



**LIMITED ENGLISH  
PROFICIENCY  
PROCEDURES MANUAL**

**FOR**

**CITY OF ANDERSON TRANSIT SYSTEM**

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

## **As Part of the FY 2012 Title VI Update**

### **I. INTRODUCTION**

This Limited English Proficiency (LEP) Plan, for the City of Anderson Transportation System (CATS) has been developed in accordance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), which provides that no person shall “on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Federal Executive Order No. 13166, issued in August 2000 and titled, "Improving Access to Services for Persons with Limited English Proficiency," was created to "... improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP)..."

As a recipient of funds from the Federal Transit Administration (FTA), this Limited English Proficiency (LEP) Plan for CATS has been developed to ensure compliance with Federal LEP regulations. It includes an assessment of persons 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. The City of Anderson is the only geographic area that CATS serves.

### **II. LIMITED ENGLISH PROFICIENCY NEEDS OF AREA**

The *Four-Factor Analysis* developed by the FTA requires that information be included in LEP Plans regarding the following:

1. The number and proportion of LEP persons in our 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; and
4. The resources available to Public Transit and overall cost to provide LEP assistance.

Each of these elements is addressed below.

#### **A. Four-Factor Analysis**

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

*U.S. Census Data*

The U.S. Census provides information to assist in estimating the number of limited English speakers in the permanent population. Table 1 presents information for the City of Anderson on *Anderson Total Language*, based on the year 2010 Census Data. Per review of 2010 Census Data by City of Anderson planning staff it was determined that 5,480 persons (9.8% of Total Population 5yrs&5yrs+) in Anderson speak a language other than English. Of those 5,480 persons, 763 (1.45%) speak English less than “very well”. In Anderson, of those persons that speak English less than “very well”, 611 (1.09%) speak Spanish, 79 (.15%) speak Indo-European, 54 (.10%) speak Asian and Pacific Island language, 13 (.02%) speak African, and 6 (.01%) speak other languages.

TABLE 1

		Anderson	
		%	#
	Total Population	100.00%	56,129
	Total Pop. (5yrs&5yrs+)	93.61%	52,544
	Pop. Speaking Only English	90.24%	50,649
Spanish or Spanish Creole:	Speak English less than "very well"	1.09%	611
French (incl. Patois, Cajun):	Speak English less than "very well"	0.02%	12
German:	Speak English less than "very well"	0.10%	56
Hindi:	Speak English less than "very well"	0.02%	11
Japanese:	Speak English less than "very well"	0.03%	15
Tagalog:	Speak English less than "very well"	0.02%	14
Arabic:	Speak English less than "very well"	0.04%	25
African languages:	Speak English less than "very well"	0.02%	13
Other and unspecified languages:	Speak English less than "very well"	0.01%	6

SOURCE: US CENSUS- B16001  
 LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER: FROM 2010 CENSUS.

Data Analysis from review of the 2010 U.S. Census report indicate there are low numbers and percentages of LEP persons within the City of Anderson (CATS service area). The largest group of LEP who spoke English less than “very well” was Spanish speaking and they make up only 1.09 % of the total population that are 5 years old and older.

## **2. The frequency with which LEP persons come in contact with CATS programs, activities or services.**

CATS surveyed office staff, dispatchers and bus drivers to determine the frequency with which they have or could have contact with LEP persons. This includes documenting phone inquiries, visits to CATS headquarters, surveying CATS vehicle operators, Nifty Lift drivers, the management team, dispatchers, and those who access the CATS web site. The office staff and dispatchers have not had any calls from LEP persons requesting an interpreter or any other information to date. The survey of CATS drivers indicated that they have had contact with an average of 174 riders a week (29 a day) that speak English less than “very well”. The average number of all riders per week is 688 so, LEP riders, riders that speak English less than “very well”, account for 4% of the total.

## **3. The nature and importance of programs, activities or services provided by CATS to the LEP population.**

There is no large geographic concentration of any type of LEP individuals in the CATS service area. The overwhelming majority of the population, 90.24%, speaks only English. As a result, there are few social, service, or professional organizations within the CATS service area that focus on outreach to LEP persons. Services provided by CATS that are most likely to encounter LEP persons are the fixed bus route CATS system which serves the general public and the on demand response (mobility limited) Nifty Lift system which serves primarily senior and disabled persons. All of the above services could be of particular importance to the LEP population.

## **4. The resources available to CATS and overall cost to provide LEP assistance.**

CATS 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. Since Spanish speaking LEP persons are, by far the largest group that speak English less than “very well” in Anderson, most of CATS resources and assistance are directed toward them. The City of Anderson Community Development has access to an interpreter that speaks Spanish that CATS can utilize if the need arises. A local university’s (Anderson University) foreign language department has agreed to translate the CATS brochure into Spanish. The Indiana Latino Institute, in Indianapolis, can be utilized for assistance when necessary. The Indiana Latino Institute, Inc. is the leader in the Latino community in Indiana for advocacy, resource and referral, research and community assessment and model program development for Latino adults and youth.

### **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 the CATS 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. CATS will determine when interpretation and/or translation are needed and are reasonable. How the CATS 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.
- CATS' staff should become familiar with *Language Line Services* at <http://www.language.com>. Also, a Translation Service at <http://www.languagemarketplace.com/13-indianapolis-translation-services.html>.
- When CATS 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 "*I Speak*" *Language Identification Cards* available at CATS events near the registration table. Individuals self-identifying themselves 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 "*I Speak*" *Language Identification Cards* 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 "*I Speak*" *Language Identification Cards* on the City of Anderson web site.
- 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 of LEP individuals in the City of Anderson, that is, persons who speak English less than "very well", CATS will strive to offer the following measures:

1. CATS Title VI Policy and the CATS staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.
2. There are a few resources available to CATS to accommodate LEP persons.
  - i. Language assistance services available on websites.
  - ii. The Anderson University foreign language department
3. If a client asks for language assistance and CATS 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, CATS will provide the language assistance in the LEP client's preferred language. CATS has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access.
4. CATS 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. There are online translation services available online however there is a fee involved for the service.

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 CATS staff:

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

Information will be distributed to all CATS staff and posted on the City of Anderson website, [www.cityofanderson.com/resident-publictransportation.asp](http://www.cityofanderson.com/resident-publictransportation.asp)

#### V. TRANSLATION OF DOCUMENTS

- Anderson University’s foreign language department has agreed to translate the CATS brochure into Spanish. The brochures will be distributed to all CATS offices, busses, bus station and posted on the City of Anderson website.
- Due to the very small local LEP population, CATS does not have a formal outreach procedure in place, as of 2012. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, CATS 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.

#### VI. FORMAL INTERPRETERS

- When necessary to provide meaningful access for LEP clients, CATS will provide qualified interpreters, including any bilingual staff of the City of Anderson, 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.
- CATS 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 CATS 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, CATS/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 CATS 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, CATS 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-** CATS will update the LEP as required by U.S. DOT. At a minimum, the plan will be reviewed when it is clear that higher concentrations of LEP individuals are present in the CATS 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 CATS 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 CATS LEP PLAN

- A link to the CATS LEP Plan and the Title VI Plan will be included on the City's Public Transit website
- Any person or agency with Internet access will be able to access and download the plan from the CATS 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 CATS will provide, if feasible.

- Questions or comments regarding the LEP Plan may be submitted to CATS, 530 Dale Keith Jones Road, Anderson, Indiana 46011, by phone at (765) 648-6400.