

Limited English Proficiency Plan
GENESEE TRANSPORTATION COUNCIL
APRIL 2022

GENESEE TRANSPORTATION COUNCIL

The Metropolitan Planning Organization for the Genesee-Finger Lakes Region

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INTRODUCTION

This *Limited English Proficiency Plan* has been prepared to address Genesee Transportation Council's (GTC) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination which is covered under Title VI. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds.

Plan Summary

According to the 2020 US Census, over 20% of people in America report speaking a language other than English in the home. GTC offers several integrated tools and always offers accommodations to keep Linguistically Isolated Communities informed and allowing them to participate in their native language.

GTC has developed this *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

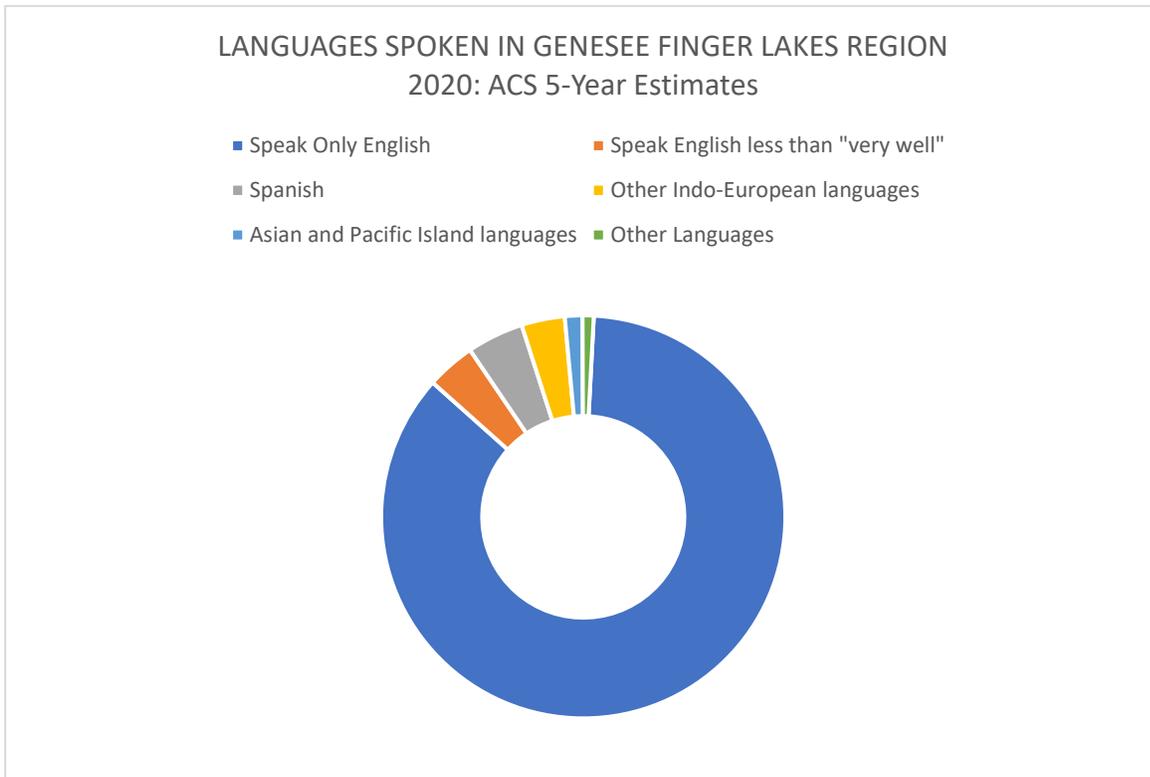
In order to prepare this plan, GTC used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by GTC.
2. The frequency with which LEP persons come in contact with GTC's services.
3. The nature and importance of services provided by GTC to the LEP population.
4. The interpretation services available to GTC and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

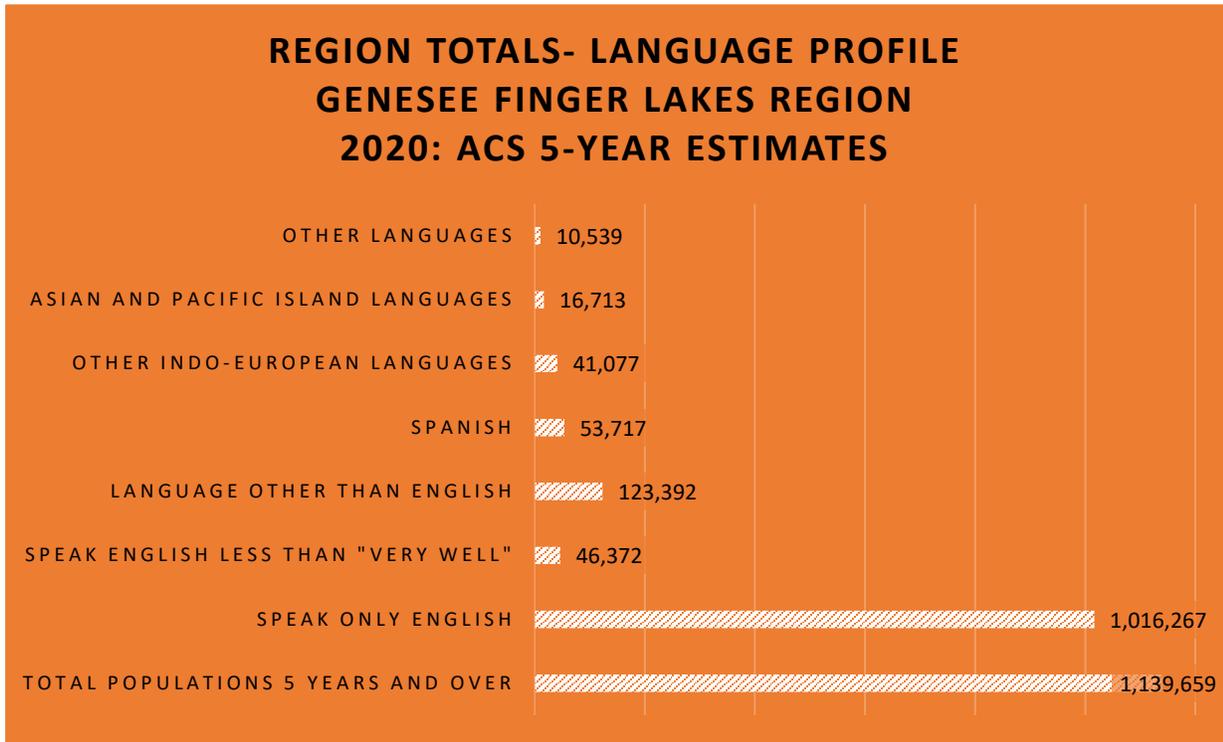
Factor #1: The number or proportion of LEP persons in the planning area who are likely to participate in GTC's transportation planning services.

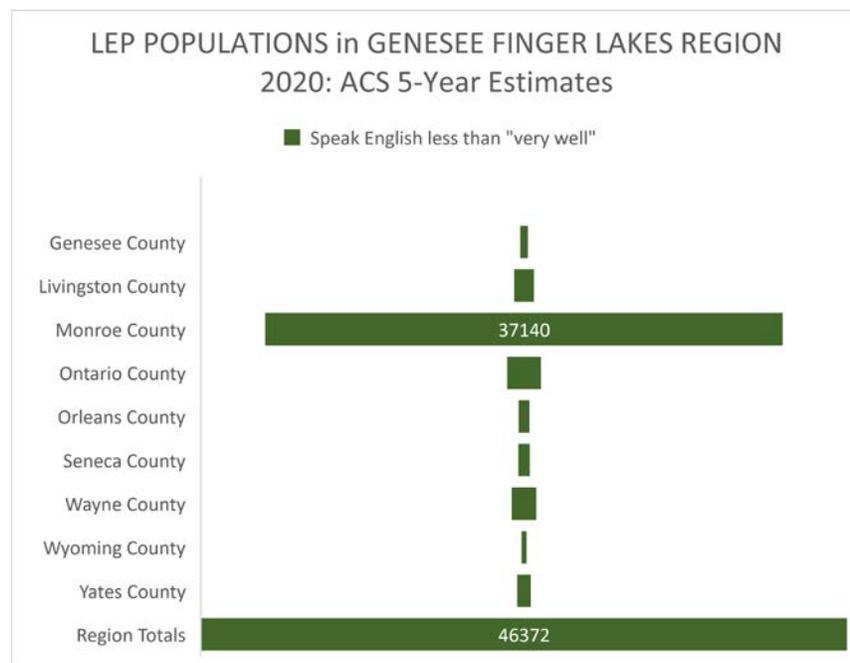
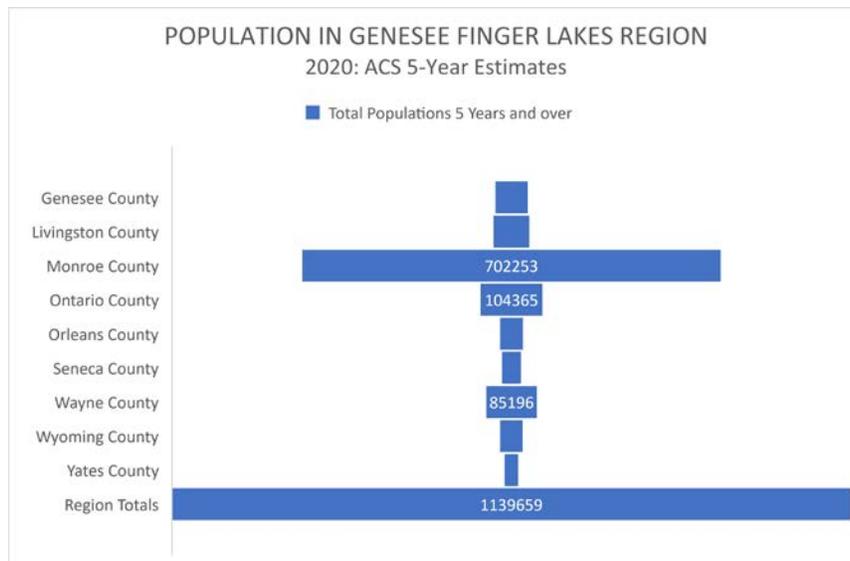
GTC staff reviewed the 2020 American Community Survey 5-Year Estimates for New York State and determined that 123,392 individuals in GTC's nine-county Genesee Finger Lakes planning region (10.83% of the population) speak a language other than English in the home. Of those, 46,732 individuals have limited English proficiency, that is, they speak English less than "very well" or "not at all." This is 4.07 % of the overall population in the planning area.



In GTC's planning area, of those persons with limited English proficiency, 4.71 % speak Spanish, 3.6 % speak Other Indo-European languages; 1.47% speak Asian and Pacific Island languages; and .92% speak other languages.

| 2020 Regional Language Profile with Limited English Proficiency | | | | | | | | | | | |
|---|------------------------------------|--------------------|----------------------|-------------------------------------|-------------------------------------|-----------------------------|-------------------------------------|---------|-------------------------------|------------------------------------|-----------------|
| | Total Populations 5 Years and over | Speak Only English | % Speak Only English | Speak English less than "very well" | % speak English less than very well | Language Other Than English | % Speak language other than English | Spanish | Other Indo-European languages | Asian and Pacific Island languages | Other Languages |
| Genesee County | 54,550 | 52,587 | 96.40% | 581 | 1.10% | 1,963 | 3.60% | 1,222 | 560 | 161 | 20 |
| Livingston County | 60,532 | 56,222 | 92.90% | 1,442 | 2.40% | 4,310 | 7.10% | 1,599 | 1,158 | 357 | 1,196 |
| Monroe County | 702,253 | 605,208 | 86.20% | 37,140 | 5.30% | 97,045 | 13.80% | 42,688 | 31,005 | 14,685 | 8,667 |
| Ontario County | 104,365 | 98,235 | 94.10% | 2,431 | 2.30% | 6,130 | 5.90% | 2,711 | 2,468 | 543 | 408 |
| Orleans County | 38,733 | 36,373 | 93.90% | 820 | 2.10% | 2,360 | 6.10% | 1,330 | 768 | 150 | 112 |
| Seneca County | 32,481 | 29,918 | 92.10% | 839 | 2.60% | 2,563 | 7.90% | 906 | 78 | 196 | 37 |
| Wayne County | 85,196 | 80,720 | 94.70% | 1,777 | 2.10% | 4,476 | 5.30% | 2,106 | 1,929 | 403 | 38 |
| Wyoming County | 38,112 | 36,777 | 96.50% | 353 | 0.90% | 1,335 | 3.50% | 831 | 316 | 127 | 61 |
| Yates County | 23,437 | 20,227 | 86.30% | 989 | 4.20% | 3,210 | 13.70% | 324 | 2,795 | 91 | 0 |
| Region Totals | 1,139,659 | 1,016,267 | 89.17% | 46,372 | 4.07% | 123,392 | 10.83% | 53,717 | 41,077 | 16,713 | 10,539 |
| <i>Source: 2020: American Community Survey 5-Year Estimates</i> | | | | | | | | | | | |





Factor #2: The frequency with which LEP persons come in contact with GTC’s transportation planning work.

The **GTC** staff reviewed the frequency with which their office staff and planning partners have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. In 2020 and 2021, GTC had zero requests for interpreters and (zero requests for translated program documents.

Factor #3: The nature and importance of planning services provided by GTC to the LEP population.

Compared to larger, urban areas, there are few significant geographic concentrations of any type of LEP individuals in the planning area. The overwhelming majority of the population, 89.17%, speak only English. GTC executive and planning staff are most likely to encounter LEP individuals through office visits, phone conversations, notifications from planning project sponsors, and attendance at public meetings or events.

Factor #4: The resources available to GTC and overall costs to provide LEP assistance.

GTC reviewed its available resources that could be used for providing LEP assistance and which of its documents would be most valuable to be translated if the need should arise. GTC has established an agreement with Ibero-American Action League to provide Spanish translation within a reasonable time period when needed. Other language translation, if needed, would be provided through a telephone interpreter line for which the GTC would pay a fee.

LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to GTC transportation planning services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How GTC staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- All GTC staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When GTC hosts an informational meeting or event, a staff person may greet participants as they arrive. By informally engaging participants in conversation, it is possible to gauge each attendee's ability to speak and understand English. Although in-person translation may not be able to be provided at the event without an advanced request, it will help identify the need for future events. In such a situation, the previously mentioned telephone interpreter line would be utilized to the extent practicable.

Language Assistance Measures



GTC staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English and will offer the following measures and reminders of the assistance.

The following resources will be available to accommodate LEP persons and GTC regularly offers reminders about them:

- Since April 2020, GTC has held a license with a vendor who hosts public engagement software. It includes the following built-in language assistance features:
 - Real-time, multilingual closed captions for livestreamed virtual public meetings feature that automatically supports 108 languages. This feature eliminates the need for the participant to submit an accommodation request, download and install apps, or have restrictive subscriber requirements to access captioning options. There is no lag during the live meeting to support captioning, no separate streams required for multiple language support, no meeting set up delays or special licensing and no need for a live interpreter.
 - A built-in Google Translate button on every page.
 - Option to translating text message (SMS) surveys into other languages
 - An automatic transcription and translation feature to capture oral (via voicemail or over the phone) and written comments submitted in languages other than English.
 - Option for project pages, with surveys and meetings, to be machine-translated to another language using any of Google Translates supported languages, with the option for “last mile” translation tool for native speakers/translation services to easily edit or modify the wording instead of starting from scratch.
 - Option to create a language-specific custom link to direct participants to translated versions.

- Option to automatically segment project participants by language to simplify analysis and language-specific follow-up communications.
- Additionally, if a person desires in-person interpretation services or written translations, the following resources are available:
 - American Sign Language Interpretation – GTC has a standing relationship with Interpretetek to provide American Sign Language interpreting services.
 - www.interpretek.com
 - Phone: 585-235-7500
 - 75 Highpower Road, Rochester, NY 14623
 - Spanish Language Services - GTC has a standing relationship with Ibero-American Action League to provide Spanish translation and interpreting services.
 - <http://iaal.org/diversity-and-language-services/>
 - Phone: 585-256-8900 Ext. 152
 - 817 E. Main Street, Rochester, NY 14605
 - elisa.dejesus@iaal.org
 - New York State Relay Service for hearing-impaired individuals.
 - <https://nyrelay.com/>
 - Phone: 711
 - Language Line Solutions
 - <https://www.languageline.com>
 - telephone interpreter service in 240 languages
 - Offers on demand video interpreting* in over 40 languages with audio interpreting in 240 languages* GTC is exploring installation of video interpreting application/software on devices that will be present at each meeting to be able to accommodate interpretation services without advanced notice

STAFF TRAINING

The following training will be provided to all staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

All contractors or subcontractors performing work for the GTC will be required to follow the Title VI/LEP guidelines.

TRANSLATION OF DOCUMENTS

GTC weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the lack of past demand, the likelihood of frequent changes in documents, and other relevant factors, at this time it is an unnecessary burden to have any documents routinely translated.

When and if the need arises for LEP outreach, GTC will assess requests for translation of documents based on the possible impacts and known LEP population.

MONITORING

Monitoring and Updating the LEP Plan

GTC will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when it is clear that higher concentrations of LEP individuals are present in GTC planning area.

Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the planning area.
- Determination as to whether the need for translation services has changed.
- Determination of whether local language assistance programs have been effective and sufficient to meet the need.
- Determination of whether the **GTC** financial resources are sufficient to fund language assistance resources needed.
- Determination of whether the **GTC** fully complies with the goals of this LEP Plan.
- Documentation of complaints that have been received concerning the agency's failure to meet the needs of LEP individuals.

DISSEMINATION OF GTC'S LEP PLAN

As a subrecipient of federal funds, GTC will clearly communicate this Plan and how to request language assistance.

- Include a standard sentence in news releases and other publicity of language services.
- Include a standard message in email campaigns notifying LEP persons of the LEP Plan and how to access language services.
- Post the LEP Plan on GTC's website and inform viewers how to access language services.
- Remind people of the option to submit comments in any language via our PublicInput.com platform by leaving a voicemail message, sending an email message or a text message.
- Remind people that project webpages can be translated, and that closed captioning can be enabled.
-



LANGUAGE SERVICES

- Click the button above in the header to translate this page.
- Enable closed captioning in the video window.
- Submit voicemail, email or text comments in any language.

We want to make it easy for you to provide input about transportation planning projects & programs despite ability or proficiency in English.

The banner features a blue background with white text. On the left, there are icons for translation (a pink speech bubble with 'A' and a blue speech bubble with Chinese characters) and a button. On the right, there are three speech bubbles: a teal one with 'Hi!', a blue one with the Chinese character '嗨', and a black one with 'Hola!'.

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April 2022