

THE NATIONAL CAPITAL PLANNING COMMISSION

LANGUAGE ACCESS POLICY AND PLAN

I. INTRODUCTION

The National Capital Planning Commission (“NCPC” or “Commission”) is a small federal agency – approximately 35 staff and 12 Commission members – created to serve as the central planning agency for the Federal Government within the National Capital Region (NCR). The NCR includes the District of Columbia, Montgomery and Prince Georges Counties in Maryland, Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia, and all cities in Maryland and Virginia in the aforementioned Counties. The NCPC’s annual budget ranges between approximately \$7.0 - \$8.0 million of which approximately 90 percent is allocated to staff and rent.

The Commission’s core mission includes review of Federal Government and District of Columbia plans and construction projects within the NCR for consistency with the Comprehensive Plan; preparation and adoption of the Federal Elements (as distinct from the District or local Elements) of the Comprehensive Plan (the Federal Elements consist of goals and policies to guide the growth and development of Federal government agencies and federal properties during the next 20 years); (3) preparation of a Federal Capital Improvements Plan for the Federal government to prioritize and monitor federal agency capital improvement projects to ensure compliance with federal objectives and coordination with local jurisdictions; and (4) review and approval of site and design proposals for commemorative works submitted by the Department of the Interior or the General Services Administration on behalf of congressionally approved sponsors.

The NCPC’s core mission involves interaction with employees of federal government agencies; employees of state, local and regional governmental agencies; members of Congress; professional planners, architects, engineers, landscape architects and the like; and members of the public interested in federal planning activities. The Limited English Proficient (LEP) population engaging with NCPC has over the past 10 plus years been non-existent. Prior to that time, LEP contacts consisted of individuals attempting to contact one of the embassies located in Washington, DC.

Notwithstanding the prior limited involvement of LEP individuals with NCPC, the NCPC hereby establishes a Limited Access Policy (Policy) and Plan (Plan) to ensure the NCPC makes every reasonable effort to eliminate or reduce limited English proficiency as a barrier to accessing NCPC programs and activities.

II. PURPOSE AND AUTHORITY

The NCPC Policy and Plan has been developed in response to:

(1) Executive Order (“EO”) 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP), 65 Fed. Reg 50, 121 (August 16, 2000);

(2) Department of Justice Guidance on Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency, 65 Fed. Reg 50, 123 (August 16, 2000);

(3) Department of Justice Guidance on Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg 41, 455 (June 18, 2002); and

(4) The Attorney General’s Memorandum for Federal Agencies, General Counsels and Civil Rights Heads on the Federal Government’s Renewed Commitment to Language Access Obligations Under Executive Order 13166 (February 17, 2011).

This Policy and Plan supersedes the NCPC’s prior Language Access Plan.

III. POLICY

It is the policy of the NCPC that NCPC shall take reasonable steps when appropriate to ensure that LEP individuals can meaningfully access NCPC activities and programs without cost to the LEP individuals. This policy is to be carried out through the procedures established herein. Where limited English proficiency is a factor in the NCPC’s business, the NCPC will give consideration to the application of EO 13166.

This policy is intended to govern interactions between the NCPC staff and individual members of the public when the NCPC staff is working or communicating directly with individual members of the public; individual members of the public are using the NCPC website; individual members of the public are communicating with the NCPC by telephone; and individual members of the public are using certain written materials prepared by the NCPC.

IV. PLAN

A. Establishment of Language Access Working Group

1. There is hereby established the NCPC Language Access Working Group (NCPC LAWG) to assist and advise the NCPC’s in its efforts to comply with EO 13166. The NCPC LAWG shall consist of the Director from each major component of the agency to include Office of Public Engagement, Office of Administration, Physical Planning Division, Policy and Research Division, Urban Design and Plan Review Division, and the Office of General Counsel or such similar components as may be established within the agency from time to time.

2. The Executive Director shall appoint the Director of the Office of Administration as the Language Access Coordinator (LAC) to chair the NCPC LAWG. The name and contact information for the Director of the Office of Administration may be found on NCPC's website.

3. The NCPC LAWG shall report to the Executive Director or his/her designee through the LAC.

4. Specific Responsibilities of the NCPC LAWG shall include without limitation:

a. Determining the foreign language skills of staff within each component and providing information on the language skills to all NCPC staff for agency use as needed.

b. Identifying those areas of NCPC's activities where LEP individuals may be encountered.

c. Determining which, if any, of NCPC's documents or other communications require translation for use by impacted LEP individuals. This determination shall be made based upon the program involved; the purpose and type of information conveyed; the type of service provided; and the consequences to the LEP individual if the information in question is not provided in an accurate or timely manner.

d. Prioritizing the order for translating documents and the appropriate languages into which they should be translated.

e. Determining, monitoring and reporting annually to the Executive Director the frequency with which the NCPC comes in contact with LEP individuals, the primary channels of contact, and the specific languages encountered.

f. Training NCPC staff, particularly staff members who come into contact or may come into contact with LEP individuals. The Language Access Coordinator shall be responsible for implementing the training program.

g. Investigating and determining the availability of no cost and low cost alternatives to satisfying the agency's need for interpretation and translation services available from other federal government agencies.

g. Evaluating an annual basis the NCPC's Plan using information compiled from the LAWG's monitoring activities and recommending Plan revisions as needed.

5. In undertaking its responsibilities, the LAWG shall consider the following factors: the number and proportion of LEP individuals in the eligible population, the frequency of contact of LEP individuals with the NCPC's programs and activities, the nature and importance of NCPC's programs, and available resources.

6. The NCPC LAWG shall report through the LAC to the Executive Director or his/her designee who shall act upon the LAWG recommendations with consideration to factors listed in Paragraph 5 above.

B. Services For LEP Individuals

a. The NCPC shall use Language Line Services to translate telephonic inquiries made to the NCPC by LEP individuals. The NCPC shall enter into and maintain a contract with Language Line Services for this purpose.

b. LEP individuals visiting NCPC offices shall be offered interpreter services utilizing the language skills of staff. If there is no staff person capable of providing interpretive services, the LEP individual shall be directed to an office phone to call the NCPC main number. NCPC's receptionist shall utilize Language Line Services translation services to understand the needs of the visiting LEP individual.

c. NCPC shall encourage applicants submitting applications to the Commission to identify LEP individuals with an interest in the applicant's project and provide appropriate and reasonable steps to facilitate their participation in public meetings, public activities, and the Commission's public meeting at which the application is heard and considered.

d. NCPC shall advise applicants that come before the Commission to retain a translator if NCPC receives advance notice from LEP individuals of the desire to participate in a specific application. The time frame for advance notice from LEP individuals shall be a minimum of 10 business days prior to the date of a scheduled Commission meeting.

d. At the outset of a planning initiative undertaken by NCPC or an analysis of a project pursuant to the National Environmental Policy Act (NEPA) in which NCPC is the lead agency, the NCPC shall determine whether LEP individuals are impacted by the plan or environmental process. Thereafter, reasonable efforts shall be made to include LEP persons in public meetings and public activities through publication of bi-lingual meeting notices and the provision of language interpreters at the public events. Consultant contracts for planning initiatives and NEPA related services shall require the consultant to determine the potential for participation by LEP individuals at the outset of the contract and require the consultant to include appropriate language services if and as needed.

e. The NCPC shall use Google translation services for its website and adapt its website accordingly.

f. This Plan shall be included on the NCPC website.

g. LEP individuals shall be provided an opportunity to contact NCPC through a prominently displayed indicator on the NCPC website.

