

## Limited English Proficiency

### INTRODUCTION

This Limited English Proficiency Plan has been prepared to address Grand Gateway dba Pelivan Transit's (Pelivan Transit) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency 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 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 Pelivan Transit.

### Plan Summary

Pelivan 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 by 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, Pelivan Transit used the 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 by Pelivan Transit
2. The frequency with which LEP persons come in contact with Pelivan Transit services.
3. The nature and importance of services provided by the Pelivan Transit System to the LEP population.
4. The interpretation services available to Pelivan Transit and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

### 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 require Pelivan Transit services. Pelivan Transit staff reviewed the linguistic diversity of LEP population data from the LEP.Gov Data and Language Maps to determine that <2% of population in the Pelivan Transit service area, speak English "less than very well".

2. The frequency with which LEP persons come in contact with Pelivan Transit services. Pelivan Transit staff reviewed the frequency with which the board, office staff and drivers have, or could have contact with LEP persons. This includes phone inquiries or office visits. To date, Pelivan Transit has had no requests for interpreters and no requests for translated program documents. The board, office staff and drivers have little contact with LEP persons. Those LEP persons who do come into contact with staff typically have a family member, employer or friend to assist with translation, if needed.
3. The nature and importance of services provided by Pelivan Transit to the LEP population. There is no large geographic concentration of any type of LEP individuals in the Pelivan Transit service area. The overwhelming majority of the population speaks only English. Through outreach and research efforts, staff have not identified any social, service, professional and leadership organizations within the Pelivan Transit service area that focus on outreach to LEP individuals. Pelivan Transit board, office staff and drivers are most likely to encounter LEP individuals through transportation rides, office visits, phone conversations and attendance at public meetings.
4. The resources available to Pelivan Transit, and overall costs to provide LEP assistance. Pelivan Transit reviewed its available resources and determined a bi-lingual transit staff member is available to assist with Spanish translation, as necessary. Gilbert Mendez, safety officer for Pelivan Transit, is available to assist with translation, as needed, along with two additional staff members.

The Ridership Policy, Title VI Notice to the Public, Pelivan Transit Customer Satisfaction Survey and Complaint Form were determined as the most likely documents to need to be translated into Spanish. Each transit site has copies available for use. Spanish Translation Wallet cards are available to assist in communicating with an LEP person who speaks Spanish. The website and brochures have a Title VI notice in Spanish, to make a request, or should information be needed in another format. Google translate has successfully been used as a tool used to provide translation assistance, when needed.

## **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 Pelivan Transit services. 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.

How Pelivan Transit staff may identify an LEP person who needs language assistance:

- Pelivan Transit staff can be provided "I Speak" cards to assist in identifying the language interpretation needed, if the occasion arises.

- Pelivan Transit staff will be informally surveyed periodically on their experience concerning contacts with LEP persons.
- When Pelivan Transit sponsors an informational meeting or event, an advanced public notice of the event will likely be published in local newspapers, including an opportunity to request an accommodation. Additionally, a staff person may 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. Although translation may not be able to be provided at the event, this process will help identify the need for future events.

### **Language Assistance Measures**

Although there is a very low percentage of LEP individuals, that is, persons who speak English "not well" or "not at all", in Pelivan Transit System's service area, the agency will strive to offer the following measures:

Pelivan Transit staff shall take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.

The following resources will be utilized to accommodate LEP persons:

- Transit staff will communicate identification of LEP individuals to the LEP Plan Coordinator.
- Transit staff will work with family members, employers, and/or friends to communicate.
- Transit staff will use Spanish Translation Wallet Cards, if necessary.
- Volunteer interpreters for the Spanish language will be contacted for availability within a reasonable time period, as needed.
- Attempts shall be made for language interpretation for all other languages through Google Translate or telephone interpretation services, as needed and available.

### **STAFF TRAINING**

Title VI and LEP training shall be provided to Pelivan Transit staff. Examples of recent training is listed below:

- New Hires shall receive a copy of the policy, review contents and sign acknowledgment during orientation.
- Admin shall encourage transit staff to report requests for language assistance. ●
- Transit staff shall be coached on how to handle a potential Title VI/LEP complaint, as needed.
- Transit staff completed Sensitivity Refresher training in August of 2020 , which included a Sensitivity video.
- Transit staff completed annual training related to HIPPA, confidentiality, ethics, equal opportunity, waste, fraud, cultural awareness, mutual respect and respect for individuals with disabilities in October 2021.

- This revision of the Title VI and LEP plan will be disseminated to all transit staff in February 2023, after board adoption. Acknowledgment of receipt and understanding of the revision shall be documented and a copy maintained in each staff person's personnel file.

## **TRANSLATION OF DOCUMENTS**

Pelivan Transit weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating documents, the likelihood of frequent changes in documents and other relevant factors, at this time the Notifying the Public of Rights Under Title VI, Ridership Policy and Work Ride Form have been translated into Spanish.

Due to the small local LEP population, Pelivan Transit does not have a formal outreach procedure in place. Translation resources are limited in this region. However, when and if the need arises for LEP outreach, Pelivan Transit will consider available options.

When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

## **MONITORING**

Pelivan Transit shall update the LEP Plan as required. At a minimum, the plan shall be reviewed and updated when data from the new Census is available, or when it is clear that higher concentrations of LEP individuals are present in Pelivan Transit service area. Updates will consider the following:

- The number of documented LEP individuals 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 Pelivan Transit's financial resources are sufficient to fund language assistance resources needed.
- Determine whether Pelivan 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.
- Maintain a Title VI compliant log including LEP to review and determine issues and basis of complaints.

## **DISSEMINATION OF PELIVAN TRANSIT LEP PLAN**

Pelivan Transit shall notify LEP persons of the LEP Plan and how to access language services, by posting signs at conspicuous and accessible locations, which may include but not be limited to the following:

- Grand Gateway Economic Development Association dba website, <https://pelivantransit.org>
- Pelivan Transit System brochures
- Press releases, public notices and agendas will provide an opportunity to request an accommodation related to offering a translator (LEP) or interpreter (sign language for hearing impaired individuals) the public that they can request information in another

format or language by calling 918-762-3041 Ext. 181. A Spanish translation of the Notice to the Public is posted below the English version of notices.

### **Title VI and LEP Public Participation Plan**

It is Pelivan Transit System's intent to provide an opportunity for public involvement and full access to the transportation decision making process in each stage of the planning and development of a transportation project to all segments of the population, including minority or low-income communities and populations who are not proficient in English. Public forums are scheduled annually in each county served to invite the public to participate in the transportation plan. Virtual meetings will be considered as an option for participation, when circumstances are necessary. Press releases that include the schedule of meetings and locations will be published in local newspapers. Legal notices will be published in the classified section of the largest newspapers in each county at least two consecutive weeks regarding a notice opportunity. Letters will be mailed to elected officials, tribes, and private transit providers. Mass email notices will be sent to businesses, contract representatives, chambers, partners and social service organizations.

To encourage the participation of minorities, the agency by-laws outline board membership. At least one-third of the Governing Board must be comprised of elected public officials, currently holding office or their representatives. At least one-third of the directors shall be persons chosen in accordance with democratic selection procedures adequate to assure that members are representative of low-income individuals and families in the neighborhood served. The remainder shall be officials or members of business, industry, labor, religious, law enforcement, education or other major groups and interests in the community served.

It should be noted that Pelivan Transit riders and clients are not asked questions about ethnicity when a trip is scheduled. Pelivan Transit does not request or track this information, with the Title III participation.