



City of Rochester Hills  
AGENDA SUMMARY  
NON-FINANCIAL ITEMS

1000 Rochester Hills Dr.  
Rochester Hills, MI 48309  
248.656.4630  
[www.rochesterhills.org](http://www.rochesterhills.org)

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Legislative File No: 2014-0014

**TO:** Mayor and City Council Members  
**FROM:** Pamela M. Gordon, Director of Human Resources, ext.2521  
**DATE:** January 27, 2014  
**SUBJECT:** Limited English Proficiency (LEP) Plan

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**REQUEST:**

City Council approval and adoption of the proposed Limited English Proficiency Plan (LEP) for the City of Rochester Hills.

**BACKGROUND:**

On November 12, 2013, the City of Rochester Hills received a notice from the State Department of Transportation requiring Title VI and LEP plans to be filed with the State by February 10, 2014. As Director of Human Resources, I have been designated as the Title VI Coordinator for the City. According to the DOT, the Title VI Plan must be approved by the Mayor and the Coordinator. However, the LEP plan requires adoption by City Council resolution.

Title VI of the Civil Rights Act of 1964, and related statutes state that, "No person in the United States shall on the grounds of race, color, or national origin, sex, age, disability, or socio-economic status, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program or activity receiving Federal financial assistance". The Civil Rights Restoration Act of 1987 restored the full intent of Title VI to require compliance by all federal-aid recipients and sub-recipients whether their programs or activities are federally funded or not.

Title VI has been broadened by related statutes, regulations and executive orders. Executive Order 12898, "Improving Access to Services for Persons with Limited English Proficiency (LEP)," and Executive Order 13166, Environmental Justice were enacted to ensure non-discrimination against low-income populations, minority populations and persons who have limited ability to speak, write, or understand English. These Executive Orders require recipients and sub-recipients to address Environmental Justice and Limited English Proficiency in consideration of and approach to any program, service, or activity receiving federal-financial assistance, in their Title VI Plans.

The City of Rochester Hills is also required to ensure that their sub-recipients adhere to state and federal law and include in all written agreements or contracts, assurances that the sub-recipient must comply with Title VI and other related statutes. As a sub-recipient who distributes federal transportation funds, the City must monitor its sub-recipients for voluntary compliance with Title VI and make good faith efforts to ensure that the sub-recipient corrects any deficiencies arising out of complaints related to Title VI. Finally, the City must proactively gauge the impacts of any program or

activity on minority and low-income populations, the elderly, persons with disabilities, affected Title VI populations and all interested persons.

**RECOMMENDATION:**

That the City Council adopt the proposed Limited English Proficiency Plan for the City of Rochester Hills under Title VI Plan compliance requirements, as drafted and reviewed by the State of Michigan Department of Transportation.

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APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
Deputy Clerk		