

Department of
Parking & Public Transit



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**TITLE VI DOCUMENTATION
LIMITED ENGLISH PROFICIENCY (LEP) PLAN**

**As Part of the
FY 2009 TITLE VI UPDATE**

**PREPARED BY
CITY OF HUNTSVILLE
DEPARTMENT OF PLANNING
And
DEPARTMENT OF PARKING & PUBLIC TRANSIT**

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**CITY OF HUNTSVILLE
DEPARTMENT OF PARKING & PUBLIC TRANSIT
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Limited English Proficiency [LEP] Plan

I. Introduction

This *Limited English Proficiency Plan* has been prepared to address the City of Huntsville, Department of Parking & Public Transits (Public Transit) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, 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, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all City of Huntsville departments and divisions receiving federal grant funds. Public Transit receives federal assistance through the U.S. Department of Transportation [U.S. DOT].

A. Plan Summary

Public Transit has developed this *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency [LEP] who wish to access services provided. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available. In order to prepare this plan, the Planning Department coordinated the U.S. DOT four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a Public Transit program, activity or service.
2. The frequency with which LEP persons come in contact with Public Transit programs, activities or services.
3. The nature and importance of programs, activities or services provided by Public Transit to the LEP population.
4. The resources available to Public Transit and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

II. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a Public Transit program, activity or service.

The City of Huntsville, Planning Department staff reviewed the 2000 U.S. Census Report and determined that 9,437 persons in Huntsville [6.4 % of the population] and 14,129 persons in Madison County [5.5 % of the population] speak a language other than English. Of those 9,437 in Huntsville, 1,631 persons [17.2%] have limited English proficiency; that is, they speak English “not well” or “not at all”, this is only a 1.1% of overall population in the city. In Huntsville, of those persons with limited English proficiency, 945 speak Spanish, 402 speak Asian and Pacific Island language, 279 speak other Indo-European languages, and 5 speak other languages.

2. The frequency with which LEP persons come in contact with Public Transit programs, activities or services.

Public Transit reviewed the frequency with which staff and drivers have, or could have, contact with LEP persons. This includes documenting phone inquiries and surveying vehicle operators. To date, Public Transit has had no requests for interpreters and no requests for translated program documents. Staff and vehicle operators have had very little to no contact with LEP persons.

3. The nature and importance of programs, activities or services provided by Public Transit to the LEP population.

There is no large geographic concentration of any type of LEP individuals in the Public Transit service area of Huntsville. The overwhelming majority of the population, 98.5% in Huntsville and 99.1 % in Madison County, speak only English. As a result, there are few social, service, professional and leadership organizations within the Public Transit service area that focus on outreach to LEP individuals. Services provided by Public Transit that are most likely to encounter LEP individuals are the fixed route [city bus] system which serves the general public and the demand response [paratransit] system which serves primarily senior and disabled persons.

4. The resources available to Public Transit and overall cost to provide LEP assistance.

Public Transit reviewed its available resources that could be used for providing LEP assistance, which of its documents would be the most valuable to be translated if the need should arise, and taking an inventory of available organizations that could be partnered with for outreach and translation efforts. The Parking division of the Department of Parking & Public Transit has one employee that speaks German, Spanish, French and English and is available as interpreter as needed. The Alabama Hispanic Association based in Huntsville can be tapped for assistance when necessary;

this organization is composed of dedicated volunteers assisting in the needs of the Hispanic Community in North Alabama, not just within the City of Huntsville. There is also a Japan-American Society of Alabama (JASA) based in Birmingham, AL. In addition the two (2) local universities have foreign or international student programs. These programs are designed to accommodate the needs of the students whose first language is not English. Alabama A & M University's program assigns an interpreter who accompanies the foreign students when learning the fixed route system (Shuttle Program) and the layout of the City in general. The City of Huntsville, Police Departments' Communications Division is also available as a resource for Russian, Ukrainian, Polish, Spanish and French. Beginning in 2009 a new city office was made available to the citizens of Huntsville which will be beneficial towards LEP patron assistance. The new office is the City of Huntsville, Office of Multicultural Affairs.

III. LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to Public Transit programs and activities. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language. Public Transit will determine when interpretation and/or translation are needed and are reasonable. How the Public Transit staff may identify an LEP person who needs language assistance:

- Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events.
- When Public Transit sponsors an event, have a staff person greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English.
- Have Census Bureau *Language Identification Flashcards* available at Public Transit events near the registration table. Individuals self-identifying as persons not proficient in English may not be able to be accommodated with translation assistance at the event, but it will assist the sponsoring agency in identifying language assistance needs for future events.
- Have *Language Identification Flashcards* available at the customer service desk and easily accessible to lead drivers, supervisors, dispatchers and schedulers as needed.
- Post notice of LEP Plan and the availability of *Language Identification Flashcards*.
- Vehicle operators and other front-line staff, like lead drivers, supervisors, dispatchers and schedulers will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.

A. Language Assistance Measures - Although there is a very low percentage in Huntsville and Madison county of LEP individuals, that is, persons who speak English “not well” or “not at all”, Public Transit will strive to offer the following measures:

1. Public Transit’s Title VI Policy and Public Transit staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.
2. There are several resources available to Public Transit to accommodate LEP persons.
 - i. A Parking division employee can be utilized for interpretative services under German, Spanish and French languages.
 - ii. The Communications Division of the City of Huntsville, Police Department, has limited interpretive assets that can be utilized for Spanish, Russian, Ukrainian, Polish and French languages.
 - iii. The Alabama Hispanic Association (AHA) made up of volunteers to assist the needs of the Hispanic community in the North Alabama area can be accessed for interpretive assistance.
 - iv. A brand new City of Huntsville office, the Office of Multicultural Affairs, can also be utilized when needed.
 - v. Foreign or International Student Program Administrators at Alabama A&M University or University of Alabama, Huntsville (UAH).
 - vi. Language assistance services available on websites.
3. If a client asks for language assistance and Public Transit determines that the client is an LEP person and that language assistance is necessary to provide meaningful access, reasonable efforts will be made to provide free language assistance. If reasonably possible, Public Transit will provide the language assistance in the LEP client’s preferred language. Public Transit has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access.
4. Public Transit will periodically assess client needs for language assistance based on requests for interpreters and/or translation, as well as the literacy skills of the clients.
5. Public Transit staff discussed with the website host having an online translation service available on the website. The reply was quite specific that there was an online translation service available for a number of years and that it was never accessed. The service was dropped because the cost of the service and the lack of use or need resulted in an unnecessary burden to the City’s ITS departments resources and budget.
6. When an interpreter is needed, in person or on the telephone, staff will attempt to determine what language is required and then

access language assistance at one or more of the available resources identified under Section 3.A.2.

IV. Staff Training

The following training will be provided to Public Transit staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of the *Language Identification Flashcards*.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

Information will be distributed to all Public Transit staff and Posted on the Public Transit website, www.hsvcity.com/publictran.

V. TRANSLATION OF DOCUMENTS

- Public Transit weighed the cost and benefits of translating documents for potential LEP groups, considering the expense of translating the documents, the barriers to meaningful translation or interpretation of busing information, the likelihood of frequent changes in documents, the existence of multiple dialects within a single language group, the apparent literacy rate in a LEP group and other relevant factors. At this time it is an unnecessary burden to have any documents translated.
- Due to the very small local LEP population, Public Transit does not have a formal outreach procedure in place, as of 2009. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, Public Transit will consider the following options:
 - When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.
 - Bus schedules, maps, and other transit publications will be made available in an alternative language when and if a specific and concentrated LEP population is identified and requests made.

VI. FORMAL INTERPRETERS

- When necessary to provide meaningful access for LEP clients, Public Transit will provide qualified interpreters, including any bilingual staff of the City of Huntsville, if available. At important stages that require one-on-one contact, written translation and verbal interpretation services will be provided consistent with the four-factor analysis used earlier.
- Public Transit may require a formal interpreter to certify to the following:
 - a. The interpreter understood the matter communicated and rendered a competent interpretation.
 - b. The interpreter will maintain private information. Non-public data will not be disclosed without written authorization from the client.
 - c. Bilingual City employees, when available, can provide limited assistance to Public Transit staff and LEP clients as part of their regular job duties.

VII. INFORMAL INTERPRETERS

- Informal interpreters may include the family members, friends, legal guardians, service representatives or advocates of the LEP client. City staff will determine whether it is appropriate to rely on informal interpreters, depending upon the circumstances and subject matter of the communication. However, in many circumstances, informal interpreters, especially children, are not competent to provide quality and accurate interpretations. There may be issues of confidentiality, competency, or conflict of interest.
- An LEP person may use an informal interpreter of his or her own choosing and at their expense, either in place of or as a supplement to the free language assistance offered by the City. If possible, Public Transit/City should accommodate an LEP client's request to use an informal interpreter in place of a formal interpreter.
- If an LEP client prefers an informal interpreter, after Public Transit has offered free interpreter services, the informal interpreter may interpret. In these cases, the client and interpreter should sign a waiver of free interpreter services.
- If an LEP client wants to use his or her own informal interpreter, Public Transit reserves the right to also have a formal interpreter present.

VIII. OUTSIDE RESOURCES

- Outside resources may include community volunteers
- Outside resources may be used for interpreting services at public or informal meetings or events if a timely request has been made.

IX. MONITORING

Monitoring and Updating the LEP Plan- Public Transit will update the LEP as required by U.S. DOT. At a minimum, the plan will be reviewed and updated when data from the 2010 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the Public Transit service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether transit system's financial resources are sufficient to fund language assistance resources needed.
- Determine whether Public Transit fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

X. Dissemination of the Public Transit LEP Plan

- A link to the Public Transit LEP Plan and the Title VI Plan will be included on the City's Public Transit website, www.hsvcity.com/publictran
- Any person or agency with internet access will be able to access and download the plan from the Public Transit website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person, and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation which Public Transit will provide, if feasible.
- Questions or comments regarding the LEP Plan may be submitted to the Department of Parking & Public Transit, 500 B Church Street, Huntsville, AL 35801, phone (256) 427-6811.