**Appendix 6**

**Limited English Proficiency (LEP) Plan**

**Overview**

As a recipient of federal financial assistance, the **City of USA** is required to prepare a Limited English Proficiency (LEP) Plan to address its responsibilities relating to the needs of individuals with limited English language skills.

This plan has been prepared in accordance with [Title VI of the Civil Rights Act of 1964, 42 U.S.C 2000d, *et seq*](https://www.justice.gov/crt/fcs/TitleVI), and its implementing regulations which state that no person shall be subjected to discrimination on the basis of race, color, or national origin.

[Executive Order 13166 “Improving Access to Services for Persons with Limited English Proficiency”](https://www.justice.gov/crt/executive-order-13166), issued in 2000 clarified Title VI of the Civil Rights Act of 1964. It stated that individuals who do not speak English well and who have a limited ability to read, write, speak, or understand English are entitled to language assistance under Title VI in order to access public services or benefits for which they are eligible. While most individuals in Wisconsin read, write, speak, and understand English, for some individuals English is not their primary language. If these individuals have a limited ability to read, write, speak, or understand English, they are considered Limited English Proficient (LEP).

The US DOT “[Policy Guidance Concerning Recipients’ Responsibilities to LEP Persons](https://www.transportation.gov/civil-rights/civil-rights-library/policy-guidance-concerning-recipients-responsibilities-limited)” discusses the concept of “safe harbor” with respect to the requirements for translation of written materials. The *Safe Harbor Threshold* is calculated by dividing the population estimate for a language group that “Speaks English less than very well” by the total population of the county. The *LEP Safe Harbor Threshold* provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less, of the population to be served) the **City of USA** must provide translation of vital documents (e.g., Notice of Nondiscrimination, Complaint Procedure and Complaint Form) in written format for non-English speaking persons.

Recipients of federal financial assistance are also required to implement LEP plans in accordance with guidelines of the federal agency from which the funds are provided. [FTA Circular 4702.1B – Title VI Requirements and Guidance for FTA Recipients](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Title_VI_FINAL.pdf) provides guidance and instructions for LEP Plan development.

**Plan Summary**

The **City of USA** has developed this *Limited English Proficiency Plan* to identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided by the **City of USA**.

This plan outlines how to identify a person who may need language assistance, how to inform LEP persons language assistance is available, the ways in which assistance may be provided, and staff training.

**Plan Components**

As a recipient of federal US DOT funding, the **City of USA** is required to take reasonable steps to ensure meaningful access to programs and activities by LEP persons.

This plan includes the following elements:

1. The results of the *Four Factor Analysis*, including a description of the LEP population(s), served.
   * **Demography** of LEP persons who may be served or are likely to encounter an LAPC program or service.
   * **Frequency** of contact with LEP persons
   * **Importance** of program to LEP persons
   * **Resources and costs** to provide LEP assistance
2. A description of the following:
   * How language assistance services are provided.
   * How LEP persons are informed of the availability of language assistance services.
   * How the language assistance plan is monitored and updated.
   * How employees are trained to provide language assistance to LEP persons.

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| **Meaningful Access - Four Factor Analysis** |

To prepare this plan, the **City of USA** conducted a four-factor analysis which considers the following:

***Factor 1 - Demography***

**Number and proportion of LEP persons who may be served or are likely to encounter a City of USA program or service.**

This plan uses [US Census Bureau – American Fact Finder (2011-2015)](https://wisconsindot.gov/Documents/doing-bus/local-gov/astnce-pgms/transit/compliance/title6-lep.pdf) language data available at the county level in Wisconsin. More data is available on the [US Census Bureau ACS website](https://www.census.gov/programs-surveys/acs.html).

The US Census Bureau – American Fact Finder (2011-2015) data shows there are numerous languages spoken in (insert county name). Some of these languages include (list languages spoken here, e.g., Spanish, German, Russian, Chinese, Hmong, Arabic, and Tagalog. After English, the second largest language group is Spanish.

The Safe Harbor Threshold is calculated by dividing the population estimate for a language group that “speaks English less then very well” by the total population of the county. The LEP Safe Harbor Threshold provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less), the **City of USA** must provide translation of vital documents in written format for non-English speaking persons.

US Census data shows that in(insert county name), with a population estimate of (insert total population, e.g., 34,579), (insert number of persons (e.g., 381) ‘speaking English less than very well’ in a specific language group, e.g., Spanish) persons have identified themselves as Spanish speaking and “speaks English less than very well”.

Option 1 - The Spanish language group is less than 1% and below the 5%, or 1,000 persons threshold of the population to be served. This means the **City of USA** is not required to provide written translation of vital documents.

Option 2 - The Spanish language group is greater than the 1,000 persons threshold of the population to be served. This means the **City of USA** is required to provide written translation of vital documents in Spanish. See translated vital documents attached. List and discuss additional language groups that exceed the Safe Harbor Threshold.

All other language groups listed above are also below the Safe Harbor Threshold. This means, at this time, the **City of USA** is not required to provide written translation of vital documents in these languages.

In the future, if the **City of USA** meets the Safe Harbor Threshold for any language group, it will provide written translation of vital documents in such languages and consider measures needed for oral interpretation.

***Factor 2*** *–* ***Frequency***

**Frequency of contact with LEP persons.**

The **City of USA** and its contractor and volunteers provide transportation service for the **City of USA** and in (insert county name).

The **City of USA** reviewed the frequency with which its staff, policy board, contractor, and volunteers have or could have contact with LEP persons in the conduct of **City of USA** activities. This includes a review of documented phone inquiries, office visits, and encounters at public meetings and community events. Within the last year, **City of USA** staff, policy board, contractor, and volunteers had (insert number) requests for interpreters and (insert number) requests for translated program documents in any setting.

**City of USA** staff, policy board, contractor, and volunteers are trained on what to do when they encounter a person with limited English proficiency.

The **City of USA** staff with assistance from its policy board, contractor and volunteers tracks the number of encounters and considers adjustments to its outreach efforts to ensure meaningful access to all persons and specifically to LEP and minority populations of the **City of USA’s** programs and services. The *Log of LEP Encounters* is a tool to help track LEP encounters **(Appendix 7).**

**Log of LEP Encounters**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Date** | **Time** | **Language Spoken By Individual**  *(if available)* | **Name and Phone Number**  **of Individual**  *(if available)* | **Service Requested** | **Follow Up Required** | **Staff Member**  **Providing Assistance** | **Notes** |
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If a language barrier were to exist, **City of USA** works to provide a reasonable accommodation. The *“I Speak” Language Identification Card* listed shown below is a document that can be used by **City of USA** staff to assist LEP individuals. Additional languages can be added, as needed, to match the demographic changes of the **City of USA’s** service area. The languages included in the *“I Speak” Language Identification Card* below represent languages spoken within the **City of USA** service area.

**“*I Speak*” Language Identification Card**

| **Mark this box if you speak….** | **Language Identification Chart** | **Language** |
| --- | --- | --- |
|  | I speak English | English |
|  | Yo hablo español | Spanish |
|  | Kug has lug Moob | Hmong |
|  | 我說中文 | Chinese  Simplified |
|  | E nói tiếng Việt | Vietnamese |
|  | 나는한국어를 | Korean |
|  | Marunong akong mag-Tagalog | Tagalog |
|  | Ich spreche Deutsch | German |
|  | Я говорю по-русски | Russian |
|  | Ја говорим српски | Serbian |
|  | मैं हिंदी बोलते हैं | Hindi |
|  | میں نے اردو بولتے ہیں | Urdu |

Note: For additional languages visit the LEP.gov website

<https://www.lep.gov/sites/lep/files/media/document/2022-06/i-speak-booklet.pdf>

***Factor 3 – Importance***

**Nature and importance of program to LEPs.**

It is imperative that language assistance be provided to ensure LEP individuals have access to essential services, and transportation plays a key role in connecting LEP persons to these services. Public transportation fare/service changes and eligibility requirements should be communicated to LEP individuals so they can access the essential programs and services. It is also important that LEP individuals understand their full rights and benefits when accessing transportation program and services to ensure they have been treated fairly and can identify and report discrimination if they are not.

**City of USA** assessment of critical needs includes contact with community organization(s) that serve LEP persons, as well as contact with LEP persons themselves to obtain information on the importance of the modes or the types of services that are provided to the LEP populations.

With improving outreach activities, **City of USA** is working to increase contact with LEP individuals at public involvement meetings and activities.

***Factor 4* *– Resources and Costs***

**Resources available and overall cost to provide LEP assistance.**

Given the small size of LEP encounters and small LEP populations, full multi-language translations of our programs and services related to transportation services is not warranted at this time. However, this information can be made upon request. The **City of USA** will contact state and local units of government and community resources for assistance in translation services.

Even though the **City of USA** does not have a separate budget for LEP outreach, it continuously explores ways to implement methods of notifying LEP persons of transportation services. Outreach efforts include maintaining a website, utilizing social media, developing, and printing brochure/materials, and having a visible presence in our community (e.g., participating in job fairs, parades, community events, etc.) to promote transportation services. Additional outreach methods to reach LEP communities include but are not limited to activities such as visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, and local festivals. The cost is relatively low but the ability to reach the LEP population is high.

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| **Language Assistance Services** |

**Overview - Language Assistance Services**

If a person does not speak English as their primary language and is LEP, that person is entitled to language assistance with respect to accessing **City of USA’s** programs and services. Language assistance can include interpretation and/or translation from one language into another language.

**City of USA** will take reasonable steps to provide the opportunity for meaningful access to LEP individuals who have difficulty communicating in English.

**City of USA** strives to offer the following measures when encountering LEP persons:

* Post Title VI, LEP, and ADA information on the **City of USA** website.
* Day to day operations:
  + Utilize the *“I Speak” Language Identification Card* or posters to identify the language and communication need of LEP persons.
  + Maintain a *Log of LEP Encounters* to capture information on the frequency of contact with LEP individuals to determine whether additional language assistance services are needed.
* At public meetings or other community events:
  + On public meeting notice, include the statement “language interpretation or translation services are available with XX days’ advance notice. – Delete if N/A
  + Greet participants as they arrive at **City of USA** public meetings or community events.
  + Make “I Speak” language identification cards available at sponsored events.
    - By informally engaging participants in conversation or by using language identification “I Speak” Language identification Card, it is possible to gauge each attendee’s ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need at future events.
  + Maintain a Log of LEP Encounters at public meetings or other community events.
* Utilize Wisconsin Relay 7-1-1, the state of Wisconsin resource to assist with communication needs for individuals that are deaf, hard of hearing, deafblind, or those with a speech disability <http://www.wisconsinrelay.com/> and <http://www.wisconsinrelay.com/features>
* Translation Services
  + Provide assistance with language translation/interpretation by calling **City of USA** staff at XXX-XXX-XXXX. **City of USA** has a contract with Certified Languages International for language interpreter services. – Delete if N/A
  + Seek translation assistance from community organizations such as:
    - Hispanic Resource Center of (insert city/county name)
    - Hmong American Center, 715-842-8390, <https://www.hmongamericancenter.org>
    - Multicultural Center
* Utilize online resources such as Google Translate to assist with translation requests. The main downside of this approach is accuracy. As such, this option will be used by **City of USA** on limited basis. Instead, **City of USA** will seek assistance from fluent speakers.
* Make translated versions (or provide for the interpretation of relevant sections) of all documents/publications available upon requests, within a reasonable time frame.
* Prioritize the hiring of bilingual staff, as needed.

**Public Outreach – Informing LEP Persons of Language Assistance Services**

The **City of USA** uses the following steps to inform LEP persons of the availability of language assistance services:

* Posts the Title VI/ADA *Notice of Nondiscrimination* on its website. The notice includes a sentence written in Spanish and Hmong providing instructions on how to contact the **City of USA** to request information in another language.
* When encountering LEP persons directly, **City of USA** staff will use the *“I Speak” Language Identification Card* to identify the language and communication needs of LEP persons.
  + **City of USA** may not be able to immediately accommodate or assist individuals self-identifying as a person not proficient in English but will seek means to follow up with the individual to address their needs in the language requested as soon as possible.
* Review outreach activities and information gathered from the *Log of LEP Encounters* on the frequency of contact with LEP individuals to determine whether additional language assistance services are needed.
* Develop and maintain cooperative relationships with key agencies/community organizations that serve LEP populations in the area or region. These entities can assist in providing or verifying translations and/or identifying gaps in assistance to persons with LEP needs.
  + Utilize translation services such as:
    - **City of USA’s** contract with Vendor (insert name and contact info) to provide translation services – Delete if N/A
    - Hispanic Resource Center of (insert phone, website, city/county name)
    - Hmong American Center, 715-842-8390, <https://www.hmongamericancenter.org>
    - Multicultural Center of (insert phone, website, city/county name)
* Utilize Wisconsin Relay 7-1-1, the state of Wisconsin resource to assist with communication needs for individuals that are deaf, hard of hearing, deafblind, or those with a speech disability <http://www.wisconsinrelay.com/> and <http://www.wisconsinrelay.com/features>

**Monitoring, Evaluating and Updating the Plan**

The **City of USA** will review the LEP Plan on an annual basis and examine the following:

* The number of documented LEP person contacts.
* How the needs of LEP persons have been addressed.
* Determine whether the need for translation services has changed.
* Determine which existing language assistance services are effective and sufficient to meet the needs of LEP persons.
* Determine whether complaints have been received concerning the **City of USA’s** failure to meet the needs of LEP individuals.
* Sufficiency of staff training.
* Review of any new opportunities for LEP communication.
* Determine whether financial resources are needed to fund language assistance services.

**Training Staff**

The following training will be provided to **City of USA** staff:

* Information on the **City of USA’s** Title VI/ADA Non-Discrimination Plan and LEP responsibilities.
* Description of language assistance services offered to the public.
* Use of the “I-Speak Card” as a tool to assist LEP individuals.
* Documentation of language assistance requests using the *Log of LEP Encounters.*
* How to handle Title VI/ADA Non-Discrimination and LEP complaints.