

Milan Seniors for Healthy Living Policy

12.04.01-08.19

Title VI. LIMITED ENGLISH PROFICIENCY (LEP)

Introduction

The purpose of this Limited English Proficiency (LEP) 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. In accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq.**, implementing regulations provide no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity receiving federal financial assistance.

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). Executive Order 13166 applies to all federal agencies and all programs and operations of entities receiving funding from the federal government, including state agencies, local agencies, governments, private and non-profit entities, and sub-recipients.

Plan Summary

MSHL has developed this Limited English Proficiency Plan (LEP Plan) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to MSHL transportation service 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 MSHL's extent of obligation to provide LEP services, MSHL undertook the U.S. Department of Transportation's **four factor LEP analysis**.

Four Factor Analysis

1. The number or proportion of LEP persons eligible in MSHL's transportation service area who may be served or likely to encounter a MSHL program, activity, or service that receives federal funding

Milan Seniors for Healthy Living examined data from the 2010 Census report which reported a total population for the 48160 zip code, (this is the greater Milan area and the target population of our transportation service) of 14,925. Of this total population 3.8% speak a language other than English at home. All of which declared to speak English "very well".

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

MSHL assessed the frequency at which staff and drivers have or could possibly have contact with LEP persons. This included documenting phone inquiries and verbally surveying drivers. MSHL's transportation service has been in existence since 2009. The staff and drivers have had very little to no contact with LEP individuals. Since 2009, MSHL has had no requests for interpreters or for translated MSHL documents.

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

The transportation service MSHL provides is critical to the lives of our transit-dependent individuals. There is no geographic concentration of any one type of LEP individuals in MSHL's service area. The overwhelming majority of the population (96.2%) speaks only English. Therefore, there is a lack of any social, service, professional and leadership organizations within MSHL's service area that focuses on outreach or membership of LEP individuals.

4. The resources available to MSHL and overall costs

MSHL 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 MSHL could partner with for outreach and translation efforts, and what level of staff training is needed.

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

LIMITED ENGLISH PROFICENCY PLAN OUTLINE

How to Identify an LEP Person who Needs Language Assistance

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

- Examine recorded requests for language assistance from past transportation service logs to anticipate the possible need for assistance;
- Encourage staff members to greet and briefly speak to each user of the transportation service. 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 on the vehicle and posted in the office. While staff may not be able to provide translation assistance at initial contact, the cards are an excellent tool to identify language needs for the future;
- Survey drivers and other first line staff on an annual basis at the beginning of each fiscal year regarding their experience on having any direct or indirect contact with LEP individuals.

Language Assistance Measures

MSHL 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 and 0% not speaking English at least “well,” and the lack of resources available in MSHL’s service area:

- Census Bureau’s “I Speak” cards are to be located at the office and on the vehicles at all times.
- Google Translate can be used for the translations of blocks of texts. This will aid MSHL staff in the interpretation of services on a one-on-one basis for LEP individuals visiting MSHL’s facility.
- When an interpreter is needed, in person or on the telephone, and MSHL’s 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.languageline.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.

MSHL Staff Training

All MSHL staff will be provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of MSHL’s staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities;
- Language assistance services MSHL offers;
- Use of LEP “I Speak” cards;
- How to access Google Translate;
- 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 (See Appendix B).

Outreach Techniques

MSHL does not have a formal practice of outreach techniques due to the lack of LEP population and resources available in the service area. However, the following are a few options that MSHL will incorporate when and/or if the need arises for LEP outreach.

- If there is prior knowledge of a client with LEP, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.
- When publishing 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 will be translated and made available at MSHL’s facility, on board vehicles and in communities when a specific and concentrated LEP population is identified.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, MSHL 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 MSHL's 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 MSHL programs? Are there other programs that should be included?;
- Have MSHL's available resources, such as technology, staff, and financial costs changed?;
- Has MSHL fulfilled the goals of the LEP Plan?; and
- Were any complaints received?

Dissemination of MSHL's Limited English Proficiency Plan

MSHL will include the LEP plan on MSHL's website (www.milanseniors.org) together with its Title VI Policy and Complaint Procedures. MSHL's Notice of Rights under Title VI to the public posted in MSHL's facility, on all MSHL transportation vehicles, and in selected printed materials also refers to the LEP Plan's availability. Copies of the LEP Plan will be provided to any person(s) requesting the document via phone, in person, by mail or email.

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

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