

Appendix 1: Limited English Proficiency Plan

The Limited English Proficiency Plan has been prepared to address SouthWest Transit's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills accessing the services offered by SWT. The plan has been prepared in accordance with Title VI of the Civil Rights Acts 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 transit funds, including SWT where applicable relating to SWT services and facilities.

SWT 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 SWT. 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, SWT undertook the U.S. DOT four-factor LEP analysis which considers the following:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter a SWT program, activity or service.
2. The frequency with which LEP persons come in contact with SWT programs, activities or services.
3. The nature and importance of programs, activities or services provided by SWT to the LEP population.
4. The resources available to SWT and overall cost to provide LEP assistance.

Four-Factor Analysis:

1. The number or proportion of Limited English Proficiency (LEP) persons in the service area who may be served or are likely to encounter a SWT program, activity or service.

The SouthWest Transit staff reviewed the population estimates found in the 2016-2020 American Community Survey (ACS) 5 Year Estimates and determined, based on 2020 Census data that 109,902 persons live in the SWT service area (City of Eden Prairie – 60,537; City of Chanhassen – 24,409; City of Chaska – 24,956). The 2016-2020 American Community Survey (ACS) is used to determine the percentage of people who speak English less than “very well”, see chart below

Table 1. Population in SWT service area who speak English less than “very well”

	EDEN PRAIRIE	% OF TOTAL POPULATION	CHANHASSEN	% OF TOTAL POPULATION	CHASKA	% OF TOTAL POPULATION
Spanish	905	1.49%	61	0.25%	288	1.15%
Other Indo-European languages	820	1.35%	63	0.26%	45	0.18%
Asian and Pacific Island languages	1,112	1.84%	344	1.41%	269	1.08%
Other languages	917	1.51%	0	0.00%	0	0.00%

Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates (2020)

A. How LEP persons interact with the agency

- LEP Customers interact with SWT drivers and staff most notably by talking to the drivers and staff and the drivers and staff determine what the questions are by taking time and being patient with the customer. In other cases family and friends also assist with the conversation. There are also community advocates that work with SWT assisting their community with communication and transportation. Finally, in extreme cases when the informal approach doesn’t work, SWT will make arrangements to have an interpreter (depending on the language or hearing disability) to ensure we are able to communicate with one another and insure input and identify solutions to the questions.
- In addressing the ACS data no identified LEP population crosses the Safe Harbor threshold of an eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered. In Eden Prairie the total of LEP persons that speak Asian and Pacific languages is over 1,000. However since the ACS groups multiple languages under this category, it is SWT’s determination that no one language in that group would cross the Safe Harbor threshold. Furthermore, the amount of SWT’s service area population that utilizes SWT’s services is 3.5%. When applying this percentage to each LEP communities, no one group totals more than 40 people.

- B. Identification of LEP communities, and assessing the number or proportion of LEP persons from each language group to determine the appropriate language services for each language group
 - As seen in Table 1, the level of LEP communities has been identified by SWT through analysis of ACS data. SWT's determination is that the level of language services provided currently is appropriate for the given LEP population in the service area.
 - C. The literacy skills of LEP populations in their native languages, in order to determine whether translation of documents will be an effective practice
 - Literacy skills of the LEP population appears to be high, based on the driver surveys conducted. In addition the average percentage of SWT's population that achieved a high school education or higher is 96.5%. With this percentage it can be assumed that literacy rates are at a high level whether English or in a native language. That being said, if SWT were to translate documents it would be an effective practice.
 - D. Whether LEP persons are underserved by the recipient due to language barriers
 - At this point in time, it does not appear that LEP persons are not underserved due to language barriers.
- 2. The frequency with which LEP persons come in contact with SWT programs, activities or services.**
- SWT 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. **Exhibit E** includes the driver and customer service representative surveys. **Exhibit F** contains the log to record inquiries for requests for interpreters and requests for translated SWT documents.
 - SWT surveyed its drivers/supervisors (receiving 43 responses) and customer service staff in 2016 with the following results: summary tables and surveys attached in **Exhibit E**. The survey was conducted in English. SW found this to be an acceptable method due to the fact that all staff is English proficient.
 - SWT conducts a rider survey annually to gauge customer satisfaction, route performance, opinions and idea, demographics, etc. From the demographics section, SW asks the question "What is your primary language?" 2019/2021 answers show that 93.81% chose English, 1.35% chose Hindi, 1.19% chose Spanish and all other responses were under 1% of ridership.
- 3. The nature and importance of programs, activities or services provided by SWT to the LEP population.**
- SWT offers several programs for the LEP population always trying to be inclusive of all individuals including:
 - o A new how to ride program that is in conjunction with the three cities police departments.
 - o Working with the three cities' outreach departments hold listening sessions to make communication and riding the bus easier.
 - o Holds rider focus groups.

- Hold customer experience meetings
- Hold listening sessions at the park and ride facilities attended by, at a minimum, the CEO and COO of SWT.
- Meet with the Hispanic community sharing programs and listening for new ideas.
- Provides a Job Seekers pass to those who need it.
- All of these attempts tries to be inclusive of the various communities because SWT wants them to ride its service.

4. The resources available to SouthWest Transit and overall cost to provide LEP assistance.

- SWT has resources that will be used for providing LEP assistance with no limitation, and has determined that it could afford a professional interpreter and translation service. To this point in time, that service has not been required.
- The amount of staff and driver training that might be needed was also considered. Based on the four-factor analysis, SWT developed its LEP Plan as outlined in the following section.

Limited English Proficiency (LEP) Plan Outline

SWT will provide assistance to LEP persons who utilize SW transit services upon request. SWT is unable to tell if an individual needs assistance unless asked. However, if it helps the situation in the conversation, SWT will contact an interpreter to bridge the language gap. Currently, SWT has limited staff as well as the ability to contact a language interpreter in Spanish. For LEP populations that are not Spanish speakers, interpreter services such as Language Line are accessible. This service is available by request through the customer services desk. Other languages in the SWT geographical area appear to have a strong English as a Second Language (ESL) skills.

Language Assistance Measures

Although there is a very low percentage in the SWT Service Area of LEP individuals, that is, persons who speak English “not well” or “not at all”, SWT will ensure that the following measures are in place:

- SWT Title VI Policy and Limited English Proficiency Plan will be posted on the agency website at www.swtransit.org/about/Commitment-to-Fairness.
- When an interpreter is needed in person or on the telephone, staff will attempt to determine what language is required and then 1) see if there is a staffer internally who can assist in the interpretation; if that does not work, 2) access a language assistance person or program such as Language Line. That means a person or program that SWT, through its outreach efforts have identified, would be contacted/used in an effort to make the communication as easy as possible.

Staff Training

The following training will be provided to SWT staff that is directly involved with the transit services:

- Information on SWT’s Title VI Policy and LEP responsibilities.

- Description of language assistance services offered to the public.
- Documentation of language assistance (including Language Line use) and document translation requests via **Exhibit F**.
- How to handle a potential Title VI/LEP complaint.

Outreach Techniques

Due to the small local LEP population, the SouthWest Transit-initiated outreach activities are expected to be minimal, but the following procedure will be utilized as the need arises:

- When the staff prepares a document or schedules a meeting for which the target audience is expected to consist of at least 33 percent LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

Monitoring and Updating the LEP Plan

SWT will update the LEP as required by U.S. DOT. At a minimum, the plan will be reviewed and updated when data from the 2022 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the SouthWest Transit service area. SWT will look for additional mid census data to ensure that if the Safe Harbor threshold is met, then the required steps will take place. If no thresholds are met within a three year times span then SWT will maintain the schedule of updating the plan every three years.

Dissemination of the SWT LEP Plan

A link to the SouthWest Transit LEP Plan and the Title VI Plan will be included on the SWT website, www.swtransit.org/about/Commitment-to-Fairness. Any person or agency with internet access will be able to access and download the plan from the SWT website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, email, or in person, and shall be provided a copy of the plan at no cost. LEP individuals may request a copy of the plan in translation which SWT will provide. Questions or comments regarding the LEP Plan may be submitted to SWT as follows:

Erik Hansen
Chief Executive Officer
SouthWest Transit
14405 W. 62nd St.
Eden Prairie, MN 55346