

ALLEGAN COUNTY TRANSPORTATION



LIMITED ENGLISH PROFICIENCY PLAN

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Introduction

The purpose of this Limited English Proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to Limited English Proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq.**, and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and;

Executive Order 13166

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as Allegan County Transportation (ACT) and governments, private and non-profit entities, and subrecipients.

Plan Summary

Allegan County Transportation (ACT) has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to ACT services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

In developing the plan while determining ACT's extent of obligation to provide LEP services, ACT undertook a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP

persons eligible in ACT's service area who maybe served or likely to encounter an ACT program, activity, or service; 2) the frequency with which LEP individuals come in contact with ACT services; 3) the nature and importance of the program, activity or service provided by ACT to the LEP population; and 4) the resources available to ACT and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

Four Factor Analysis

1. The number or proportion of LEP persons eligible in ACT's service area who maybe served or likely to encounter an ACT program, activity, or service.

ACT examined the US Census report from 2005-07 estimated was able to determine that approximately 6.4%, or 6,727 people within ACT's service area age 5 and older speak a language other than English. Of the 6,727 people reporting they speak other languages than English, 2,792 or 2.7% of respondents either speak English "not well" or "not at all." The largest non-English speaking group is Spanish. Spanish that speak less then "very well" is at 2,374 or 2.3% (See Appendix A ACT Languages Spoken at Home Chart).

2. The frequency with which LEP individuals come in contact with an ACT program, activity, or service

ACT assesses the frequency at which staff and drivers have or could possibly have contact with LEP persons. This includes documenting phone inquiries and verbally surveying drivers. Since January 2008, ACT has had two requests for interpreters and zero requests for translated ACT documents. ACT does provide the basic brochure in Spanish. The staff and drivers have had very little to no contact with LEP individuals.

3. The nature and importance of the program, activity, or service provided by ACT to LEP community

There is no large geographic concentration of any one type of LEP individuals in the ACT service area. The overwhelming majority of the population, 96% or 51,351, speak only English.

Therefore, there is a lack of any social, service, professional and leadership organizations within the ACT service area that focuses on outreach or membership of LEP individuals.

4. The resources available to ACT and overall costs

ACT assessed its available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost on an as needed basis, which documents would be the most valuable to be translated if and when the populations supports, taking an inventory of available organizations that ACT could partner with for outreach and translation efforts, and what level of staff training is needed.

After analyzing the four factors, ACT developed the plan outlined in the following section for assisting persons of limited English proficiency.

LIMITED ENGLISH PROFICENCY PLAN OUTLINE

How to Identify an LEP Person who Needs Language Assistance

Below are tools to help identify persons who may need language assistance:

- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When ACT sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gage the attendee's ability to speak and understand English, ask a question that requires a full sentence reply;
- Have the Census Bureau's "I Speak Cards" at the workshop or conference sign in sheet table. While staff may not be able to provide translation assistance at this meeting, the cards are an excellent tool to identify language needs for future meetings. Also, have the cards available at the ACT Transit Center Customer Service Area; and
- Survey drivers and other first line staff on an annual basis at the beginning of each fiscal year regarding their experience on having any direct or indirect contact with LEP individuals.

Language Assistance Measures

ACT has or will implement the following LEP procedures. The creation of these steps are based on the very low percentage of persons speaking other languages or not speaking English at least "well," and the lack of resources available in the ACT service area:

- Census Bureau's "I Speak Cards" are to be located at the Customer Service window in the Transit Center at all times.
- The computer(s) located at the Customer Service window in the Transit Center have AltaVista Babel Fish added to the favorites listing for easy access via Microsoft Internet Explorer for the translations of blocks of texts. This will aid the ACT staff in the interpretation of services on a one on one basis for LEP individuals visiting the ACT Transit Center.
- When the ACT's website is redesigned (scheduled for redesign in early summer 2008) AltaVista Babel Fish translation will be an added feature.
- When an interpreter is needed, in person or on the telephone, and the ACT staff has exhausted the above options; staff will first attempt to determine what language is required. Staff shall use the telephone interpreter service - Language Line Services at <http://www.language.com>. On the Language Line home page

the staff will select the Need an Interpreter Now link and follow the directions to receive and access code.

ACT Staff Training

All ACT staff will be provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of the ACT staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities;
- What language assistance services ACT offers;
- Use of LEP “I Speak Cards”;
- How to access AltaVista Babel Fish via the Customer Service computer(s) in the ACT Transit Center; http://babelfish.yahoo.com/translate_txt
- How to use the Language Line interpretation and translation services;
- Documentation of language assistance requests;
- How to handle a Title VI and/or LEP complaint (See Appendix B)

Outreach Techniques

As of this first draft of the ACT LEP Plan dated September 2008, ACT does not have a formal practice of outreach techniques due to the lack of LEP population and resources available in the service area. However, the following are a few options that ACT will incorporate when and/or if the need arises for LEP outreach:

- If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.
- When running a general public meeting notice, staff will insert the clause, based on the LEP population and when relevant, that translates into “A (insert alternative Language) translator will be available”. For example: “Un traductor del idioma español estará disponible” This means “A Spanish translator will be available”.
- Key print materials, including but limited to schedules and maps, will be translated and made available at the ACT Transit Center, on board vehicles and in communities when a specific and concentrated LEP population is identified.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, ACT will follow the Title VI Program update schedule for the LEP Plan. The next required Title VI Program update must be forwarded to the FTA by August 1, 2008. However, major updates most likely will not occur until the next Census in 2010 unless ACT finds it necessary and crucial for an update before such time.

Each update should examine all plan components such as:

- How many LEP persons were encountered?;
- Were their needs met?;
- What is the current LEP population in ACT service area?;
- Has there been a change in the types of languages where translation services are needed?;
- Is there still a need for continued language assistance for previously identified ACT programs? Are there other programs that should be included?;
- Have ACT's available resources, such as technology, staff, and financial costs changed?;
- Has ACT fulfilled the goals of the LEP Plan?; and
- Were any complaints received?

Dissemination of the ACT Limited English Proficiency Plan

Copies of the LEP Plan will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request. Any questions or comments regarding this plan should be directed to the ACT Title VI Coordinator.

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