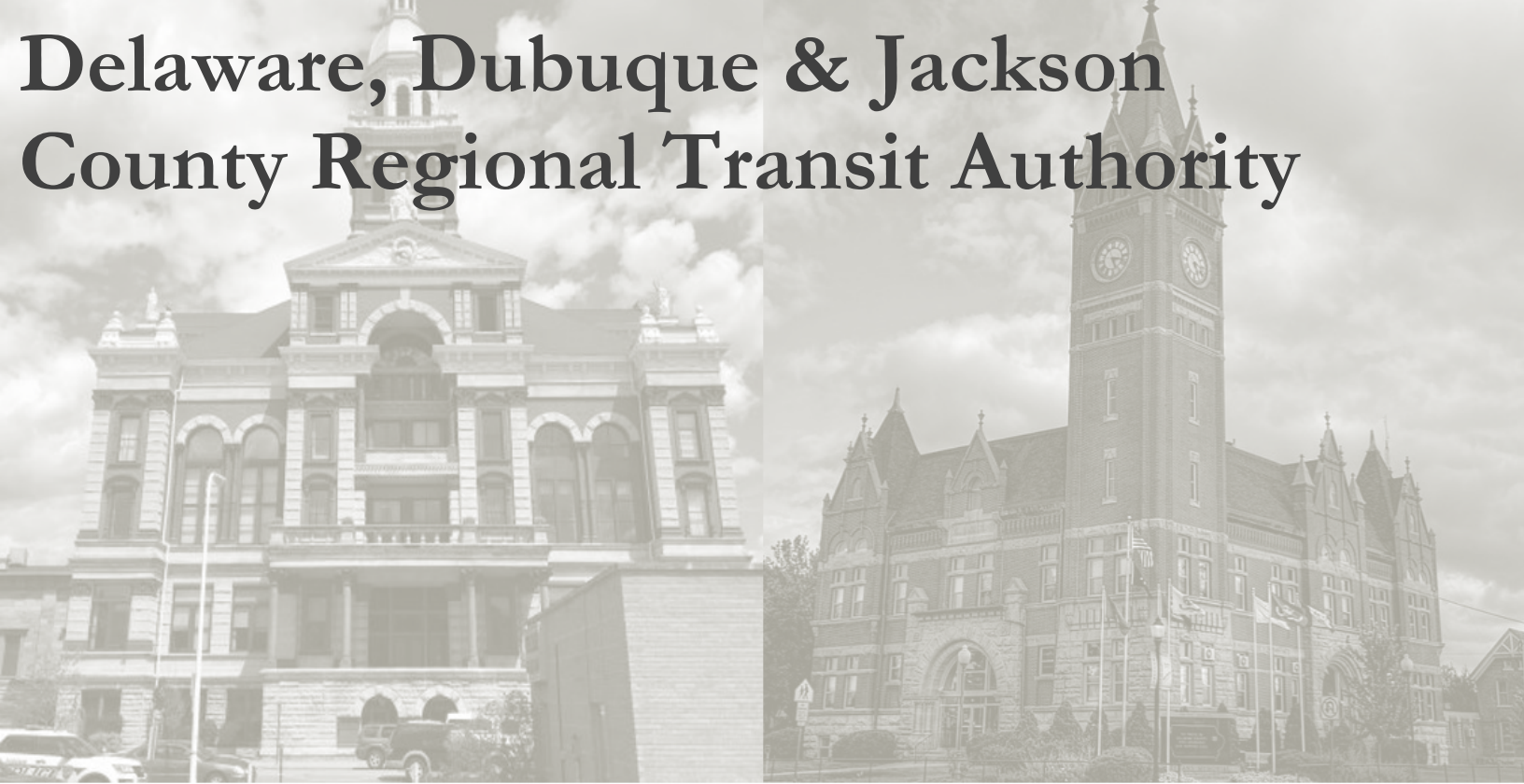


Delaware, Dubuque & Jackson County Regional Transit Authority



FY 2021 Limited English Proficiency Plan



Approved: XXXXX, 2020

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Title VI Notice to Beneficiaries

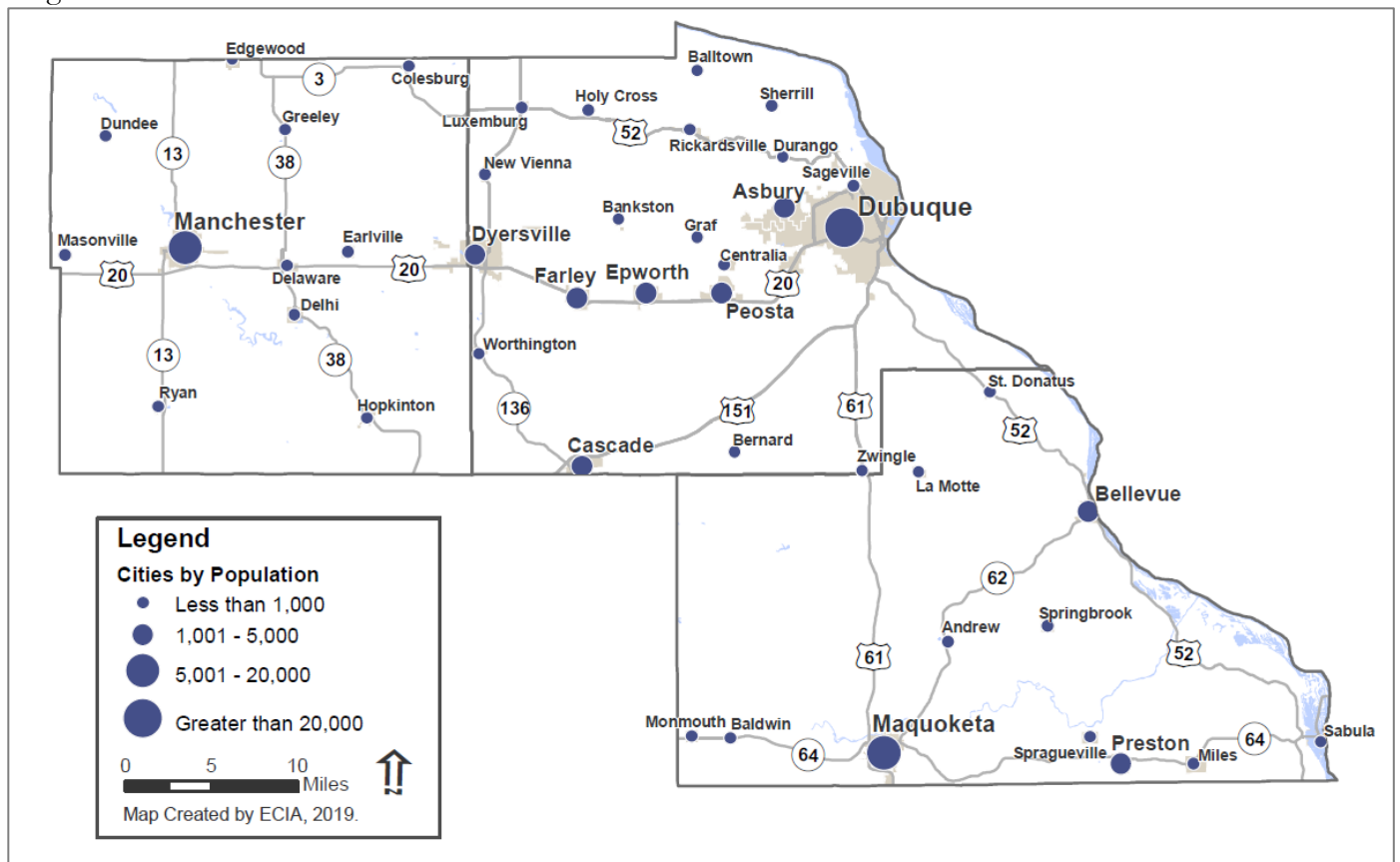
The Delaware, Dubuque and Jackson County Regional Transit Authority, also known as Regional Transit Authority 8 (RTA 8) operates its programs, services, and activities in compliance with federal nondiscrimination laws. These laws include; Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance. Related federal nondiscrimination laws administrated by the Federal Highway Administration, the Federal Transit Administration, or both prohibit discrimination on the basis of age, sex, and disability. These protected categories are contemplated within RTA 8 Title VI Program consistent with federal interpretation and administration. Additionally, RTA 8 provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with US Department of Transportation policy and guidance on federal Executive Order 13166.

THE REGIONAL TRANSIT AUTHORITY 8 AREA

Regional Transit Authority 8 (RTA 8) provides accessible, safe, convenient, and efficient transportation for all citizens in the cities, communities and rural areas of Delaware, Dubuque, and Jackson Counties to enhance their quality of life. RTA 8 vehicles are equipped to accommodate the general public, including children, the elderly, and people with disabilities. All RTA services are based on the demand of our clients and are open to the general public. (redundant)

The RTA was formed in 1982 as a 501(c)(3) non-profit organization for the purpose of connecting the elderly, disabled, youth and low income citizens in Delaware, Dubuque and Jackson counties to critical services like healthcare, counseling, nutrition, childcare, education, employment, and social venues. The RTA Corporate Board is comprised of all of the County Supervisors from Dubuque, Delaware, and Jackson Counties. The Board meets every month to review the RTA's budget and general operating policies.

Figure1: RTA 8 Service Area



BACKGROUND

As a sub-recipient of federal funds, RTA 8 is obligated to comply with *Presidential Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency*, the purpose of which is to ensure accessibility to programs and services to eligible persons who are not proficient in the English language.

Who is a LEP Individual? Individuals who do not speak English as their primary language AND who have a limited ability to read, speak, write or understand English.

Federal law: *Presidential Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency*, clarifies Title VI of the Civil Rights Act of 1964 with regards to national origin discrimination against persons with limited English proficiency.

Its purpose was to ensure accessibility to programs and services to eligible persons who are not proficient in the English language. This Executive Order states that individuals who do not speak English well and who have a limited ability to read, write, speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. It reads in part,

Each Federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities.

Presidential Executive Order 13166 also required Federal departments and agencies to develop and make available guidance on how recipients of Federal funds should assess and address the needs of LEP individuals seeking assistance. The US Department of Transportation (USDOT) developed guidance titled *Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons*.¹ This guidance was issued to ensure that persons in the United States are not excluded from participation in DOT-assisted programs and activities simply because they face challenges communicating in English.

The intent of this plan is to ensure that where substantial numbers of residents of the region exist who do not speak or read English proficiently; there will be access to RTA 8 transit services. The production of multilingual publications and documents and/or interpretation at meetings/events will be provided to the degree requested and needed, and as funding permits based on current laws and regulations.

FOUR FACTOR ANALYSES: DETERMINING THE NEED

As a sub-recipient of federal funding, RTA 8 must take reasonable steps to ensure meaningful access to the information and services it provides. In determining “reasonable steps” there are four factors to be considered:

1. Assessing the number and proportion of LEP persons served or encountered in the eligible service population.;
2. Frequency with which LEP individuals come into contact with transit programs, activities and services;
3. Assess the nature and importance of the program, activity, or service provided by the program; and
4. Assessing the resources available to the recipient and costs.

The USDOT Policy Guidance gives recipients substantial flexibility in determining what language assistance is appropriate based on a local assessment of the four factors listed above. The following is an assessment of need in the RTA 8 area in relation to the transportation planning process.

1. The number and proportion of LEP persons in the eligible service area.

RTA 8 conducts its programs and activities within Delaware, Dubuque and Jackson counties in Iowa. Staff used American Community Survey (ACS) neighborhood data to assess ability to speak English for the population 5 years of age and over.

According to 2014-2018 American Community Survey (ACS) Census data, of the population that speak another language at home, a total of about 584 (1.62% of total population) reported they speak English less than very well and are therefore considered LEP. Table 1 illustrates that, Spanish is the most common (0.93% of total population), followed by German (0.16% of total population) and Other Pacific Island languages: (0.1% of total population).

Table 1: Most Prominent Non-English Languages Spoken by LEP Population within RPA 8 area.

County	Language Spoken at Home	Speak English "Very Well"		Speak English "Less Than Very Well"	
		Estimate	Margin of Error	Estimate	Margin of Error
Delaware County	Arabic	0	(+/-)15	0	(+/-)15
	Chinese (incl. Mandarin, Cantonese)	0	(+/-)15	0	(+/-)15
	French, Haitian, or Cajun	0	(+/-)15	0	(+/-)15

	German or other West Germanic languages	107	(+/-)94	0	(+/-)15
	Korean	0	(+/-)15	5	(+/-)6
	Other and unspecified languages	14	(+/-)23	0	(+/-)15
	Other Asian and Pacific Island languages	3	(+/-)6	0	(+/-)15
	Other Indo-European languages	3	(+/-)4	10	(+/-)14
	Russian, Polish, or other Slavic languages	0	(+/-)15	0	(+/-)15
	Spanish	108	(+/-)46	55	(+/-)39
	Tagalog (incl. Filipino)	2	(+/-)3	0	(+/-)15
	Vietnamese	0	(+/-)15	4	(+/-)7
Dubuque County - City of Dubuque*	Arabic	42	-	0	-
	Chinese (incl. Mandarin, Cantonese)	21	-	18	-
	French, Haitian, or Cajun	34	-	13	-
	German or other West Germanic languages	87	-	34	-
	Korean	0	-	13	-
	Other and unspecified languages	10	-	12	-
	Other Asian and Pacific Island languages	97	-	17	-
	Other Indo-European languages	36	-	14	-
	Russian, Polish, or other Slavic languages	5	-	10	-
	Spanish	452	-	240	-
Jackson County	Tagalog (incl. Filipino)	4	-	25	-
	Vietnamese	0	-	3	-
	Arabic	0	(+/-)15	0	(+/-)15
	Chinese (incl. Mandarin, Cantonese)	0	(+/-)15	0	(+/-)15
	French, Haitian, or Cajun	0	(+/-)15	0	(+/-)15
	German or other West Germanic languages	39	(+/-)25	23	(+/-)28
	Korean	0	(+/-)15	0	(+/-)15
	Other and unspecified languages	0	(+/-)15	0	(+/-)15
	Other Asian and Pacific Island languages	16	(+/-)30	18	(+/-)10
	Other Indo-European languages	0	(+/-)15	0	(+/-)15
	Russian, Polish, or other Slavic languages	3	(+/-)5	1	(+/-)3
	Spanish	83	(+/-)51	39	(+/-)40
	Tagalog (incl. Filipino)	3	(+/-)6	30	(+/-)34
	Vietnamese	0	(+/-)15	0	(+/-)15

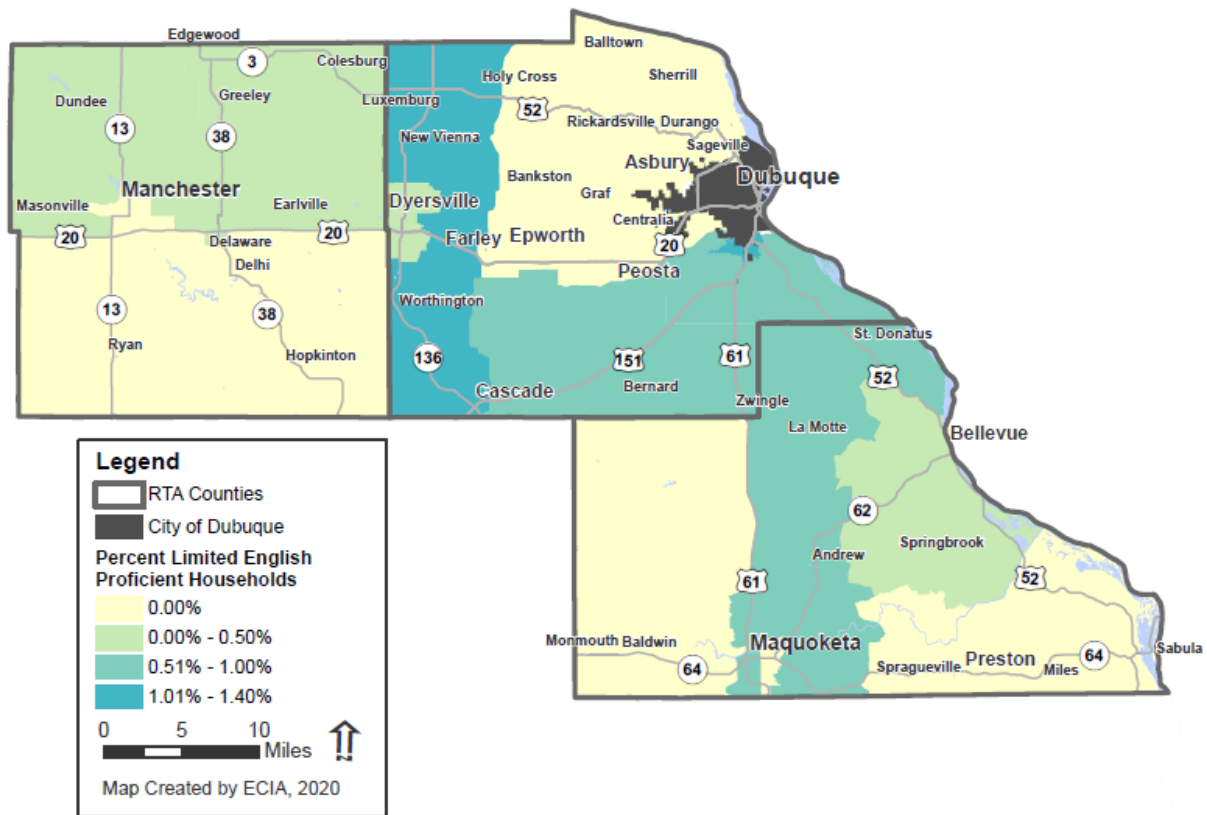
Source: U.S. Census Bureau, American Community Survey (ACS) 2018 5-Year Estimates 2014-2018.

*To calculate values for Dubuque County, City of Dubuque values were subtracted from the county total. Margin of error estimates are not provided for calculated values.

The languages identified in Table 1 are all the Safe Harbor Provision languages determined by United States Department of Justice (USDOJ) and adopted by USDOT civil rights program practices. The Safe Harbor Provision addresses the provision of written translation of vital documents for each 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. The data does show the RTA does not have eligible LEP language group that constitutes five percent (5%) or 1,000 persons.

Figure 2 provides the highest concentrations of LEP populations within RTA 8 area.

Figure : 2 RTA 8s Limited English Proficient Population



Source: U.S. Census Bureau, American Community Survey (ACS) 2018 5-Year Estimates 2014-2018.

Scale 1:700,000

RTA 8 has developed a working relationship with the Multicultural Center, Lantern Center and Crescent Community Health Center in Dubuque, Community Services in Delaware County and Operation New View in Jackson County. All of these organizations provide service to the LEP population. RTA 8 will work with organizations and entities to reach out to LEP persons and provide transit information.

2. Frequency with which LEP individuals come into contact with transit programs

To date, RTA 8 staff has never received a request for language assistance services, such as a request for translation services at a meeting or a request to have a document translated. RTA 8 staff are housed within ECIA and less than 5% of the RTA 8 area population are non-English speaking. The growing minority and LEP population in the RTA 8 area increase the probability of future contact with the RTA.

Agendas for all RTA 8 Policy Board meetings include a notice about the availability of an interpreter or materials in alternative formats if requested 48 hours in advance of the meeting. The RTA 8 has not had a request for interpreter services at any of its meetings and planning process.

3. Assess the nature and importance of the program, activity, or service provided by the program

RTA 8 uses Federal Transit Authority (FTA) funds and provides demand response transportation. The RTA services are discussed with the Transit Action Groups (TAG); Chamber of Commerce, Economic Development agencies and other entities in the service area. RTA evaluates services annually to determine whether limited English is a barrier to using these services. RTA recognizes that limited English is a barrier and has consequences for the individual using RTA services to obtaining health care, education and/or employment.

4. Assessing the resources available to the recipient and costs

While the cost of translating transportation plans is high, RTA 8 will continue to monitor and adjust its resources as necessary to respond to LEP population needs. Furthermore, RTA 8 will make efforts to partner with state, local agencies, cities, and towns with large LEP populations, to provide language translation and interpretation services when needed for agency lead hearings or public workshops.

The RTA will seek to identify any existing Spanish outreach materials from organizations such as federal, state, and local transportation agencies that can be effectively used as outreach tools to these communities. The RTA will also expand efforts to collaborate with state and local agencies and educational facilities to provide language translation and interpretation services when practical, in consideration of funding limitations.

MEETING THE REQUIREMENTS: RTA 8 LIMITED ENGLISH PROFICIENCY PLAN (LEP)

Providing needed services to the diverse population within the RTA 8 it is important, and RTA 8 has completed the following assessment and plan for providing them to the LEP population. All language access activities detailed below will be coordinated by RTA 8 staff with assistance from the Title VI coordinator, Cities, Counties and other organizations within the RTA 8 area.

Identifying LEP Individuals Who Need Language Assistance

US Census American Community Survey indicates that the probability of encounters with Spanish LEP residents is the most likely scenario. Data will continue to be collected from the U.S. Census to monitor the changing language demographics within the state. A record will be kept of staff contacts and other interactions with LEP persons and or groups. This office will maintain a list of the points of contact where a LEP person interacts with the organization. At this time, it is anticipated that the key points of contact for LEP individuals are during public workshops, service requests and hearings. As interaction with LEP individuals increases, additional points of contact will be identified. Data and language needs will continue to be identified through our public outreach and participation efforts.

Outreach to Community Organizations that Serve LEP Persons

RTA 8 staff will work with local social services agencies like Lantern Center in Dubuque (mission: Lantern Center is designed to offer hospitality, educational opportunities and advocacy to adult immigrants, especially women, who are striving to better their lives) to disseminate information to the LEP population and to collect information regarding the unmet needs.

Language Assistance Measures

RTA 8 utilizes several measures to aid the LEP populations when needed. Translation services will be offered upon request. When RTA 8 posts a notice for a public hearing or workshop, a minimum 48-hour notice for oral language interpretation service is requested for those who require such services. Regular meetings of the RTA 8 and all of its standing committees contain a note on their meeting notices that interpreters can be provided on request and such request should be made to our office as soon as possible.

RTA 8 will provide interpreters as needed in Spanish, German, and any other language requested through the Iowa International Center's Interpretation and Translation Services, local community college and Loras College.

Staff Training

In order to establish meaningful access to information and services for LEP individuals, employees in public contact positions and those who will serve as translators or interpreters should be properly trained. Such training, when available, will ensure that staff is fully aware of LEP policies and procedures and are effectively able to work in person and/or by telephone with LEP individuals.

Although RTA 8 staff have had never been contacted by LEP individuals, staff and management have attended Title VI and Environmental Justice Training on Environmental Justice.

Monitoring, Updating, and Performance Measures for the LEP Plan

RTA 8 will periodically determine whether new documents, programs, services, and activities need to be made accessible for LEP individuals and will conduct further assessment and work to meet the following goals, objectives, and actions from this plan to gauge progress:

- Stay knowledgeable of the current LEP population in RTA 8 area. Staff will monitor changing population levels and the language needs of LEP individuals in the state (U.S. Census data).
- Monitor the frequency of contact with LEP groups and keep records of any LEP services provided both in-office and in public venues.
- Requirements for additional language translation services will be determined by change in LEP population. Updates to policies and procedures will be made if such guidance is directed by the RTA 8 Board.

Title VI Notice and Provisions for Complaint Access by LEP Populations

Notice to Beneficiaries

RTA 8 operates its programs, services, and activities in compliance with federal nondiscrimination laws including [Title VI of the Civil Rights Act of 1964](#), the [Civil Rights Restoration Act of 1987](#), and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States shall, on the grounds of race, color, or national origin (including limited English proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance. Related federal nondiscrimination laws administered by the [Federal Highway Administration](#), the [Federal Transit Administration](#), or both prohibit discrimination on the basis of age, sex, and disability. These protected categories are contemplated within the SPP's Title VI Program consistent with federal interpretation and administration. Additionally, the SPP provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with [US Department of Transportation](#) policy and guidance on federal [Executive Order 13166](#).

Title VI and LEP Complaint Procedure

As a sub-recipient of USDOT financial assistance, the RTA 8 has in place the following Title VI complaint procedure and will follow this complaint procedure and process that meets Title VI requirements.

Submit complaint: Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, from the Division of RTA 8 during the administration of federally funded programs, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and related statutes, may file a written complaint form. Complaints may be submitted in writing to the Title VI Coordinator.

A complainant may file a complaint directly with the following agencies:

Federal Transit Administration (FTA) by filing a complaint with the Office of Civil Rights, Attention Civil Rights Officer, Region VII, FTA, 901 Locust Street, Room 404, Kansas City, MO 64106.

Iowa Civil Rights commission, Attention: Title VI Program Coordinator, 400 East 14th Street, Des Moines, IA 50319.

Iowa Department of Transportation (IADOT) by filing a complaint with the Office of Employee Services, Attention: Civil Rights Section, 800 Lincoln Way, Ames, Iowa 50010

A Title VI complaint may be filed by completing and submitting the complaint form below or by sending an email or letter with the necessary information to:

East Central Intergovernmental Association
Attn: Title VI Complaint
Lisa Weinhold
Director of Finance and HR
7600 Commerce Park
Dubuque, IA 52002