

RAINBOW RIDER TRANSIT BOARD



Language Assistance Plan

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**Limited English Proficiency Plan
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Limited English Proficiency Plan

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100 Purpose And Legal Basis

The following document serves as the Rainbow Rider Transit Board's (Rainbow Rider) plan to meet the legal obligation of language access requirements in compliance of Title VI of the Civil Rights Act of 1964; 7 CFR, 273 et seq; and 42 CFR 435 et seq. There are four components to this document.

200 Assessment
300 Policy
400 Training
500 Monitoring

200 Assessment

201 Needs Assessment –Demographics were studied from the six counties that Rainbow Rider serves showing the 2010 census. Rainbow Rider will on at least an annual basis make needs assessment of the unique language needs within the counties it serves. Consultation will be made with the County Human Services; additionally consultation will be made with the Legal Aid office located in Alexandria. Consultations will aim at trying to discern the types of non-English languages that are most predominant in the Counties that Rainbow Rider serves. The following non-English language has been identified as being the most likely to be encountered in the Rainbow Rider service area:

Spanish

202 Finding - Specific language needs of each applicant with LEP will occur at the time of intake or calls in to dispatch. If dispatch suspects that the applicant is a person with LEP, the dispatcher will present the LEP person with a phone number for Language Line Services (1-800-752-0093). Rainbow Rider will use the Language Line Service for Spanish and other major languages; they will help to determine which language is involved, if any. It is expected that reasonable efforts will be made by Rainbow Rider to provide same-day interpreter services.

203 Points of Contact - The greatest likelihood of need for interpreter services will be at the point of intake or first call to dispatch. The principal point of contact will most likely be in the Lowry office. The most likely interpreter services will likely be language assistance

in completion of an application for student transportation or over the phone dial-rider service. The other point of contact may involve questions to Rainbow Rider drivers when the person receives a ride.

204 Resources Needed – Rainbow Rider will utilize the **Language Line Services** (1-800-752-0093) for Spanish and other languages involved with **Language Lines Services** system. When feasible, on-site interpreter services will be made available and would be the first preference. Use of reciprocal faxing processes will be used when necessary to facilitate completion of applications and processing of rides.

205 Timely Access - Language Line Services are available 24x7. Contact with either entity will be made by commercial phone. When on-site interpreter services are to be used, it will be necessary to schedule appointments at mutually convenient times - for the client and the interpreter.

300 Policies and Procedures

301 Agency Commitment – **Rainbow Rider** is committed to the spirit of the Civil Rights Act of 1964. It recognizes the importance of providing meaningful access to all persons, including persons with LEP, to the various programs operated under the auspice of Rainbow Rider.

302 Range of Oral Language Assistance - There will be limited oral language assistance on site in Rainbow Rider dispatch from current employees. Rather, use will be made of **Language Line Services** for Spanish and all other non-English language will take place as necessary. Rainbow Rider will take advantage of brief notice of rights to language services documents for persons with LEP as they are made available by the Department of Transportation.

303 Uncommon Languages - There may be circumstances when customers present for services who use a language other than that most commonly used in Rainbow Rider service area. Dispatch will refer all such cases to the Director. This person will then be responsible for trying to determine what the customer's language or country of origin. Once determined, contact will be made with an appropriate **Language Line Services** interpreter in the customary manner.

304 Affirmative Action - The Rainbow Rider employee handling the case will inform either the customer or the interpreter once it has been determined that interpreter services are needed, that there is no charge or fee for the service. This will be communicated in verbal form. At no time in the service delivery process will the customer incur any costs associated with LEP-directed interpreter services.

305 Use of Family and Friends - Use of family or friends as interpreters is not the preferred method of providing interpreter services. But when the dispatcher has determined that it is not feasible to use formalized interpreter services, a consultation will

be made with that worker's immediate Supervisor or Director. Alternative methods of customer service will need to be discussed. If the dispatcher has determined that a family member, friend or other responsible party can adequately perform the interpreter service, approval may be given. The worker needs to feel confident that the client's data privacy rights will be protected and that the quality of the interpreter services to be provided by the family member or friend will be acceptable. The dispatcher will need to document the extenuating circumstances for use of family or friends, particularly that the family was offered other interpreter services and that the client insisted that a family member or friend be used. Under no circumstances may minor children be used for interpreter services.

306 Competency Standards for Interpreters - Any interpreter used for LEP services must be bi-lingual: fluent in English and fluent in the language of the customer needing the service. When using well-recognized interpreter services provided from a recognized agency such as **Language Line Services**, competency is presumed. When using family, friends or significant others, the Rainbow Rider employee must make a judgment as to the competency of the proposed interpreter. Certification as an interpreter is not a pre-requisite.

307 Dissemination of LEP Plan – The **LEP Plan** is posted on the Rainbow Rider website and a memo will be sent to notify the following personnel: all Rainbow Rider employees who have direct customer contact. A copy of the updated main public announcement is prominently displayed in the Rainbow Rider office.

308 Services To Illiterate - When confronted with a situation in which the customer is illiterate - cannot read or write in his or her native language - it is incumbent that Rainbow Rider finds a suitable interpreter, one who can assist the person in completion of necessary forms, documents and the like. The Rainbow Rider employee needs to make the determination, in conjunction with the interpreter, about the customer's literacy skills. The clear choice in dealing with cases of illiteracy will be to have an on-site interpreter. It may be necessary to schedule interviews when face-to-face interpreter services can be provided. Use of, faxing of forms, and over-the-phone services may be required on a case-by-case basis.

309 Emergency Situations - When a determination has been made that an emergency exists and LEP considerations are identified as being present, Rainbow Rider may waive all proscriptions in order to insure that necessary emergency services are provided. Extraordinary efforts need to be put forth before circumvention of non-emergency procedures is followed. Consultation with a Supervisor or the Director is necessary before such action is taken.

310 Access To and Costs of Interpreters - Under no circumstances will Rainbow Rider indicate - either verbally or in writing - that any applicant or client in need of LEP services will be charged for interpreter or translation services. All such services shall be at no expense to the applicant or client. Such services will be provided during all normal business hours.

311 Notice of Service Availability - LEP clientele will be informed of the availability of free interpreter and translation services at the point when it appears that the customer is not able to communicate in English. Notice of service availability will come from the document in the Lowry office and on Rainbow Rider buses. Distribution of the **LEP Plan** as cited above will help in giving notice that interpreter and translation services are available on a timely basis and free of charge. Use of material that has been translated into Spanish will be used immediately when it has been determined that the person presenting for service is not able to understand English

312 Produced Materials - Rainbow Rider has developed a rider's guide that will direct people to the right source of material to meet their needs. Rainbow Rider will also rely on state-produced documents as they come available for a source of translated materials;

313 Complaint Resolution Protocol - Any adverse action taken by Rainbow Rider with which a rider or recipient disagrees is subject to complaint. The Rainbow Rider director will work through a complaint process to try to resolve any dispute. In the absence of local resolution, the person making the complaint will be informed in a language understandable to the grievant, of the process to follow in make a complaint to MN/DOT or the Office of Civil Rights. Appropriate use of interpreter services with **Language Line Services** to facilitate the dispute resolution process will take place. All such complaints can be made to any of the parties listed at the top of this **LEP Plan**.

314 Posting - A copy of the Rainbow Rider **LEP Plan** is posted on the main bulletin board in the Lowry office.

400 Training

401 Distribution of LEP Plan - All Rainbow Rider employees who have direct contact with customers will be provided a copy of the **LEP Plan** (or accessible electronic location) upon its adoption. If any changes are made in the document, a revised copy (or accessible electronic location) will also be provided to the same entities listed in #307. The following employees will be recipients of the document:

All employee's of Rainbow Rider

402 Training of Staff - Initial - With approval of the **LEP Plan**, there will be initial training on the document. This training will take place for current staff in the context of an All Staff meeting. For any new employee affected by the **LEP Plan**, this document will be incorporated into that person's generic orientation protocol at the time of hire.

403 Training of Staff - Ongoing - On at least an annual basis at an All Rainbow Rider Staff meeting, a review of the **LEP Plan** will take place.

500 Monitoring

501 Evaluation of the LEP - On at least an annual basis, the **LEP Plan** will be reviewed for effectiveness. This review will normally take place in first quarter of a new year. It will be coordinated by the Rainbow Rider Director. The evaluation will involve consultation with dispatch and drivers to determine compliance with the **LEP Plan**, identification of any problem areas and development of required corrective action strategies. Elements of the evaluation will include the following:

- *Number of persons with LEP in Rainbow Rider service area.

- *Assessment of current language needs of Rainbow Rider clients to determine if the client needs an interpreter and/or translated materials;
Updating case files which lack information about a client's language preference;
Determining if clients need to be asked their language preference at the time of certification.

- *Determining whether existing assistance is meeting the needs of clients with LEP.

- *Assessing whether staff members understand Rainbow Rider LEP policies and procedures and how to carry them out, and whether language assistance resources and arrangements for those resources are still current and accessible.

- *Seeking and obtaining feedback from non-English or limited-English speaking communities in the Rainbow Rider service area including clients as well as any known community organization or advocacy group working with non-English or limited-English speaking communities.

502 LEP Contact Person - For purposes of the LEP Plan, Rainbow Rider's designated contact person is the Director with appropriate delegation made to Operations/Safety Manager and/or Human Resources Manager. Calls can be made to 320-283-5065.