

EATON COUNTY TRANSPORTATION AUTHORITY

LIMITED ENGLISH PROFICIENCY PLAN

April 17, 2009

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 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 Eaton County Transportation Authority (EATRAN) and governments, private and non-profit entities, and sub recipients.

Plan Summary

EATRAN has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to EATRAN 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 EATRAN's extent of obligation to provide LEP services, EATRAN 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 the EATRAN service area who maybe served or likely encounter an EATRAN program, activity, or service; 2) the frequency with which LEP individuals come in contact with EATRAN services; 3) the nature and importance of the program, activity or service provided by EATRAN to the LEP population; and 4) the resources available to

EATRAN 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 the EATRAN service area who maybe served or likely to encounter an EATRAN program, activity, or service. EATRAN examined the US Census report from 2000 (none of the areas serviced by EATRAN were included in any of the Bureau's American Community Surveys) and was able to determine that approximately 4.9%, or 4,795 people within EATRAN's service area age 5 and older spoke a language other than English. Of the 4,795 people reporting they speak other languages than English, 1,439 or 1.5% of respondents either speak English "not well" or "not at all." The Spanish language comprised the largest non-English speaking language groups. There were 1,976 respondents identified as speaking the Spanish language. The majority of the Spanish language speakers, 99.4%, either speak English "very well" or "well." (See Appendix A EATRAN Languages Spoken at Home Chart).

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

EATRAN 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. EATRAN has had no requests for interpreters and zero requests for translated EATRAN documents. 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 EATRAN to LEP community.

There is no large geographic concentration of any one type of LEP individuals in the EATRAN service area. The overwhelming majority of the population, 95.1% or 92,353, speak only English.

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

4. The resources available to EATRAN and overall cost.

EATRAN assessed its available resources that could be used for providing LEP assistance. This included which documents would be the most valuable to be translated if and when the populations supports, taking an inventory of available organizations that EATRAN could partner with for outreach and translation efforts, and what level of staff training is needed.

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

LIMITED ENGLISH PROFICIENCY 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 EATRAN 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 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 EATRAN 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

EATRAN 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 EATRAN 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 will 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 EATRAN staff in the interpretation of services on a one on one basis for LEP individuals visiting the EATRAN Transit Center.

EATRAN Staff Training

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

- Understanding the Title VI policy and LEP responsibilities;
- Use of LEP "I Speak Cards";
- How to access AltaVista Babel Fish via the Customer Service computer(s) in the EATRAN Transit Center

Outreach Techniques

As of this first draft of the EATRAN LEP Plan dated April 17, 2009, EATRAN 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 EATRAN 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.

- Key print materials, including but limited to schedules and maps, will be translated and made available at the EATRAN 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, EATRAN will follow the Title VI Program update schedule for the LEP Plan. Major updates most likely will not occur until the next Census in 2010 unless EATRAN 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 EATRAN's service area?
- Have EATRAN's available resources, such as technology, staff, and financial costs changed?
- Has EATRAN fulfilled the goals of the LEP Plan?
- Were any complaints received?

Availability of the EATRAN 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 e-mail. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to the EATRAN General Manager.