

**Dade County
Board of County Commissioners**

Language Assistance Plan

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Introduction

The purpose of this limited English proficiency 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. It was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq.**, and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and;

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). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

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

Plan Summary

The Dade County Board of County Commissioners (County) has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to County programs 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 the 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 the County's extent of obligation to provide LEP services, the County undertook a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP persons eligible in the County to be served or likely to encounter an County program, activity, or service; 2) the frequency with which LEP individuals come in contact with an County program; 3) the nature and importance of the program, activity or service provided by the County to the LEP population; and 4) the resources available to the County and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

Four Factor Analysis

1. The number or proportion of LEP persons eligible to be served or likely to encounter an County program, activity, or service.

The County examined the US Census Bureau's 2008-2012 American Community Survey (ACS) data and was able to determine that approximately 1% or 166 of the Dade County population age 5 and older spoke a language other than English at home.

As the ACS survey indicates, of the 166 persons who speak a language other than English, less than 0.4% speaks Spanish or Spanish Creole, less than 0.2% speaks other: German, Russian, Vietnamese languages.

Of the 0.4% of persons that speak Spanish or Spanish Creole, approximately 5% or speak English less than "very well."

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

The County assesses the frequency at which staff has or could possibly have contact with LEP persons. This includes documenting phone inquiries and surveying public meeting attendees. Since the last update, the County has recorded zero requests for an interpreter in any language and zero requests for translated County documents.

Based on the above data from the ACS survey, the County will ensure that Spanish language brochures and transit schedules are available on the vehicles, at all County government offices; at transfer centers and other transit stops.

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

While there is a relatively small concentration of Spanish-speaking persons in the County, the County will evaluate the need for any formal outreach efforts to identify those County programs would be of importance to a Spanish-speaking LEP person. The County's transit operator has translated brochures.

4. The resources available to the County and overall costs

The County assessed its available resources that could be used for providing LEP assistance is reflected in Appendix B.

The following are available resources and their associated current cost:

Language Line Interpreter Services for other than English and Spanish speaking individuals	\$1.80 per minute
Staff to Interpret for Spanish Speaking Individuals	No additional cost in operations budget.
Website translation	No additional cost in operations budget.
Reproduction of documents into another language	No additional cost in operations budget.

After analyzing the four factors; the County developed the plan outlined in the following section 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 records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When County sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gage 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” at the workshop or conference sign-in table. While staff may not be able to provide translation assistance at a particular meeting, the cards can be an excellent tool to identify language needs for future meetings. Also, have the cards available at the County office reception area and Transportation Disadvantaged Program office’s walk-in counter; and;
- Post a notice of available language assistance at County reception area.

Language Assistance Measures

When an interpreter is needed, in person or on the telephone, first determine what language is required. County staff can currently provide only informal verbal interpretation. If the required language is not available or if a formal interpretation is required, staff shall use the telephone interpreter service, Language Line, at 1-800-752-6096 and this service is available 24 hours a day, 7 days a week.

Staff may be able to assist with written communications and County document translation requests from LEP persons.

The following County documents are currently available in Spanish: Transportation Disadvantaged Program brochure and application, THE Bus (fixed-route transit) routes and information, as well as the Title VI discrimination complaint form.

County Staff Training: Annette Cash-Transit Director, Mary Bailey- Human Resources

All County 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 County staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI LEP responsibilities;
- What language assistance services the County offers;
- Use of LEP “I Speak Cards;”
- How to access a staff interpreter;
- Documentation of language assistance requests;
- How to handle a complaint; and
- The importance of educating sub-recipients on the County’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 County buildings, transit vehicles and facilities, and other public areas.

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 or a workshop in a geographic location with a known concentration of LEP persons, have meeting notices, fliers, advertisements, and agendas printed in an alternative language, such as Spanish.
- When running a general public meeting notice, staff should insert the clause “**Un traductor del idioma español estará disponible.**” This means, “A Spanish translator will be available.” Or if not sure of the need, staff should insert this clause, “**Si usted necesita la ayuda de un traductor del idioma español, por favor comuníquese con la** (insert staff name) **al teléfono (###-####), cuando menos 48 horas antes de la junta,**” which asks persons who need Spanish language assistance to make arrangements with the County within two days of the publication notice.
- As a rule, Spanish speaking staff or a hired interpreter should be on hand at public meetings intended for gathering public input.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, the County will follow the Title VI Program update schedule for the LEP Plan. The next required Title VI Program update must be forwarded to the FTA by December 1, 2017.

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 Dade County?
- 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 County programs? Are there other programs that should be included?
- Have the County's available resources, such as technology, staff, and financial costs changed?
- Has the County fulfilled the goals of the LEP Plan?
- Were any complaints received?

Dissemination of the County Limited English Proficiency Plan

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 service, all Dade County libraries offer free Internet access. Copies of the LEP Plan will be provided to the Dade County Office of Health and Human Resources, the Dade County Department of Transportation, Federal Highway Administration, the Federal Transit Administration, and any person or agency requesting a copy. Each County sub-recipient and program participants will be provided a copy and will be educated on the importance of providing language assistance. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to the County Title VI Specialist:

Transit Coordinator
Dade County Commission
71Case Avenue
P.O. Box 613
Trenton, GA 30752
Phone: (706) 657-4625
Fax: (706) 657-5116
Email: acash@dadecounty-ga.gov

LAP APPENDIX A – POPULATION MAPS

LAP APPENDIX B

List of Available Resources

Informal Staff Translation and Interpretation:

Spanish

If the required language is not available or if a formal interpretation is required, staff shall use the telephone interpreter service.

Formal Interpreter and Translation Service:

The County will utilize the Language Line Interpreter Services at 1-800-752-6096.

LAP APPENDIX C

Dade County Discrimination Complaint Procedure

Title VI of the Civil Rights Act of 1964 as amended prohibits discrimination on the basis of race, color and national origin for programs and activities receiving federal financial assistance. As a recipient of federal financial assistance, the Dade County Board of County Commissioners has in place a Title VI complaint procedure.

1. Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, from the Dade County Board of County Commissioners 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. All written complaints received by the County are referred immediately by the County's Title VI Specialist, to the FTA's Title VI Coordinator for processing in accordance with approved procedures.

Written complaints may be sent to:

Transit Coordinator
Dade County Commission
71 Case Avenue
P.O. Box 613
Trenton, GA 30752
Phone: (706) 657-4625
Email: acash@dadecounty-ga.gov

2. The County's Title VI Specialist shall resolve verbal and non-written complaints received by the County informally. If the issue has not been satisfactorily resolved through informal means, or if at any time the complainant requests to file a formal written complaint, the Complainant shall be referred to the FTA's Title VI Coordinator for processing in accordance with approved procedures.
3. The County's Title VI Specialist will advise the FTA's Title VI Coordinator within five (5) calendar days of receipt of the allegations. The following information will be included in every notification to the FTA's Title VI Coordinator:
 - (a) Name, address, and phone number of the Complainant;
 - (b) Name and address of the County;
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation);
 - (d) Date of alleged discriminatory act(s);
 - (e) Date complaint received by the County;
 - (f) A statement of the complaint;
 - (g) Other agencies (state, local or Federal) where the complaint has been filed; and
 - (h) An explanation of the actions the County has taken or proposed to resolve the allegation(s) rose in the complaint.

4. Within ten (10) calendar days, the County's Title VI Specialist will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the Complainant of other avenues of redress available, such as the FTA's Equal Opportunity Office (EOO).
5. Within sixty (60) calendar days, the recipient's County Title VI Specialist will conduct and complete a review of the verbal or non-written allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the County's Executive Director.
6. Within ninety (90) calendar days of the verbal or non-written allegation(s) receipt, the County's Executive Director will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of his/her right to file a formal complaint with the FTA's EOO if they are dissatisfied with the final decision rendered by the County. The County's Title VI Specialist will also provide the FTA's Title VI Coordinator with a copy of this decision and summary of findings.
7. The County's Title VI Specialist will maintain a log of all verbal and non-written complaints received by the recipient. The log will include the following information:
 - (a) Name of Complainant;
 - (b) Name of Respondent;
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation);
 - (d) Date verbal or non-written complaint was received by the recipient;
 - (e) Date recipient notified the FTA's Title VI Coordinator of the verbal or non-written complaint; and
 - (f) Explanation of the actions the County has taken or proposed to resolve the issue rose in the complain