

TOWN OF MOUNT OLIVE

FOUR-FACTOR ANALYSIS

&

LANGUAGE ACCESS PLAN

FOR LIMITED ENGLISH PROFICIENCY PERSONS

Adopted by the Town of Mount Olive Board of Commissioners

On

November 7, 2016

Town of Mount Olive
4-Factor Analysis
For
Limited English Proficiency

Purpose: In compliance with Executive Order 13166, the Town of Mount Olive has developed the following Language Access Plan (LAP) for Limited English (LEP) Persons.

History: Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

Town of Mount Olive Four-Factor Analysis: The following Four-Factor Analysis will serve as the guide for determining which language assistance measures the Town of Mount Olive will undertake to guarantee access to the Town of Mount Olive by LEP persons.

- 1) Number or proportion of LEP persons served or encountered in the eligible service population served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services.

The Town of Mount Olive, North Carolina utilized Census 2010 Demographics Data Figure 42: Non English Languages Spoken in Mount Olive, NC and English Fluency. Based on this data, the Town of Mount Olive, NC does meet the 1,000 or 5% LEP person's threshold for Spanish or Spanish Creole. 13.6% (624) of our total population of 4,589 speak Spanish or Spanish Creole. Of those 624 - (39%) which is equal to 243 speak English well. This leaves a total of 381 or 8% of our total population who speaks Spanish or Spanish Creole only.

Based on this data, the Town of Mount Olive, NC does not meet the 1,000 or 5% LEP person's threshold for French Creole. Although 5.7% (262) of our total population of 4,589 speak French Creole. 33.9% (89) of those speak English well. This leaves a total of 3.5% (173) who speak only French Creole.

For past projects with CDBG grants some of our administrative staff has gone door to door to advise and assist in completing the necessary paperwork for our non-English speaking residents. We used the free translation website to print out an explanation in Spanish and Spanish Creole regarding what the project was about, why we needed it and how it important their voice was in the process. Once that was explained we received about 80% cooperation.

The Town of Mount Olive holds the public hearings for projects that require it. The public notice states the information is available in Spanish and Spanish Creole upon request. We also have a qualified translator that we use when needed. However, at past hearings there have been no participants from the non-English speaking community.

2) The frequency with which the LEP persons come into contact with the program.

Our proposed USDA Rural Development projects (Boling Force Main Upgrade with two lift stations located on Ridgecrest Drive and Valley Road) are infrastructure only and do not provide direct assistance to individuals. Our other USDA Rural Development Project is our Waste Water Treatment Plant upgrades and do not provide direct assistance to individuals as a result, LEP persons rarely come into contact with the projects. However, all citizen participations activities are open to the general public.

3) The nature and importance of the program, activity, or service provided by the program.

Our proposed USDA Rural Development projects are infrastructure within the city limits of the Town of Mount Olive and do not provide direct assistance to individuals. As a result, LEP persons rarely come into contact with the projects. However, all citizen participations activities are open to the general public and is noted to be available in Spanish and Spanish Creole upon request.

4) The resources available and costs to the recipient

When publishing mandatory public notices and press releases, we state the information is available upon request in Spanish and Spanish Creole. We use the www.freetranslation.com and <http://imtranslator.net> website to translate this information. At the public hearing the Town of Mount Olive provides a qualified Spanish and Spanish Creole translator at no cost to the residents and minimal costs to the town. Our translator lives and works in our community. Through the LEP seminar our staff was introduced to the free Language Identification Flash Card and we use this in the future. Also, the public hearing notices will be placed on our website advising the Spanish and Spanish Creole communities the documents are available to them upon request.

We will keep close contact with the French Creole community to identify any increase in the population that would require the Town of Mount Olive to provide an LEP to them.

Town of Mount Olive, NC
Language Access Plan for
Limited English Proficiency

Introduction

As a result of the preceding Four Factor Analysis, the Town of Mount Olive has identified the following types of language assistance to be provided on an as needed basis by the Town of Mount Olive throughout implementation of our Federally Assisted Programs.

Purpose

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Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

Plan Summary

The Town of Mount Olive has developed this LAP/LEP to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by the Town of Mount Olive. As described in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

Limited English Proficiency Population

According to the 2010 U.S. Census Data the Town of Mount Olive, NC has a population of 4,589. The chart below from www.towncharts.com provides a breakdown of the number of persons whose first language is not English. It further breaks down those percentages by indicating how many of these can also speak English well.

Figure 42: Non English Languages Spoken in Mount Olive, NC and English Fluency



Language	Percent Who Speak	and Speak English Well
Spanish or Spanish Creole	13.6%	39.0%
French Creole	5.7%	33.9%
Portuguese or Portuguese Creole	0.3%	100.0%
German	0.1%	100.0%
Other West Germanic languages	0.1%	100.0%
Russian	0.1%	100.0%

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Provisions for Language Assistance

For past projects with CDBG grants some of our administrative staff has gone door to door to advise and assist in completing the necessary paperwork for our non-English speaking residents. We used the free translation website to print out an explanation in Spanish and Spanish Creole regarding what the project was about, why we needed it and how it important their voice was in the process. Once that was explained we received about 80% cooperation.

When publishing mandatory public notices and press releases, we state the information is available upon request in Spanish and Spanish Creole. We use the free translation.com website to translate this information. At the public hearing the Town of Mount Olive provides a qualified Spanish and Spanish Creole translator at no cost to the residents and minimal costs to the town. Our translator lives and works in our community. Through the LEP seminar our staff was introduced to the free Language Identification Flash Card and we use this in the future. Also, the public hearing notices will be placed on our website advising the Spanish and Spanish Creole communities the documents are available to them upon request.

Staff Training

On September 1, 2016, Sherry Davis Administrative Assistant and Jammie Royall Public Works Director attended a webinar titled The RD LEP Implementation Strategy for Assisted Programs. It outlined a step-by-step approach to comply with the LEP requirements. It guided in collecting information relating to the LEP, conducting the 4-Factor Analysis and developing this Language Access Plan.

- 1) An email will be sent to all employees advising of the LAP/LEP requirements.
- 2) A copy of this plan will be available to all staff
- 3) Language Identification Flash Cards will be presented to all administrative staff and available to all staff members.
- 4) Staff members will be advised to document any requests for language assistance.

Frequency of Contact with LEP Population

Our proposed USDA Rural Development projects (Boling Force Main Upgrade with two lift stations located on Ridgecrest Drive and Valley Road) are infrastructure only and do not provide direct assistance to individuals. Our other USDA Rural Development Project is our Waste Water Treatment Plant upgrades and do not provide direct assistance to individuals as a result, LEP persons rarely come into contact with the projects. However, all citizen participations activities are open to the general public.

Our administrative staff and police department comes into contact with the LEP Population more than other employees due to park shelter reservations, water bill payments, participation in Parks and Recreation Programs, providing traffic accident reports, issuing traffic and other citations and general questions.

Notices to LEP Persons

When publishing mandatory public notices and press releases, we state the information is available upon request in Spanish and Spanish Creole free of charge. We use the [free translation.com](http://www.freetranslation.com) website to translate this information. At the public hearing the Town of Mount Olive provides a qualified Spanish and Spanish Creole translator at no cost to the residents and minimal costs to the town. Our translator lives and works in our community. Through the LEP seminar our staff was introduced to the free Language Identification Flash Card and we use this in the future. Also, the public hearing notices will be placed on our website advising the Spanish community the documents are available to them upon request.

This plan has been translated into Spanish and Spanish Creole using www.freetranslation.com and <http://imtranslator.net> will be posted on our website. A notice in Spanish and Spanish Creole will also be posted on the doors of our high traffic areas (Town Hall and the Water Bill Department).

Vital Document Translations

A vital document would be considered any notification that would directly impact individuals of the LEP Population.

- 1) The application, seeking and acquisition of grant monies for infrastructure improvements in their neighborhood would be considered vital. It would be important for them to be aware of and have a voice regarding any work occurring in the area and the purpose.
- 2) Notification of an impending natural disaster and the location of Emergency Shelters before, during and after are considered vital.
- 3) Contact with Police Staff due to an emergency, such as a life threatening injury or crime in process would be considered vital.
- 4) Signing up for Park Shelter Reservations and participating in Parks & Recreation programs are not considered vital.
- 5) Contact with Police Staff due to non-emergencies, such as picking up an accident report, rescheduling a court date or questions regarding a traffic citation would not be considered vital.

Monitoring and Updating the Language Access Plan

- 1) We will keep close contact with the French Creole community to identify any increase in the population that would require the Town of Mount Olive to provide an LEP to them.
- 2) An annual review will be conducted via U.S. Census updates to determine the following:
 - Determine the current LEP population in the area
 - Determine whether or not the need for translation services have changed
 - Determine if there is a need for additional language populations
 - Determine if the needs of the LEP population have been addressed and how
 - Determine whether the LAP has been effective and sufficient
 - Determine if there is an increase or decrease in LEP contacts
 - Document any requests or complaints from the LEP population