

Limited English Proficiency Plan

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Introduction

Most individuals in the United States read, write, speak and understand English. However, there are many individuals whose primary language is not English. Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English can be limited English proficient, or “LEP.” This language barrier may prevent individuals from accessing services and benefits.

There are two pieces of legislation that provide the foundation for the development of an LEP plan: Title VI of the Civil Rights Act of 1964, and Executive Order 13166. In some circumstances, failure to ensure that LEP persons can effectively participate in federally assisted programs may constitute discrimination based on national origin under Title VI. In order to comply with Title VI, agencies should take reasonable actions for competent language assistance. Executive Order 13166 clarifies requirements for LEP persons under Title VI. The Executive Order requires the agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services.

Four Factor Analysis

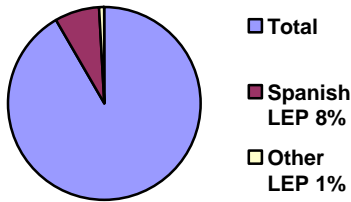
The U. S. Department of Transportation (DOT) issued its *Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (LEP) Persons* [Federal Register: December 14, 2005 (Volume 70, Number 239)]. This policy states that DOT recipients are required to take reasonable steps to ensure meaningful access to programs by LEP persons. This coverage extends to the recipient’s entire program. There are four factors for agencies to consider when assessing language needs and determining what steps they should take to ensure access for LEP persons: 1) The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity or service of the recipient; 2) The frequency with which LEP individuals come in contact with the program; 3) The nature and importance of the program, activity or service provided by the recipient to people’s lives; and 4) The resources available to the recipient and costs. A brief description of the self-assessment undertaken in each of these areas follows.

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity or service.

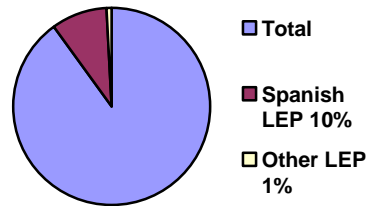
Spanish speakers are the primary LEP persons likely to be encountered by Sun Tran and Sun Van. For Pima County, the Census 2000 information shows that the total population is 843,700. Spanish is spoken by 179,600 people, or 23% of the population. Of those who speak Spanish, 65,100 people (36%) reported speaking English less than “very well.” These Spanish-speaking LEP persons comprise 8% of the total population of Pima County. Other languages spoken were a much smaller proportion of the total population of Pima County (3.5%), and those who identified themselves as LEP persons in these other languages comprise only 1.2% of the total population of Pima County. The 2005 American Community Survey (ACS) for Tucson (conducted by the US Census Bureau) also indicates that Spanish speaking LEP persons are most likely to be encountered, comprising 86% of LEP persons in the City of Tucson, and 10% of the total population.

The following charts illustrate the percentage of Spanish-speaking LEP persons in both Pima County and the City of Tucson.

Pima County Population (2000 Census)



City of Tucson Population (2005 ACS)



2. The frequency with which LEP individuals come in contact with the program.

Sun Tran and Sun Van assess the frequency at which staff has or could possibly have contact with LEP persons. This includes examining census data, phone inquiries, requests for translated documents, and staff feedback. As discussed above, census data indicate that there is a fairly large percentage (10%) of the general population of Tucson who are Spanish-speaking LEP persons. As a public transportation provider, it is necessary to recognize this segment of the general population. Phone inquiries and staff feedback also indicate that Spanish-speaking LEP persons have regular contact with the service.

3. The nature and importance of the program, activity or service provided by the recipient to people's lives.

Public transportation is vital to many people's lives. According to the Department of Transportation's *Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient (LEP) Persons*, "Providing public transportation access to LEP persons is crucial. An LEP person's inability to utilize effectively public transportation may adversely affect his or her ability to obtain health care, or education, or access to employment." **The 2000 Census data for Tucson indicates that 19% of those who take public transportation to work are LEP, further illustrating the importance of the service provided by Sun Tran and Sun Van to LEP persons.**

4. The resources available to the recipient and costs.

Sun Tran and Sun Van assessed their available resources that could be used to provide language assistance. This included identifying bilingual staff, reviewing an existing contract for professional translation services, determining which documents should be translated, and deciding what level of staff training is needed.

After analyzing the four factors outlined in U. S. DOT policy guidance, Sun Tran and Sun Van developed the following plan for providing language assistance to LEP persons.

Components of the Plan

There are five areas that comprise Sun Tran and Sun Van's LEP plan:

1. Identifying LEP individuals who need language assistance
2. Language assistance measures
3. Training staff
4. Providing notice to LEP persons
5. Monitoring and updating the LEP plan

Identifying LEP individuals who need language assistance

As stated above, the Census 2000 and American Community Survey data show that Spanish-speaking LEP persons are the primary group requiring language assistance. This information can also be used to identify concentrations of LEP persons within the service area. There are nine zip code areas with a higher percentage of LEP persons than the overall Tucson population: 85701, 85705, 85706, 85711, 85713, 85714, 85736, 85745 and 85746.

Higher percentages of LEP persons can also be identified more accurately by census tracts. A system map indicating census tracts containing high percentages of LEP persons can be found in Appendix A. In general, there are higher populations of LEP persons on the south and west sides of the city of Tucson, and specifically in the area located between I-10 and I-19. Identifying concentrations of LEP persons helps to ensure that they receive the necessary language assistance measures.

There are also several measures that can be taken to identify individual persons who may need language assistance:

- When open houses or public meetings are held, set up a sign-in table, and have a staff member greet and briefly speak to each attendee, in order to informally gauge his/her ability to speak and understand English.
- Have the Census Bureau's "I Speak Cards" at various events. While staff may not be able to provide translation assistance at the time, the cards are an excellent tool to identify language needs for future events/meetings.
- Post a notice of available language assistance at open houses/public meetings to encourage LEP persons to self-identify.

Language assistance measures

There are several language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which Sun Tran and Sun Van staff respond to LEP persons, whether in person, by telephone or in writing.

Sun Tran

Sun Tran oral language services include bilingual Customer Service Representatives in both the phone center and at all transit centers, as well as at community presentations and events. Bilingual staff are evenly distributed between the phone center and transit centers, and between all the centers there is at least one bilingual person on staff at all times. Bilingual Customer Service Representatives are available upon request for a variety of presentations and events, and as a rule, Spanish-speaking staff should be on hand at public meetings or open houses intended for gathering public input. There are many bilingual coach operators as well. Spanish-language advertising is also used to promote new and improved bus services.

In addition to these oral language services, several written language services are available. Documents that are determined to be vital are translated into Spanish. Vital documents are defined as those documents without which a person would be unable to access services. The following are written communications that are printed in both Spanish and English:

- The *Ride Guide*
- Temporary signs at bus stops and transit centers informing customers of any detours or route changes
- Strip cards containing information about route changes, detours and rider alerts
- Interior bus posters and stickers displaying safety or system information
- Fare cards on fare boxes
- *Accessible Bus Service*, *Ready Set Ride*, and *Your Route to Independence* brochures
- Onboard surveys
- Pass disclaimers

There are several measures in place to respond to LEP individuals (Appendix B). Coach operators, who are the most direct point of contact for LEP persons, have several methods to respond to an LEP individual. Many coach operators are bilingual; however, if the coach operator is not bilingual, they are instructed to ask for assistance from a bilingual passenger. In the few cases where there is no one on the bus who can offer language assistance, the coach operator contacts dispatch, and a supervisor is sent to the bus to assist.

Spanish speaking callers are directed to a bilingual Customer Service Representative, and bilingual Customer Service Representatives are also available to respond to any correspondence in Spanish. Customer Service Representatives also serve as a primary in-person contact for LEP persons. They are present at special events, community functions, school presentations and other locations upon request. The need for a bilingual Customer Service Representative is determined by the venue, the area, and the subject of the event. The person submitting the request for the event can also indicate if there will be Spanish speaking people in attendance, and can request a bilingual Customer Service Representative.

Customer Service Representatives are also responsible for recording complaints and forwarding them to the appropriate department. They ensure that complaints from LEP persons that could be considered national origin discrimination are forwarded to the person designated to handle all Title VI complaints.

To ensure that bilingual staff are competent, they must demonstrate proficiency and the ability to communicate information accurately in both English and Spanish. Proficiency is determined by the Customer Service Center and Transit Center Supervisors. To ensure the competency of translation services, a bilingual Marketing Department staff member translates simple information and instructions, while Alfonso Valenzuela of Cross Currents International is contracted to professionally translate more complex and lengthy information, such as the *Ride Guide*.

Sun Van

Sun Van oral language services include bilingual representatives for the reservation line, which serves as the primary contact with customers, as well as bilingual staff in the dispatch center, including bilingual Supervisors. Between these two centers there is at least one bilingual person on staff at all times. Sun Van also has several bilingual vehicle operators.

In addition to these oral language services, several written language services are available. The following are written communications that are printed in both Spanish and English:

- The *User's Guide*
- ADA Paratransit Eligibility application
- Interior van posters and stickers displaying vital information, such as safety information

- Brochures with information about accessibility and general riding

There are several measures in place to respond to LEP individuals (Appendix C). Vehicle operators, who are the primary in-person contact for LEP persons, have several methods to respond to an LEP individual. Many vehicle operators are bilingual; however, if the vehicle operator is not bilingual, they can contact dispatch for radio assistance with a Spanish-speaking passenger. They can also request a bilingual supervisor or vehicle operator to be sent for further assistance.

Spanish speaking callers are directed to a bilingual Customer Service Representative. Any written correspondence in Spanish is translated by an Operations supervisor or the System Administrator and given to the appropriate manager/supervisor; their response is then translated into Spanish.

To ensure that bilingual staff are competent, they must demonstrate proficiency and the ability to communicate information accurately in both English and Spanish. Proficiency is determined by the Director of Human Resources. While there is a limited need for translation services, Sun Van will utilize a professional translator with Cross Currents International as needed.

Training Staff

It is important that staff members, especially those having contact with the public, know their obligation to provide meaningful access to information and services for LEP persons. Even staff members who do not interact regularly with LEP persons should be aware of and understand the LEP plan. Properly training staff is a key element in the effective implementation of the LEP plan.

Sun Tran

There are four primary groups of staff members who are critical to the LEP plan: coach operators, Customer Service Representatives, department directors and Marketing staff. Coach operators have the most frequent contact with LEP persons, through daily interaction with passengers. Customer Service Representatives also have frequent contact with LEP persons, either in-person or by telephone. These two groups are most likely to encounter LEP persons and thus to provide language assistance. LEP training for both of these groups occurs during their initial departmental training. Additionally, this training is included in an annual safety meeting held for all coach operators. Training topics for these two groups include:

- Understanding the Title VI LEP responsibilities
- What language assistance services Sun Tran offers
- Specific procedures to be followed when encountering an LEP person

Department directors, including the General Manager and Assistant General Managers, are also crucial in implementing LEP policy. Copies of the LEP plan are distributed to all department directors, the General Manager and the Assistant General Managers, and it is their responsibility to disseminate LEP plan information to appropriate administrative staff. Department directors should ensure staff understand Title VI responsibilities. A summary of the LEP plan is included in the employee handbook, and is addressed during new employee orientation.

The Marketing department staff are another key element in the implementation of the LEP plan. They produce nearly all written forms of communication to the customer base and community, and are instrumental in ensuring that the LEP plan is followed. Copies of the LEP plan are distributed to all Marketing staff to assure that written communications adhere to the LEP plan guidelines.

Sun Van

There are three primary groups of staff members who are critical to the LEP plan: vehicle operators, Customer Service Representatives, and department directors. Vehicle operators have the most frequent contact with LEP persons, through daily interaction with passengers. Customer Service Representatives also have frequent contact with LEP persons, through the telephone reservation line. These two groups are most likely to encounter LEP persons and thus to provide language assistance. LEP training for both of these groups occurs during their initial departmental training. Training topics for these two groups include:

- Understanding the Title VI LEP responsibilities
- What language assistance services Sun Van offers
- Specific procedures to be followed when encountering an LEP person

Department directors, including the General Manager and Assistant General Manager, are also crucial in implementing LEP policy. Copies of the LEP plan are distributed to all department directors, the General Manager and the Assistant General Manager, and it is their responsibility to disseminate LEP plan information to appropriate administrative staff. Department directors should ensure staff understand Title VI responsibilities. A summary of the LEP plan is included in the employee handbook, and is addressed during new employee orientation.

Providing notice to LEP persons

There are several ways that Sun Tran and Sun Van provide notice to LEP persons that language assistance measures are available, through both oral and written communications:

- Both the Sun Tran Customer Service Center and the Sun Van Reservation line use an automated greeting in both Spanish and English, directing callers to select which language they prefer
- The *Ride Guide* cover provides the title and dates in both Spanish and English, indicating that the publication is accessible to Spanish speakers
- Other documents, including public meeting notices and open house announcements should include a tagline affirming that Sun Tran or Sun Van will make reasonable accommodations to translate any materials into Spanish, or to provide an interpreter
- A statement on the Sun Tran and Sun Van websites indicating that language assistance is available

Monitoring and updating the LEP plan

This plan is designed to be flexible, and should be viewed as a work in progress. As such, it is important to consider whether new documents and services need to be made accessible for LEP persons, and also to monitor changes in demographics and types of services, and to update the LEP plan when appropriate. At a minimum, Sun Tran and Sun Van will follow the Title VI Program update schedule for the LEP plan. Each update should examine the following:

- How many LEP persons were encountered?
- Is the existing language assistance meeting the needs of LEP persons?
- What is the current LEP population in Pima County and Tucson?
- Has there been a change in the types of languages where services are needed?

- Have available resources, such as technology, staff and finances changed?
- Were any complaints received?
- Do staff members understand the LEP plan policies and procedures?

There are several methods that can be used to assist in answering these questions. One method is to review customer comments and complaints to determine if services are accessible to Spanish speakers. Feedback from the LEP community will be sought through community outreach events and presentations to determine the effectiveness of the plan in reaching LEP persons. Special consideration will be given to the LEP plan when service enhancements funded through the Regional Transportation Authority (RTA) are implemented, to ensure that LEP persons are aware of these services. Census data will also be reviewed as it becomes available to determine changes in the LEP population.

Future considerations for the LEP plan include:

- Providing all or part of the website in Spanish
- Translating other brochures (Bike and Ride) into Spanish
- Providing group travel training to LEP persons by working with bilingual staff

This plan outlines five key areas of an effective LEP strategy: Identifying LEP individuals who need language assistance, primarily through Census data; Language assistance measures, including written and oral language services, and responding to LEP persons on the telephone, in writing and in person; Training staff, including coach operators, customer service representatives and management employees; Providing notice to LEP persons through both oral and written communications; and Monitoring and updating the LEP plan through a variety of means.

Dissemination of the Limited English Proficiency Plan

Sun Tran will post the LEP Plan on its website at www.suntran.com. Sun Van will post the LEP Plan on its website at www.sunvan.com. Copies of the plan will be provided to any person or agency requesting a copy. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to:

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