

**LANGUAGE ASSISTANCE PLAN
FOR LIMITED ENGLISH PROFICIENCY
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I INTRODUCTION

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq.**, and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and;

II EXECUTIVE ORDER 13166

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 that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as the City of Rapid City, and private and non-profit entities, and subrecipients.

III PLAN SUMMARY

The City of Rapid City/Rapid Transit System has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to city services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

In developing the plan while determining the city's extent of obligation to provide LEP services, the city undertook a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP persons

eligible in the city's service area who maybe served or likely to encounter a city program, activity, or service; 2) the frequency with which LEP individuals come in contact with an city services; 3) the nature and importance of the program, activity or service provided by the city to the LEP population; and 4) the resources available to the city and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

IV FOUR FACTOR ANALYSES

1. The number or proportion of LEP persons eligible in the city service area who maybe served or likely to encounter a city program, activity, or service. The city examined the US Census report from 2010 and was able to determine that approximately 5% people spoke a language other than English. Of the 3124 people reporting they speak other languages than English, 1.1% of respondents either speak English "not well" or "not at all." (See **APPENDIX A** City of Rapid City Languages Spoken at Home Chart).

2. The frequency with which LEP individuals come in contact with a city program, activity, or service

The city will assess the frequency at which Rapid Transit System staff and drivers have or could possibly have contact with LEP persons. This includes documenting phone inquiries and verbally surveying drivers. The city has never had a request for interpreters or translated city documents. The staff and drivers have had very little to no contact with LEP individuals.

3. The nature and importance of the program, activity, or service provided by the city to the LEP community

There is no large geographic concentration of any one type of LEP individuals in the city service area. The overwhelming majority of the population, 98.9% speaks only English very well.

Therefore, there is a lack of any social, service, professional and leadership organizations within the city service area that focuses on outreach or membership of LEP individuals.

4. The resources available to the city and overall costs

The city assessed its available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost on as needed basis, which documents would be the most valuable to be translated if and when the populations supports, taking an inventory of available organizations that the city could partner with for outreach and translation efforts, and what level of staff training is needed.

After analyzing the four factors, the city developed the plan outlined in the following section for assisting persons of limited English proficiency.

V LIMITED ENGLISH PROFICIENCY PLAN OUTLINE

a) **How to Identify an LEP Person who Needs Language Assistance** - Below are tools to help identify persons who may need language assistance:

- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When city sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply;
- Have the Census Bureau's "I Speak Cards" at the workshop or conference sign-in sheet table (contained herein as **APPENDIX B**). While staff may not be able to provide translation assistance at this meeting, the cards are an excellent tool to identify language needs for future meetings. Also, have the cards available at the Rapid Transit system dispatch area; and
- Frequently survey Rapid Transit System drivers and other first line staff of any direct or indirect contact with LEP individuals.

b) **Language Assistance Measures** - The city has or will implement the following LEP procedures. The creation of these steps are based on the very low percentage of persons speaking other languages or not speaking English at least "well," and the lack of resources available in the city service area:

- Census Bureau's "I Speak Cards" will be located at their customer service location at all times
- When the Rapid Transit System's website is redesigned, AltaVista Babel Fish translation will be an added feature.
- When an interpreter is needed, in person or on the telephone, and city staff has exhausted the above options, staff will first attempt to determine what language is required. Staff shall use the telephone interpreter service - Language Line Services at <http://www.language.com>. On the Language Line home page the staff will select the Need an Interpreter Now link and follow the directions to receive and access code.

c) **City Staff Training** - All Rapid Transit System staff will be provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of the Rapid Transit System staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities;

- What language assistance services the city offers;
 - Use of LEP “I Speak Cards”;
 - How to use the Language Line interpretation and translation services;
 - Documentation of language assistance requests;
 - How to handle a Title VI and/or LEP complaint (this process is contained in **APPENDIX D of the CITY Title VI Plan**)
- d) **Outreach Techniques** – Due to the lack of LEP population and resources available in the service area the city has not developed outreach techniques. However, the following are a few options that the city will incorporate when and/or if the need arises for LEP outreach:
- If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.
 - When running a general public meeting notice, staff will insert the clause, based on the LEP population and when relevant, that translates into “A (insert alternative Language) translator will be available”. For example: “Un traductor del idioma español estará disponible” This means “A Spanish translator will be available”.
 - Key print materials, including but limited to schedules and maps, will be translated and made available at the Milo Barber Transportation Center and on board Rapid Transit System revenue vehicles.
- e) **Monitoring and Updating the LEP Plan** - This plan is designed to be flexible and is one that can be easily updated. At a minimum, the city will follow the Title VI Program update schedule for the LEP Plan. However, major updates most likely will not occur until the next Census in 2020 unless the city finds it necessary and crucial for an update before such time.

Each update should examine all plan components such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in city service area?

- Has there been a change in the types of languages where translation services are needed?
 - Is there still a need for continued language assistance for previously identified city programs? Are there other programs that should be included?
 - Have the city's available resources, such as technology, staff, and financial costs changed?
 - Has the city fulfilled the goals of the LEP Plan? and
 - Were any complaints received?
- f) **Dissemination of the city Limited English Proficiency Plan** - The city includes the LEP Plan with its Title IV Policy and Complaint Procedures. The city's Notice of Rights under Title VI to the public is posted in the Rapid Transit System office, on all Rapid Transit vehicles, and in selected printed materials and also refers to the LEP Plan's availability. Any person, including social service, non-profit, and law enforcement agencies and other community partners with internet access will be able to access the plan. Copies of the LEP Plan will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request. Any questions or comments regarding this plan should be directed to the city Title VI Coordinator.

Megan Gould
 City of Rapid City Title VI Coordinator
 333 Sixth Street
 Rapid City, SD 57701
 Phone: (605) 394-4136 Fax: (605) 394-6608
 Email: Megan.Gould@rcgov.org

APPENDIX A

LANGUAGE SPOKEN AT HOME

| Label | City of Rapid City, South Dakota | | | | | |
|--|----------------------------------|-----------------|---|----------|-------------------------------------|------|
| | Total | | Percent of specified language speakers | | | |
| | Estimate | Margin of Error | Speak English only or speak English "very well" | | Speak English less than "very well" | |
| Estimate | | | Margin of Error | Estimate | Margin of Error | |
| Population 5 years and over | 68855 | 293 | 98.9% | 0.3 | 1.1% | 0.3 |
| Speak only English | 95.2% | 0.6 | (X) | (X) | (X) | (X) |
| Speak a language other than English | 4.8% | 0.6 | 76.3% | 5.7 | 23.7% | 5.7 |
| SPEAK A LANGUAGE OTHER THAN ENGLISH | | | | | | |
| Spanish | 930 | 250 | 78.4% | 11.4 | 21.6% | 11.4 |
| 5 to 17 years old | 44 | 43 | 100.0% | 34.6 | 0.0% | 34.6 |
| 18 to 64 years old | 793 | 227 | 76.5% | 12.2 | 23.5% | 12.2 |
| 65 years old and over | 93 | 62 | 83.9% | 25.8 | 16.1% | 25.8 |
| Other Indo-European languages | 703 | 185 | 76.8% | 10.5 | 23.2% | 10.5 |
| 5 to 17 years old | 66 | 56 | 80.3% | 32.4 | 19.7% | 32.4 |
| 18 to 64 years old | 534 | 155 | 74.2% | 14.1 | 25.8% | 14.1 |
| 65 years old and over | 103 | 59 | 88.3% | 20.1 | 11.7% | 20.1 |
| Asian and Pacific Island languages | 723 | 158 | 60.3% | 12.2 | 39.7% | 12.2 |
| 5 to 17 years old | 27 | 34 | 100.0% | 44.8 | 0.0% | 44.8 |
| 18 to 64 years old | 594 | 131 | 60.8% | 13.3 | 39.2% | 13.3 |
| 65 years old and over | 102 | 77 | 47.1% | 39.5 | 52.9% | 39.5 |
| Other languages | 936 | 326 | 86.2% | 7.7 | 13.8% | 7.7 |
| 5 to 17 years old | 76 | 78 | 97.4% | 8.3 | 2.6% | 8.3 |
| 18 to 64 years old | 680 | 271 | 85.0% | 9.8 | 15.0% | 9.8 |
| 65 years old and over | 180 | 88 | 86.1% | 14.9 | 13.9% | 14.9 |

APPENDIX B
Census Bureau's "I Speak Cards"

| 2004 Census Test | United States Census 2010 LANGUAGE IDENTIFICATION FLASHCARD |
|---|--|
| <input type="checkbox"/> <p>ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.</p> | 1. Arabic |
| <input type="checkbox"/> <p>Խնդրում ենք նշում կատարել այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն:</p> | 2. Armenian |
| <input type="checkbox"/> <p>যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।</p> | 3. Bengali |
| <input type="checkbox"/> <p>ឈ្លឹមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។</p> | 4. Cambodian |
| <input type="checkbox"/> <p>Motka i kakhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.</p> | 5. Chamorro |
| <input type="checkbox"/> <p>如果你能读中文或讲中文，请选择此框。</p> | 6. Simplified Chinese |
| <input type="checkbox"/> <p>如果你能讀中文或講中文，請選擇此框。</p> | 7. Traditional Chinese |
| <input type="checkbox"/> <p>Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.</p> | 8. Croatian |
| <input type="checkbox"/> <p>Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.</p> | 9. Czech |
| <input type="checkbox"/> <p>Kruis dit vakje aan als u Nederlands kunt lezen of spreken.</p> | 10. Dutch |
| <input type="checkbox"/> <p>Mark this box if you read or speak English.</p> | 11. English |
| <input type="checkbox"/> <p>اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بنید.</p> | 12. Farsi |

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 Economic and Statistics Administration
 U.S. CENSUS BUREAU