



South East Area Transit

Limited English Proficiency Plan

August, 2008
December, 2012 Revised
August, 2015 Revised
August, 2019 Updated

Background Information

Individuals who have a limited ability to read, write, speak, or understand English are Limited English Proficient, or “LEP.” Public transit is a key means of achieving mobility for many LEP persons. Agencies that provide language assistance to persons with limited English proficiency in a competent and effective manner will help ensure that their services are safe, reliable, convenient, and accessible to those persons.

Legal basis for language assistance requirements

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations promulgated by the former Department of Health, Education, and Welfare to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination.

Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services. Federal agencies were instructed to publish guidance for their respective recipients in order to assist them with their obligations to LEP persons under Title VI. The Executive Order states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

The U.S. DOT published revised guidance for its recipients on December 14, 2005. This document states that Title VI and its implementing regulations require that DOT recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP).

The FTA references the DOT LEP guidance in its Circular 4702.1A, “Title VI and Title VI-Dependent Guidelines for FTA Recipients,” which was published on April 13, 2007. Chapter IV part 4 of this Circular reiterates the requirement to take responsible steps to ensure meaningful access to benefits, services, and information for LEP persons and suggests that FTA recipients and sub-recipients develop a language implementation plan consistent with the provisions of Section VII of the DOT LEP guidance.

Plan Summary

South East Area Transit, SEAT, has developed this Limited English Proficiency Plan (LEP) to identify reasonable steps to provide language assistance for LEP individuals seeking access to SEAT bus service. This plan details procedures on how to identify an individual who may need language assistance, the ways language assistance can be provided, training staff, notifying LEP individuals that assistance is available, and information for future plan updates.

LIMITED ENGLISH PROFICIENCY PLAN

Four-Fact Analysis

Limited English Proficiency (LEP) is a term used to describe individuals who are not proficient in the English language.

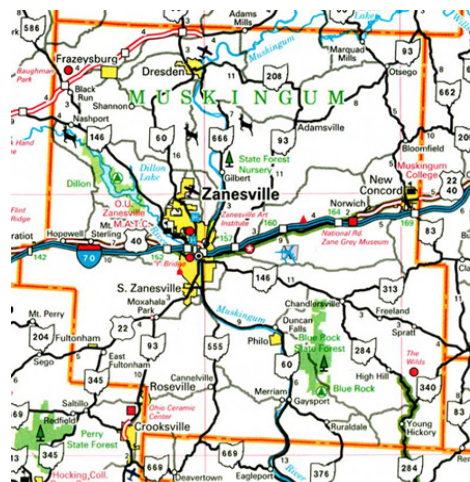
Federal law: Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons with Limited English Proficiency and (Presidential) Executive Order 13166 - requires Federal departments and agencies to develop and make available guidance on how recipients of Federal funds should assess and address the needs of LEP individuals seeking assistance.

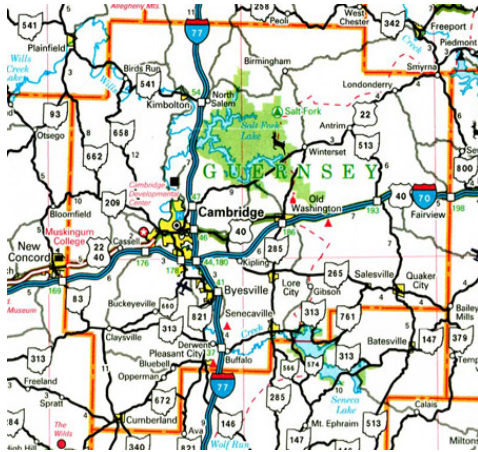
The US Department of Transportation (DOT) developed guidance titled A Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons. This guidance was issued to ensure that persons in the United States are not excluded from participation in DOT-assisted programs and activities simply because they face challenges communicating in English.

The intent of this plan is to ensure that LEP individuals have access to published information and transportation services in Muskingum & Guernsey County's. The production of multilingual publications and documents and/or interpretation at meetings/events will be provided to the degree that funding permits based on current laws and regulations.

FACTOR 1: The number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population.

1. Geographical Boundaries of SEAT's Service Area. SEAT's Public Transit services Muskingum, Guernsey and Noble Counties, Ohio





1. Analysis of U.S. Census Data. Data from the U.S. Census Bureau's 2010 Decennial Census (<http://quickfacts.census.gov/qfd/states/39/39045.html> and <http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>) was analyzed as part of the process to determine the number or proportions of population groups eligible to be served. According to the US Census Bureau, in 2018, the population in Muskingum, Guernsey & Noble County's was 139,559 persons. Of the persons five-years old and older (132,121), 128,818 of them (97.5%) speak English only. The next categories that show significant language usage other than English are the populations of Spanish speaking persons (1,331 – 1.033%) , other Indo-European language speakers (930 – .7575%) and (491-35.9%) of those identified as Spanish speaking individuals indicated they speak English less than very well, and this total represents .4% of the population studied. As for the Other Indo-European language speakers, the number indicating they speak English less than very well is 421 persons, 0.343% of the overall population. Persons who speak other languages are identified as

German, French, and Dutch “All other languages” comprise 930 persons out of the population study, 44% of the total of which only 409 speak English less than very well.

2. Concentrations of LEP Persons within the SEAT’s Public Transit Service Area. The total percentage of "Linguistically Isolated Households" in Zanesville is 2.6% of the county population (approximately 3,800 people). The determination is that this is a "small LEP population".

FACTOR 2: The Frequency with Which LEP Individuals Come into Contact with SEAT Services.

1. The City’s Prior experiences with LEP Individuals related to transportation. From 2008 to 2018, there has been only one reported individual that sought to use the City’s Public Transit services that did not speak English. This individual was deaf and used ASL. The individual was able to communicate through an interpreting service to make trip reservations and by gestures with the driver.

FACTOR 3: The Importance of SEAT Services to LEP Persons.

1. Accessing Services. SEAT provides demand-responsive public transportation to the service area already mentioned in Factor 1. Other than the City, there is one taxi service that runs in South East Area Transit, but no other option for public transportation throughout Muskingum County. Persons accessing public transportation through SEAT utilize the services for employment, medical, educational, and social purposes. Many riders do not have any other means of transportation, and are truly transit dependent. As there have been so few encounters with LEP persons to date, it is only assumed that those individuals that are identified as LEP persons would most likely have similar reasons for using public transit. Working with our local department of Job and Family Services, we continue to work to identify LEP populations and how we may better serve those areas/individuals through outreach efforts and accessibility.

FACTOR 4: The Resources Available to the Recipient and Costs.

1. *Accessing Available Resources.* Currently, the manner in which encounters with LEP persons have been managed is by using other family members who can help communicate with LEP individuals or the LEP person has utilized written messages to accomplish the use of SEAT services.

2. *Additional Services needed to Provide Meaningful Access.* Although it is not likely that there will be very many more encounters with LEP persons in the foreseeable future, it is desirable to make every effort to remove any barriers that are presented to LEP persons to keep them from accessing SEAT services. SEAT is located in Zanesville and Cambridge, OH where there is a local branch of Ohio University which provides ASL interpreters that we may contact if necessary. We are able to use teachers in our local school district for languages such as Spanish, Latin, German or French. In addition, we contract for translation/interpretation services with Certified Language International (CLI) this service offers 121 different language translation/interpretation at touch of a phone 24 hour a day. In addition, our staff each carries a one-page language identification card for any individual with limited English to request the appropriate language in which they would like an interpreter.
3. *Accessing Budgetary Adjustments.* SEAT will continue look for ways to improve the accessibility of our services through internet and printed material. Limited copies will be printed as the need is present; however, it is very minor in the population of individuals throughout our service area.

After analyzing the four factors, SEAT developed the plan outlined for assisting LEP individuals.

LIMITED ENGLISH PROFICIENCY PLAN OUTLINE

Identifying LEP Individuals Who Need Language Assistance

SEAT will take the following actions to identify individuals who need language assistance:

1. Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings.
2. When SEAT meetings are held a sign-in sheet for the general public will be made available and each attendee will be spoken to by a SEAT staff member to informally gauge the individual's ability to speak and understand English.
3. SEAT has posted at our administration office, Transit Center, Cambridge office and available on the vehicles a poster that states **"YOU HAVE A RIGHT TO AN INTERPRETER"**

AT NO COST TO YOU. PLEASE POINT TO YOUR LANGUAGE”. After the language is determined, SEAT has access to Certified Language International a language interpretation service to help SEAT understand the needs of the LEP individuals at hand.

4. Survey bus operators and staff on an annual basis at the beginning of each year regarding their experience on having contact with LEP individuals.

Language Assistance Measures

SEAT has or will implement the following LEP procedures. The development of these measures takes into consideration the very low percentage of individuals who speak other languages and the resources available within the SEAT service area.

1. SEAT will provide telephone interpreting services through a translation contract provide by **Certified Language International**. CLI is a nationally recognized interpreting service that offers 125 different languages to interpret.

“YOU HAVE A RIGHT TO AN INTERPRTER AT NO COST TO YOU PLEASE POINT TO YOUR LANGUAGE”.

The statement above is posted at the SEAT’s administration office, Transit Center, Cambridge office and on buses.

2. Also, the computer at the Customer Service Desk will have Yahoo Babel Fish added to the favorites listing for easy access for the interpretation of blocks of texts. This will aid the SEAT staff in the interpretation of services on a one on one basis with LEP individuals seeking assistance.
3. It may be difficult for a non-bilingual bus operator to provide assistance to an LEP person who boards the vehicle and requests information. In such circumstances, the operator will ask if another passenger on the vehicle could serve as a translator or the driver will transport client to the Transit Center and use the services that are available from above.

Training Staff

SEAT staff will develop a standard training presentation concerning recipients’ responsibilities to persons with Limited English Proficiency. The SEAT Employee Training Program will include the following information:

1. A summary of Agency responsibilities under the DOT LEP Guidance.
2. A summary of the Agency’s language assistance plan.

3. A summary of the number and proportion of LEP persons in the Agency's service area, the frequency of contact between the LEP population and the agency's programs and activities, and the importance of the programs and activities to the population.
4. A description of the type of language assistance that the Agency is currently providing and instructions on how agency staff can access these products and services.
5. A description of the agency's cultural sensitivity policies and practices.

Providing Notice to LEP Persons

Currently, SEAT does not have an ongoing outreach program due to the lack of LEP population and resources available in the SEAT service area. However, SEAT will implement the following measures:

- SEAT will post signage at the main administrative office and at the SEAT bus terminal that **"You have a Right to an Interpreter at No Cost to You Please Point to Your Language"**.
- SEAT will work with community-based organizations and other stakeholders to inform LEP individuals of the recipients' services, including the availability of language assistance services.
- SEAT will have documentation available on the buses that free language assistance services are available to LEP individuals.

Monitoring and Updating the LEP Plan

The SEAT LEP Plan is designed to be flexible, reviewed on an annual basis, and updated as needed. The annual SEAT LEP Plan review will consider:

- Current LEP populations in the service area or population affected or encountered.
- Frequency of encounters with LEP language groups.
- Nature and importance of activities to LEP persons.
- Availability of resources, including technological advances and sources of additional resources, and the costs imposed.
- Whether existing assistance is meeting the needs of LEP persons.
- Whether staff knows and understands the LEP plan and how to implement it.

- Whether identified sources for assistance are still available and viable.

Dissemination of the SEAT LEP Plan

Notices will be placed at the SEAT administrative office, at the transit center, and on all SEAT buses about the availability of the LEP Plan and free language assistance.

Copies of the LEP Plan will be provided, on request, to any person(s) requesting the document via telephone, in person, by mail or email. LEP individuals may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to the SEAT Transit Director.

Transit Director
375 Fairbanks Street
Zanesville, Ohio 43701
Phone; 740-454-8574
Fax: 888-568-4858
Email: director@seatbus.org