally to accomplish the identification of LEP persons.

Language Identification Flashcard

The US Census has developed a Language Identification Flashcard (see **Appendix D**), which is also listed on the federal government's LEP website. This flashcard identifies 38 languages and allows an LEP person to simply point to their language on the card to indicate which language they speak. The SVATS MPO will have copies of these language identification cards available at public meetings, the MPO's office, and other in-person venues to identify an attendee's language.

Local Community Organizations and Contacts

The largest LEP populations in Mercer County, speak German and Other West Germanic Languages. These languages are often associated with Amish populations. When any plans or other endeavors undertaken by the MPO are located in or near Amish communities, MPO staff will work with municipal officials to identify and reach out to Amish bishops and/or other leaders within those communities. If LEP populations are determined to be prevalent by these community leaders, we will work closely with them to publish notices, plan components, meeting advertisements, etc. in German. Likewise, if it is determined that there may possibly be an LEP population that could have an interest in a particular project or plan, attempts will be made to work with local

community organizations to identify these. A specific outreach to EJ populations is often a component of the MPO's planning process anyway, and communication with local community organizations and other stakeholders is always part of this outreach.

Providing Notice to LEP Populations

The SVATS MPO shall provide notice to LEP persons that language services are available at no cost to the individual using the following methods:

1. This plan will be posted on the MCRPC/SVATS MPO website, www.mcrpc.com.
2. An annual public notice will be published in the two major Mercer County newspapers—The Herald (Sharon) and The Record Argus (Greenville)—noting that the SVATS MPO is committed to compliance with all federal regulations and policies, Executive Orders, and civil rights statutes. This includes LEP provisions.
3. Pertinent MPO-related meeting announcements will mention that special assistance is available if requested at least seven days prior to the meeting date.
4. As mentioned in the “Local Organizations and Contacts” section above, the MPO will attempt to tailor specific outreach to high-LEP population regions as studies and projects take place in these communities. Through our typical stakeholder engagement processes, we will ask our community stakeholders to identify any known LEP populations. If planning studies take place in—for example—areas with a high Amish population, the MPO will be sure to communicate, as appropriate, that written translation and oral interpretation services are available, and communication will describe how to request these services. This would be published in both English and the most likely language(s) the population speaks (in most cases, German).
5. Most importantly, the MPO will continue monitoring ACS data to see how LEP population trends change, either geographically or in size. If LEP populations continue to grow, the SVATS MPO will of course re-assess the methods used and, as necessary, conduct additional outreach to specific LEP populations. Possible additional methods may include:
 - a. Posting translated notices in local newspapers as part of legal ads and press releases
 - b. Distributing written and email notices to interested parties, in their requested language
 - c. Designing and distributing informational materials detailing SVATS MPO planning efforts, including flyers, posters, brochures, and bus advertisements
 - d. Presenting information at community organizations frequented by LEP individuals

Interpretation

The SVATS MPO must make reasonable efforts to provide interpretation services for LEP individuals. When providing interpretation services, recipients shall ensure competency of the language service provider to maintain the quality and accuracy of the services

provided. The U.S. DOT Policy Guidance on LEP persons outlines a series of acceptable oral language assistance services that recipients can employ to serve LEP individuals.

The contract allowing for telephonic interpretation services for use by the MPO as a PennDOT planning partner expired in 2017. However, the MPO works closely with PennDOT Engineering District 1-0, which has a contract with Propio Language Services. The telephonic interpretation service offers prompt assistance in many different languages and can be used in a variety of situations. Given that virtually all of our plans, programs and projects directly or indirectly involve close collaboration with PennDOT District 1-0, this service can be employed through the district's contract. If interpretation services are needed, either because of a direct request or perceived need, the MPO staff will immediately contact PennDOT District 1-0's staff coordinators and representatives as shown in **Table 3** below (information current as of 9/2018):

Table 3
PennDOT District 1-0 LEP Points of Contact

District 1-0 Staff	Name	Contact Info
Coordinator	Mike McMullen	814.678.7077; mmcmullen@pa.gov
Representative	Autumn Kelley	814-678-7393; aukelley@pa.gov

The ability to work with District 1-0 and their Propio Language Services account will allow for interpretation if and when this is deemed necessary.

Written Language Services

Federal law provides a "safe harbor" stipulation so recipients of federal funding can ensure compliance with their obligation to provide written translations in languages other than English with greater certainty. "Safe harbor" indicates that an MPO does not necessarily need to provide written translations of documents under certain specified circumstances. Under these circumstances, such inaction will still be considered compliant with translation obligations under Title VI. Thus, failure to provide written translations does not signify noncompliance, but rather provides the SVATS MPO with a guide for greater certainty of compliance in accordance with the four factor analysis.

Compliance with written translation requirements under "safe harbor" includes providing written translations of vital documents for each LEP language group that constitutes 5% of the population or 1,000 persons, whichever is less, of eligible persons served or likely to be impacted by services. As detailed in **Table 1** on page 22, no language group meets this threshold in Mercer County. Technically, the SVATS MPO currently has no obligation to provide document translation, although the MPO can decide to do so anyway on certain occasions. Accordingly, the SVATS MPO takes steps beyond what is required to ensure a good faith effort in providing translation services. It should be noted that the "safe harbor" provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access for LEP

individuals through competent oral interpreters where oral language services are needed and reasonable to provide.

Newer technologies such as Google Translate allow all SVATS MPO documents to be translated into any language with relative ease. The MPO will work closely with any citizens requesting this translation to ensure that they are able to comprehend the information they need. As a first step, executive summaries of the MPO's plans and other documents can be made available in the language requested. If additional information is requested, other portions of documents can also be translated within reason. **For translation of documents or other downloaded material from the MCRPC website, an individual needs to contact mstewart@mcrpc.com or dgracenin@mcrpc.com.org or (724) 981-2412.** *(the aforementioned sentence is translated below into the top LEP languages in Mercer County. Note that language groups (e.g. "Other Indo-European Languages") are not included below; only specifically-identified languages.*

GERMAN

Für die Übersetzung von Dokumenten oder anderen heruntergeladenen Material von der MCRPC Website, eine individuelle Bedürfnisse zu kontaktieren MStewart@mcrpc.com oder dgracenin@mcrpc.com.org oder (724) 981-2412.

SPANISH

Para la traducción de documentos u otro material descargado del sitio web MCRPC, un individuo necesita comunicarse con mstewart@mcrpc.com o dgracenin@mcrpc.com.org o (724) 981-2412.

VIETNAMESE

Đối với bản dịch của các tài liệu hoặc tài liệu khác đã tải xuống từ trang web của MCRPC, một cá nhân cần liên hệ mstewart@mcrpc.com hoặc dgracenin@mcrpc.com.org hoặc (724) 981-2412.

CHINESE (Simplified)

对于从MCRPC网站翻译文档或其他下载材料，个人需要联系mstewart@mcrpc.com或dgracenin@mcrpc.com.org或（724）981-2412。

ITALIAN

Per la traduzione di documenti o altro materiale scaricato dal sito Web di MCRPC, un individuo deve contattare mstewart@mcrpc.com o dgracenin@mcrpc.com.org o (724) 981-2412.

ARABIC

إلى الفرد يحتاج، MCRPC موقع من تنزيل لها تم التي الأخرى المواد أو الوثائق ل ترجمة mstewart@mcrpc.com أو dgracenin@mcrpc.com.org أو (724) 981-2412.

FRENCH

Pour la traduction de documents ou d'autres documents téléchargés à partir du site Web du MCRPC, un individu doit contacter mstewart@mcrpc.com ou dgracenin@mcrpc.com.org ou (724) 981-2412.

JAPANESE

MCRPCのウェブサイトから文書またはその他のダウンロード資料を翻訳するには、個人がmstewart@mcrpc.comまたはdgracenin@mcrpc.com.orgまたは (724) 981-2412に連絡する必要があります。

GUJARATI

MCRPC વેબસાઇટ પરથી દસ્તાવેજો અથવા અન્ય ડાઉનલોડ સામગ્રીના અનુવાદ માટે, વ્યક્તિને mstewart@mcrpc.com અથવા dgracenin@mcrpc.com.org અથવા (724) 981-2412 નો સંપર્ક કરવો જરૂરી છે.

RUSSIAN

Для перевода документов или других загружаемых материалов с веб-сайта MCRPC необходимо связаться с mstewart@mcrpc.com или dgracenin@mcrpc.com.org или (724) 981-2412.

POLISH

Do tłumaczenia dokumentów lub innych pobranych materiałów ze strony internetowej MCRPC, osoba musi skontaktować się z mstewart@mcrpc.com lub dgracenin@mcrpc.com.org lub (724) 981-2412.

Reassessment of LEP Plan

Because LEP data is not static, SVATS MPO staff will periodically monitor language data for Mercer County and analyze any major changes in the number of LEP individuals. Based on current trends, this typically will be when new 5-year average ACS data becomes available. The SVATS MPO will also keep detailed records of any encounters with LEP Individuals. If significant changes are noted in the concentrations of LEP individuals, or if there is a major increase in encounters with LEP individuals, an update to the LEP Plan will be conducted. If no significant changes are noted, the LEP Plan will be updated in conjunction with the next major update of the this three-part document (Title VI Plan, PPP, LEP plan).

Appendix D

U.S. Census Language Identification Flashcard

2004 Census Test	United States Census 2010 LANGUAGE IDENTIFICATION FLASHCARD
<input type="checkbox"/> ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic
<input type="checkbox"/> խոսողում ենք նշում կատարեք այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն:	2. Armenian
<input type="checkbox"/> যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	3. Bengali
<input type="checkbox"/> ឈ្មួញបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	4. Cambodian
<input type="checkbox"/> Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	5. Chamorro
<input type="checkbox"/> 如果你能读中文或讲中文，请选择此框。	6. Simplified Chinese
<input type="checkbox"/> 如果你能讀中文或講中文，請選擇此框。	7. Traditional Chinese
<input type="checkbox"/> Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8. Croatian
<input type="checkbox"/> Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
<input type="checkbox"/> Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
<input type="checkbox"/> Mark this box if you read or speak English.	11. English
<input type="checkbox"/> اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.	12. Farsi

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<input type="checkbox"/>	Cocher ici si vous lisez ou parlez le français.	13. French
<input type="checkbox"/>	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
<input type="checkbox"/>	Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
<input type="checkbox"/>	Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
<input type="checkbox"/>	अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
<input type="checkbox"/>	Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
<input type="checkbox"/>	Jelölje meg ezt a kockát, ha megérti vagy beszél a magyar nyelvet.	19. Hungarian
<input type="checkbox"/>	Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
<input type="checkbox"/>	Marchi questa casella se legge o parla italiano.	21. Italian
<input type="checkbox"/>	日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
<input type="checkbox"/>	한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
<input type="checkbox"/>	ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກົດພາສາລາວ.	24. Laotian
<input type="checkbox"/>	Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

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<input type="checkbox"/>	Assinale este quadrado se você lê ou fala português.	26. Portuguese
<input type="checkbox"/>	Însemnați această căsuță dacă citiți sau vorbiți românește.	27. Romanian
<input type="checkbox"/>	Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
<input type="checkbox"/>	Обележите овај квадратик уколико читате или говорите српски језик.	29. Serbian
<input type="checkbox"/>	Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak
<input type="checkbox"/>	Marque esta casilla si lee o habla español.	31. Spanish
<input type="checkbox"/>	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
<input type="checkbox"/>	ให้กาเครื่องหมายลงในช่องถ้าอ่านหรือพูดภาษาไทย.	33. Thai
<input type="checkbox"/>	Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
<input type="checkbox"/>	Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.	35. Ukranian
<input type="checkbox"/>	اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	36. Urdu
<input type="checkbox"/>	Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
<input type="checkbox"/>	באצייןט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish

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