

City Utilities Limited English Proficiency Plan



**City Utilities of Springfield
Transit Services**

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Introduction

Excerpted from “Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers” as prepared by The Federal Transit Administration Office of Civil Rights, dated April 13, 2007.

“Individuals, who have a limited ability to read, write, speak, or understand English are limited English proficient or “LEP.” According to the 2000 U.S. Census, more than 10 million people reported that they do not speak English at all, or do not speak English well. The number of persons reporting that they do not speak English at all or do not speak English well grew by 65 percent from 1990 to 2000. Among limited English speakers, Spanish is the language most frequently spoken, followed by Chinese (Cantonese or Mandarin), Vietnamese, and Korean (page 4).

“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 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 prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination (page 5).

“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 (Pages 5-6).

“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) and that recipients should use DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are LEP (page 6).

“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 subrecipients develop a language implementation plan consistent with the provisions of Section VII of the DOT LEP guidance (page 6).”

Four Factor Analyses:

Factor 1: The number or proportion of LEP persons eligible to be served or likely to encounter a City Utilities Transit program, activity, or service.

A review of the census data on the numbers of limited English proficient or LEP persons revealed that Spanish had the highest percentage of total population 5 years and over that spoke a language other than English at home in Springfield, Missouri. Total Spanish speaking population in Springfield was only 3,204 or 2.2% of 142,875 the total population of Springfield. (See U.S. 2000 Census Bureau Data) The number of Spanish speaking LEP individuals that spoke English “not well” or “not at all” was less than half a percent or .39%. The total linguistically isolated households in Springfield were 502 LEP persons or .35% of the total population.

City Utilities Transit and the Ozarks Transportation Organization (OTO) has had very limited contact with LEP persons. In recent history, there has been no contact at meetings, through Board or Committee members, through phone contact, or by personal visit. Website access by LEP persons is unknown. OTO did, however, conduct an on-board passenger survey of the City Utilities Transit System in 2006. A total of 815 surveys were returned. Spanish translated surveys were available for Spanish speaking persons to complete. Of the 815 returned surveys, 5 were completed in Spanish.

The OTO includes the jurisdictions of Christian and Greene Counties, and the cities of Battlefield, Nixa, Ozark, Republic, Springfield, Strafford and Willard. According to the U.S. Census, in 2000, the OTO service area population was 257,738. City Utilities Transit only serves the city of Springfield and not the entire OTO study area for Greene County.

U.S. Census Bureau information from the 2000 Census was used in the analysis of CU and OTO’s LEP persons. Table QT-P17 provided the majority of information in this analysis. OTO staff attempted to gain more recent data from the American Community Survey, but the sample size was too small for any data to be available. Table 1 shows a summary of the Census 2000 data.

	Greene County within OTO Study Area – includes Springfield	Christian County within OTO Study Area	Total OTO Study Area
Number of Non-English Indo-European Language Speaking Persons 5+ Years of Age who Speak English Less than “Very Well”	572	91	663
Number of Spanish Speaking Persons 5+ Years of Age who Speak English Less than “Very Well”	1,448	196	1,644

Number of All Persons 5+ Years of Age who Speak English Less than “Very Well”	2,838	319	3,157
Percentage of Non-English Indo-European Language Speaking Persons 5+ Years of Age who Speak English Less than “Very Well”	0.26%	0.21%	0.25%
Percentage of Spanish Speaking Persons 5+ Years of Age who Speak English Less than “Very Well”	0.65%	0.46%	0.62%
Percentage of All Persons 5+ Years of Age who Speak English Less than “Very Well”	1.28%	0.75%	1.19%
Number of Persons 5+ Years of Age	222,461	42,332	264,793
Source: U.S. Census Bureau, 2000 Census			

Factor 2: The frequency with which LEP individuals come in contact with a City Utilities Transit program, activity, or service.

Per the 2000 census data, Springfield, Missouri does not have a large LEP population and has not had the requests for services in another language other than English. City Utilities Transit and the Ozarks Transportation Organization (OTO) have been providing some information in Spanish such as surveys, bus fares, security surveillance information on the buses, and providing an interpreter if needed.

Factor 3: The nature and importance of the program, activity, or service provided by City Utilities Transit and the OTO to the LEP Community.

Data was gathered from the following sources to identify information on persons who do speak languages other than English at home and who speaks it less than well or not at all and would be classified as limited English proficient or “LEP”:

- a. 2000 Census Data.
- b. Census Bureau’s American Community Survey and Fact Finder Surveys.
- b. Missouri Census Data Center population estimates for Missouri, April 1, 2000 and July 1, 2005 by Major Race Categories and Hispanic by Sex by CBSA Springfield, MO Metropolitan Area, Greene County, and State of Missouri.
- c. Department of Labor LEP Special Tabulation website.
- d. Metropolitan Planning Organization – Ozarks Transportation Organization (OTO) Limited English Proficiency Plan, Surveys and GIS maps. (See Appendix A)

City Utilities Transit and the Ozarks Transportation Area (OTO)’s outreach and marketing initiatives have yielded a list of community organizations that service populations with limited English proficiency. The following list of community organizations, school systems, the city of Springfield, religious organizations that were contacted by CU Transit and the OTO to assist in gathering information and see what services are most frequently sought by the LEP population: (See Appendix B for complete list.)

- a. Area Public and Private Schools

- b. City of Springfield
- c. Non-Profits, such as Grupo Latino Americano, Hand in Hand Ministries, and Sisters Cities.
- d. Churches, such as St. Agnes Catholic Church – Spanish Mass, United Methodist Hispanic Ministry and Assemblies of God Headquarters – Worldwide Missions.
- e. Education, such as Missouri State University, Ozarks Technical College, Latin American Theological Seminary, and Latin America Library Services.
- f. Outreach services, such as Missouri State University’s International Student Day and Ozarks Technical College’s Hand in Hand Ministries/Multicultural Centers 3 V’s Community Health Celebration.

Factor 4: The resources available to City Utilities Transit and overall costs.

A review of City Utilities relevant programs, activities and services that are being offered are the following:

- a. City Utilities website can convert all Transit information to Spanish or French.
- b. Participated in Missouri State University’s International Student Day in 2008, 2009 and 2010.
- c. Participated in the Hand in Hand Ministries / Multicultural Center’s 3 V’s Community Health Celebration at Ozarks Technical College – 2007, 2008, and 2009.
- d. Participate in Missouri State University’s annual “Meet the Ozark’s Day” for all its students.
- e. A Spanish speaking translator is available upon request during normal business hours.
- f. Bus Fares are posted both in English and Spanish on all the buses.
- g. Security Surveillance Camera information is posted in both English and Spanish on all the buses and at the Bus Transfer Station.
- h. Bus schedules will be made available in Spanish and French upon request.
- i. Bus Operators have been given the opportunity to take Spanish classes at Ozarks Technical College and provided a Spanish Translation Handbook.
- j. Transit surveys conducted by OTO were available in Spanish.
- k. Posting LEP information on City Utilities website.

City Utilities will identify what programs or activities that would have serious consequences to individuals if language barriers prevented a person from benefiting from the activity. By contacting the community organizations that serve LEP persons, as well as contact with LEP persons themselves, City Utilities should provide information on the modes or types of services that is important to the LED population. CU will have to evaluate the projected financial resources and personnel needed to provide the LEP assistance requested by the LEP persons and organizations.

Plan for Assisting Persons of Limited English Proficiency

How to Identify an LEP Person who Needs Language Assistance

Below are tools to help identify persons who may need language assistance:

- Examine requests for language assistance for bus scheduling information.
- Examine records requests for language assistance from past public notice meetings and events to anticipate the possible need for assistance at upcoming public meetings;

- Though language needs may not be met at the current meeting, an inventory of those needs will help staff plan for language needs at a future meeting.
- Post a notice of available language assistance in the City Utilities Transit reception area.

Language Assistance Measures

When an interpreter is needed, in person or on the telephone, first it should be determined what language is required. CU staff has a Spanish and Chinese interpreter available during normal business hours. If staff is not available, then there are several resources for interpreters in the region. OTO has received confirmation from Grupo Latinoamericano that they can provide a Spanish interpreter and CU staff can also do Spanish and Chinese interpreting.

Relay Missouri offers Spanish Relay service. Relay users can type in Spanish and the conversations will be relayed in Spanish. Voice users can speak Spanish to the relay user. Spanish to English Translation is offered. Users must dial 1-800-548-8317 (TTY/ASCII/Voice).

As for document translation, CU staff in Facilities Management has volunteered to help with all Spanish Transit translation requests. There are a number of Universities and Colleges in Springfield, Missouri that have foreign language departments. These could also be used as a resource if need be. Currently CU Transit has translated most of our forms and schedules to Spanish. The CU website may be translated into either Spanish or French using the translation icon located at the bottom left corner of the website. Outside of these measures, CU and the OTO have limited resources and will, to the extent possible, ensure LEP individuals have the opportunity to participate.

City Utilities Staff Training

All CU Transit staff will be provided with the LEP plan and will be educated on procedures and services available. This information will also be part of the CU staff orientation process for new hires. Training topics include:

- Understanding the Title VI LEP program responsibilities;
- What language assistance CU Transit offers;
- How to access an interpreter;
- Documentation of language assistance requests;
- How to handle a complaint;
- The importance of educating CU Transit staff on CU's LEP program responsibilities and their obligation to provide language assistance.

Providing Notice of Available Language Service to LEP Persons

- Post signs that language assistance is available in public areas such as the CU Transit lobby area.

Outreach Techniques

- 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 in a geographic location with a known concentration of LEP persons, have meeting notices, fliers, advertisements, and agendas

contain a notice, in Spanish, of language service availability with notification in advance of the meeting.

- When running a general public meeting notice, staff should insert “Si usted necesita la ayuda de un traductor del idioma español, por favor comuníquese con la Diane Gallion al teléfono (417) 831-8368, cuando menos 48 horas antes de la junta,” which asks persons who need Spanish language assistance to make arrangements with CU Transit within two days of the publication notice.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, CU Transit will follow the Title VI program update schedule for the LEP plan.

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 the Springfield city limits?
- 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 CU Transit programs? Are there other programs that should be included?
- Has CU Transit’s available resources, such as technology, staff, and financial costs, changed?
- Has CU Transit fulfilled the goals of the LEP plan?
- Were there any complaints received?

Dissemination of the CU Transit Limited English Proficiency Plan

CU Transit will post the LEP plan on its website at www.cityutilities.net/transit/transit.htm. 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. For those without personal internet access, all Greene County Libraries offer free internet access. Copies of the LEP plan will be provided to the Federal Transit Administration and any person or agency requesting a copy. An LEP person may obtain copies of the plan upon request. Any questions or comments regarding this plan should be directed to the CU Transit Title VI Coordinator:

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