

**Limited English Proficiency [LEP] Plan**  
Bay Metropolitan Transportation Authority  
Bay and Arenac Counties  
September 2008

Introduction

This *Limited English Proficiency Plan* has been prepared to address the BMTA's 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 the Bay Metropolitan Transportation Authority [BMTA] which receives federal assistance through the U.S. Department of Transportation [U.S. DOT].

Plan Summary

The BMTA 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 by the transit authority. 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, BMTA undertook 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 BMTA program, activity or service.
2. The frequency with which LEP persons come in contact with BMTA programs, activities or services.
3. The nature and importance of programs, activities or services provided by BMTA to the LEP population.
4. The resources available to BMTA and overall costs to provide LEP assistance.

A summary of the results of the BMTA four-factor analysis is in the following section.

## 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 BMTA program, activity or service.*

BMTA staff reviewed the 2000 U.S. Census Report and determined that 5,173 persons in Bay County [4.9 % of the population] and 618 persons in Arenac County [3.7 % of the population] speak a language other than English. In Bay County, 602 persons [0.6%] have limited English proficiency; that is, they speak English “not well” or “not at all.” In Arenac County, 65 persons [0.4%] have limited English proficiency; that is, they speak English “not well” or “not at all.”

In Bay County, of those persons with limited English proficiency, 364 speak Spanish, 61 speak Asian and Pacific Island languages, and 177 speak other Indo-European languages, primarily Polish and German.

In Arenac County, of those persons with limited English proficiency, 23 speak Spanish, none speak Asian and Pacific Island language, 37 speak other Indo-European languages, primarily Polish and German, and 5 speak other languages.

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

The BMTA assessed 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, the BMTA has had no requests for interpreters and no requests for translated BMTA documents in either Bay or Arenac County. 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 BMTA to the LEP population.*

There is no large geographic concentration of any type of LEP individuals in the BMTA service area of Bay and Arenac counties. The overwhelming majority of the population, 98.5 % in Bay County and 99.1 % in Arenac County, speak only English.

As a result, there is a lack of social, service, professional and leadership organizations within the BMTA service area that focus on outreach to LEP individuals.

Services provided by BMTA that are most likely to encounter LEP individuals are the fixed route [city bus] system which serves the general public and the demand-response [dial-a-ride] system which serves primarily senior and disabled persons.

4. *The resources available to BMTA and overall costs to provide LEP assistance.*

The BMTA assessed its available resources that could be used for providing LEP assistance, including determining how much a professional interpreter and translation service would cost on an as-needed basis, 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 the BMTA could partner with for outreach and translation efforts. The amount of staff and vehicle operating training that might be needed was also considered.

Based on the four-factor analysis, the BMTA developed its LEP Plan as outlined in the following section.

NOTE: Two transit operators are involved in providing public transit service in the BMTA two-county service area. In Bay County, Bay Metro Transit [BMTA] is the operator. In Arenac County, Arenac Opportunities Inc [AOI] operates the Arenac Dial-a-Ride system.

## **Limited English Proficiency [LEP] Plan Outline**

### How the BMTA and AOI 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 BMTA or AOI 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 BMTA and AOI 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* on all transit vehicles to assist vehicle operators in identifying specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to try to obtain contact information to give to the transit system manager for follow-up. Dispatchers and schedulers will also be instructed to obtain contact information from LEP individuals they encounter, either in person or over the phone.
- *Language Identification Flashcards* will be available at the Central Bus Station [CBS] and at the main office reception desk. It will be especially important for the CBS agent to have these cards available since the station serves both the local transit system and national intercity bus carriers.
- Vehicle operators and other front-line staff, like dispatchers, dial-a-ride schedulers, and service development planners, will be surveyed annually on their experience concerning any contacts with LEP persons during the previous year. The survey will be conducted in October each year.

### Language Assistance Measures

Although there is a very low percentage in both Bay and Arenac counties of LEP individuals, that is, persons who speak English "not well" or "not at all", the BMTA will ensure that the following measures are in place:

- *Language Identification Flashcards* will be available at all times in BMTA and AOI vehicles, at the Central Bus Station, and at transit system administrative offices where tickets are sold or information is distributed.
- When the BMTA website is redesigned, a feature will be added to allow an LEP person to contact staff via email indicating his/her native language and the type of assistance needed.
- The BMTA Title VI Policy and Limited English Proficiency Plan will be posted on the agency website, [www.baymetro.com](http://www.baymetro.com).

- When the BMTA website is redesigned, BMTA staff will work with the website host to try to have the AltaVista Babel Fish service, or a comparable online translation service, added to the site.
- 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 services at *www.languageline.com*.

### Staff Training

The following training will be provided to BMTA and AOI staff:

- Information on the BMTA 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.
- Use of *languageline* service.
- How to handle a potential Title VI/LEP complaint.

### Outreach Techniques

Due to the very small local LEP population, the BMTA does not have a formal outreach procedure in place, as of 2008. Translation resources are also very limited in this region. However, when and if the need arises for LEP outreach, the BMTA and AOI 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.

### Monitoring and Updating the LEP Plan

BMTA 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 BMTA 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 the BMTA and AOI have fully complied 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.
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Dissemination of the BMTA LEP Plan

A link to the BMTA LEP Plan and the Title VI Plan will be included on the BMTA website, *www.baymetro.com*.

Any person or agency with internet access will be able to access and download the plan from the BMTA 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 the BMTA will provide, if feasible.

Questions or comments regarding the LEP Plan may be submitted to the BMTA General Manager as follows:

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