

EXAMPLE 1: WYDOT:

Four Factor Analysis Results

In reviewing the data from the Four Factor Analysis (above), it is clear that Wyoming is a state in which almost everyone speaks English. Just 1.83% of residents report speaking English less than very well, and almost all these LEP persons (1.41% of the total population, or 77% of those who speak English less than very well) are Spanish speakers. In total, Wyoming is home to 7,660 Spanish speakers who speak English less than very well, hitting the threshold¹ for translation of vital documents.

Though there are some speakers of other languages such as French, Russian, and Vietnamese, none of these language groups (who speak English less than very well) comprise even one-tenth of a percent of the population.

The Analysis demonstrated that while the services provided by WYDOT are just as important to the LEP persons as they are to the rest of the population, there is currently little to no evidence LEP persons are struggling to access WYDOT services. As noted in Factor Two (above) WYDOT has plans for more concrete data collection on this topic for the future.

WYDOT's Provision of Language Assistance

WYDOT has a responsibility to provide Spanish speakers with the resources they need to fully access its programs. In this Program, WYDOT designates the following as vital documents which have been translated to Spanish and are included in this program: Title VI Notice, Title VI Complaint Form, and Title VI Complaint Procedures. As WYDOT operates no transit services directly, there is no need for translation of bus schedules or similar material.

Anyone who attempts to access WYDOT's departments or services who is unable to communicate in English will receive assistance. WYDOT's staff has access to the Language Line service, which can provide translators in 190 languages. The Language Line Access Guide is attached as Appendix 2 for reference. If a citizen wishes to attend a public meeting, but needs an interpreter, one will be provided by WYDOT upon request (likely telephonically).

Public Notice of the Availability of Language Services

As part of WYDOT's collaboration with a consultant on this Title VI Program and other compliance issues, WYDOT is working toward better advertising the availability of language services. At this time, WYDOT is working on adding notices on key pages of its website that state that translation and interpretation services are available upon request. This notice will be posted in English and Spanish. WYDOT will also work to assure that when public meetings are advertised, the availability of language services is advertised in tandem.

As the new Title VI Coordinator is onboarded and begins collaborating with various WYDOT departments on language access surveys, s/he will also work with department heads to determine the best way for that department to communicate the availability of language services to its customers, and to provide tools that are relevant to the public interactions of each. What this looks like may vary from department

¹ The threshold, as described in the Four Factor Analysis in section 7, is the *lesser* of 5% of the population *or* 1,000 people.

to department. For example, WYDOT workers at ports of entry may need access to and training on the utilization of “I Speak” cards, which would allow a customer to inform WYDOT which language they speak and for which they need an interpreter.

Monitoring, Evaluating, and Updating the LAP

The Title VI Coordinator is responsible for monitoring, evaluating, and updating the LAP. In addition to regularly updating the Title VI Program every three years, the Coordinator will use the data generated by annual department surveys on language access requests to monitor the frequency with which LEP persons come into contact with WYDOT. The Coordinator will identify trends in which departments interact the most with the LEP population, and work with those departments to assure they have the necessary resources to meet the public’s needs.

The Title VI Coordinator will also monitor trends in LEP populations throughout the state, and make adjustments if any other language group grows toward the threshold of 5% of the population, or 1,000 people that speak English less than very well.

WYDOT Employee Training

Each year, the Wyoming Public Transit Association (WYTRANS) holds a state-wide conference for all public transit operators in the state. During this conference, the Local Government Coordination (LGC) Department of WYDOT offers training on various public transportation topics and FTA regulations. Title VI Requirements is part of the training LGC conducts. Further, all Local Transit Agencies (LTAs) must attend annual training provided by WYDOT, and Civil Rights and Title VI training is always included in this program.

Once a new Title VI Coordinator is in place, regular Title VI training for internal WYDOT employees will resume. It will be the Coordinator’s responsibility to assure that leadership in each department is aware of both their Title VI responsibilities to the public, and the resources available to them to assist in communication with LEPs.

EXAMPLE 2: IDOT

Language Assistance Plan for Addressing Limited English Proficiency Policy Statement

It is the policy of the Illinois Department of Transportation (IDOT) to take reasonable steps to provide meaningful access to its programs, activities and services for persons with Limited English Proficiency (LEP). The policy is to ensure that IDOT employees will communicate effectively with LEP individuals, and that LEP individuals will have access to important programs and information. IDOT is committed to complying with Federal requirements in providing free meaningful access to its programs, activities and services for LEP individuals.

Who is Limited English Proficient (LEP)

LEP individuals do not speak English as their primary language and therefore have a limited ability to read, write, speak, or understand English. Many LEP persons are in the process of learning

English and may read, write, speak, and/or understand some English, but not proficiently. LEP status may be context specific—an individual may have sufficient English language skills to communicate basic information (name, address etc.) but may not have sufficient skills to communicate detailed information in English.

Background

Federal law prohibits discrimination based on national origin. National origin discrimination includes discrimination based on a person's inability to speak, read, write or understand English. Recipients of Federal funds must provide meaningful access to LEP individuals.

On August 11, 2000, Executive Order 13166, titled, "**Improving Access to Services by Persons with Limited English Proficiency**," was issued. Executive Order 13166 requires Federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to LEP cannot fully and equally participate in or benefit from those programs and activities. Section 2 of the Executive Order 13166 directs each Federal department or agency "to prepare a plan to improve access to...Federally conducted programs and activities by eligible LEP persons...."

LEP Monitoring and Updating the LAP

IDOT has designated the Title VI Coordinator as its LEP Coordinator. Monitoring and implementation of the Language Assistance Plan (LAP) will be conducted by the managers in each service area. The Plan will be reviewed annually by the LEP Coordinator to determine whether updates are needed.

The LEP Coordinator will:

1. Coordinate identification of language service needs and strategies so that IDOT employees will have access to appropriate language services in their interactions with LEP individuals.
2. Ensure the agency's compliance with the LEP Policy and Plan.
3. Identify training needs for IDOT employees on implementation of the LAP and the use of Propio Languages Services. Provide annual training on LEP Policy and Plan, including training new employees as part of the orientation process.
4. Establish and maintain IDOT's language assistance resource list.
5. Establish a bilingual staff list. Review qualifications of bilingual staff to ensure quality and skill level. Ensure all employees receive a copy of this list and know the procedure for contacting interpreters.
6. Maintain type and frequency on selected interactions with LEP individuals and provide reports to management, as appropriate. A language log will be maintained by each division representative, including the front desk. The data collected under various

language groups shall be specific enough to inform the LEP Coordinator as to the language groups for whom interpretation and translation services are needed. The records of interactions with LEP individuals will be maintained in each service area.

7. Provide notice of the language assistance services in the following areas:
 - a) Posters in public areas.
 - b) "I Speak" language identification cards at reception area.
 - c) IDOT Website.

8. Conduct an annual review analyzing changes in:
 - a) Census data.
 - b) Current LEP populations affected or encountered.
 - c) Frequency of encounters with LEP language groups.
 - d) The nature and importance of activities to LEP individuals.
 - e) The availability of resources, including technological advances, sources of additional resources, and the cost incurred.
 - f) Whether the existing LAP is meeting the needs of LEP individuals.
 - g) Whether IDOT employees understand the LAP, and how to implement it.
 - h) Whether identified sources for assistance are still available.

Language Assistance Options

IDOT will provide meaningful access to LEP individuals. If an LEP individual asks for language assistance, or an IDOT employee identifies an LEP individual who needs assistance, IDOT will make reasonable efforts to provide free language assistance.

The following options are used for providing language services:

1. Oral Interpretation Services

In-House Services

Quality oral interpretation services will be provided to all LEP individuals. Depending on the circumstances, reasonable oral interpretation assistance could be offered through a bilingual employee, family member or Propio Language Services. It is the LEP individual's decision whether to use family members or friends as interpreters. Additional attention will be exercised when the LEP individuals chooses to use a minor.

IDOT will ensure:

- a) The LEP individual's choice is voluntary.

- b) The LEP individual is aware of the possible problems if the preferred interpreter is a minor child. No adverse action will be taken using a child (anyone under the age of 18) as an interpreter.
- c) The LEP individual knows that IDOT will provide a competent interpreter at no cost.

Outside Services

When interpretation services are needed, IDOT will first attempt to provide services using its qualified bilingual employees. When qualified bilingual employees are unavailable, or when qualified bilingual employees lack the skills to provide reasonable and timely oral interpretation assistance, IDOT will provide services using qualified interpreters thru Propio Language Services.

2. Written Interpretation Services

Vital Forms and Documents

Using the four-factor analysis, IDOT will identify the particular languages most frequently encountered by LEP individuals. Vital documents/written materials and most commonly used forms will be translated into the identified languages. The use of “tag lines” on other correspondence will be used to advise recipients to contact IDOT if they cannot read the English document.

Deciding Which Language Assistance Option for IDOT Use

The types of language assistance resources IDOT decides to use will depend on the four-factor analysis, and may differ based on the type of activity. For more rarely-encountered languages, Propio Language Services may be a preferred option.

Personnel/Human Resource Planning

The Language Assistance Plan for IDOT’s management includes planning in personnel and human resource matters, including:

1. Consideration of language needs and inclusion of second language skills in recruitment, hiring, and promotion plans.
2. Providing training opportunities to improve existing language skills for IDOT employees.
3. Informing new employees of IDOT’s duty to offer free language assistance in compliance with Federal requirements.

Training

Training IDOT employees to understand how to access language services is important to IDOT. Initial and periodic training will be conducted for IDOT employees coming into contact with LEP individuals.

Training will include:

1. An in-depth discussion of the Language Assistance Plan.
2. How to respond to Limited English Proficient callers.
3. How to respond to written communications from Limited English Proficient individuals.
4. How to respond to Limited English Proficient individuals who contact IDOT in person.
5. How to use the "I Speak" language identification cards.
6. Which IDOT employees are available to provide interpretation.
7. The location of translated documents.

Bilingual employees will receive additional training that will address:

1. How to adhere to their roles as interpreters without deviating into a role of a counselor, legal advisor, or another role.
2. The specialized knowledge of the area of service or programs that LEP individuals are applying or participating (if necessary).
3. How to be competent and knowledgeable in providing interpretation that preserves confidentiality.

Monitoring

The LEP Coordinator will monitor LEP compliance by:

1. Setting forth clear expectations for IDOT employees regarding language assistance.
2. Implementing a system to monitor effectiveness of the LAP and its implementation.
3. Seeking feedback on the quality and effectiveness of the language service resources available and utilization by IDOT employees.
4. Reviewing programs and the language resources available at least once per year (or as appropriate). Making adjustments as necessary and appropriate to ensure meaningful access in providing language services.

Language Assistance Measures and Internal Controls

The following procedures will be used to provide language assistance:

1. Telephone Communication:

LEP callers often have an English-speaking person present when they call.

- a) Ask the English-speaking person to identify the language need of the caller.
- b) Contact the IDOT employee who has been designated to interpret from the approved list of available employees. If unavailable or if IDOT does not currently have an employee to interpret then contact Propio Language Services to interpret for the LEP individual.
- c) Document the number of LEP contacts, nature of call, and District where the calling originated.

2. Written Communication:

Contact the IDOT employee(s), from the approved list, that has been designated to translate documents.

3. Walk-ins and Individuals at the Front Desk that Need Translation Services:

- a) Identify the language service required using the “I Speak” cards.
- b) Contact the IDOT employee that has been designated to interpret from the approved list. If unavailable or if IDOT does not currently have an employee to interpret then contact Propio Language Services to interpret for the LEP individual.
- c) Document the number of LEP contacts, nature of call, and District where the call originated.

A notice to advise LEP individuals of their right to an interpreter free of charge will be posted at the front desk.

Example 3: Small State Agency (very basic)

Processes for providing language assistance services by language:

Based on the four-factor analysis, Benton Area Transit recognizes the need to continue providing language services. A review of Benton County’s relevant programs, activities and services that are being offered by the County as of August, 2023 include:

For Spanish Speakers:

- o The transit program uses services provided by Linguava for phone calls taken from LEP individuals
- o Spanish speaking translators who work at the County are available upon request during normal business hours
- o Community surveys are available in Spanish format

For Chinese Speakers:

- o As this is a new threshold language, BAT will work to implement full services for these riders over the next year.
- o The transit program has a contract with Linguava for phone calls taken from LEP individuals
- o BAT will reach out to the Language Department at Oregon State University to identify local Cantonese or Mandarin speakers who may be able to assist or contract with BAT to provide interpretation or translation services.
- o BAT will soon have vital documents translated to Cantonese and/or Mandarin.
- o BAT will search for any Chinese affinity groups that may aid in outreach to Cantonese and Mandarin speakers.

Commented [AC1]: This is great!

- BAT hopes to glean more insight into whether one Chinese language or the other is more prevalent in the area, so we can focus our resources on what is most useful to local riders.

Providing notice to LEP's of language assistance

Notice will be placed on the transit buses, transit website, and on the bus schedules, and brochures announcing the availability of language assistance.

Monitoring, evaluating and updating LEP

Benton County staff will contact the community organizations that serve LEP persons, as well LEP persons themselves, and also perform a four factor analysis every three years to identify what, if any, additional information or activities might better improve transit services to assure non-discriminatory service to LEP persons. Benton County will then evaluate the projected financial and personnel needed to provide the requested services and assess which of these can be provided cost-effectively.

Training Employees

Benton County will train all employees, staff and volunteers to proficiency regarding the need and availability of language assistance to LEP individuals who use the service. Employees will be encouraged to use the services provided when contact with LEP individuals prevents or hinders communication. This training will be provided at least annually.