

BARTOW COUNTY



LANGUAGE ASSISTANCE PLAN

BARTOW COUNTY HUMAN RESOURCES

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Introduction

Bartow County Government operates a Transit System within both the incorporated and unincorporated areas of Bartow County. The Language Assistance Plan (LAP) has been prepared to address Bartow County Transit System's responsibilities as they relate to the needs of individuals with Limited English Proficiency (LEP). Individuals who have a limited ability to read, write, speak or understand English are classified as LEP. In the Bartow County Transit System service area there are approximately 3,268 individuals or 47.3% of the County's population of individuals that speak a language other than English, who describe themselves as ***not*** able to communicate in English "very well" (Source: US Census data). The Bartow County Transit System is federally mandated under Executive Order # 13166 to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of its programs and activities for individuals who are LEP. The Bartow County Transit System has utilized the U.S. Department of Transportation (USDOT) LEP Guidance Handbook and performed a four factor analysis to develop its LAP.

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. The Plan was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et. seq.** The implementing regulations of the Plan 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.

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

Bartow 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.

The 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 considered the following data: 1) The number or proportion of LEP persons eligible in the County to be served or likely to encounter a County program, activity or service; 2) the frequency with which LEP individuals come in contact with a 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.

1. The number or proportion of LEP persons eligible to be served or likely to encounter a 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 6.9% or 6,988 of the Bartow County population age 5 and older spoke a language other than English at home.

As the ACS survey indicates 6.0% or 5,661 of Bartow County's population speak Spanish or Spanish Creole, 0.6% or 531 speak other Indo-European languages, 0.2% or 226 speak Asian and Pacific Island languages and 0.1% or 69 speak Other languages.

Of the 6.0% of the persons that speak Spanish or Spanish Creole, approximately 50.1% speak English "very well" and 49.9% speak English less than "very well".

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

The County documents the frequency at which staff has contact with LEP persons. This includes phone inquiries and public meetings attendees. Since the last update, the County has recorded no requests for an interpreter in any language and no requests for translated County documents.

3. The nature and importance of the program, activity or service provided by the Recipient to People’s lives.

With a moderate concentration of Spanish speaking persons in Bartow County, efforts will be made to evaluate the need for any formal outreach efforts to identify County programs that would be of importance to a Spanish-speaking LEP person.

If the County so determines a need to evaluate further outreach efforts, an on-board passenger survey will be conducted to collect data on usage of and access to the Bartow County Transit system.

4. The resources available to the County and overall costs.

Bartow County Transit System assessed its available resources that could be used for Providing LEP assistance to its public transportation users if the need is determined:

- | | | |
|---|---|---|
| 1. Language Line Interpreter Services for other than English speaking individuals | - | Approximately \$3.95 per minute
Language Line 800-752-6096 |
| 2. “I Speak” Cards | - | No cost (access on-line) |
| 3. Access to a Spanish Speaking Interpreter | - | When needed, \$20/hour |

Element 1: Identifying LEP Individuals who Need Language Assistance

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

- Examine records requests for language assistance from past meetings and event to anticipate the possible need for assistance at upcoming meetings;
- Having Census Bureau Language Identification flashcards available at Bartow County Transit system office. This will assist Bartow County in identifying language assistance needs for future events and meetings.
- Having Census Bureau language identification flashcards on all transit vehicles to assist operators to identify specific language assistance needs of passengers. If such individuals are encountered, vehicle operators will be instructed to obtain contact information to give to Bartow County Transit system management to follow up.
- Vehicle operators and front-line staff (i.e., dispatchers, transit operation supervisors, etc.) will be surveyed on their experience concerning any contacts with LEP persons during the previous year.

Element 2: Language Assistance Measures

When an interpreter is needed, in person or on the telephone, first determine what language is required. 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, said service is available 24 hours a day, 7 days a week. The following County documents are currently available in Spanish: the Title VI Discrimination Complaint Form.

Element 3: Training Staff

All Bartow County Transit staff will be provided a copy of the LEP Plan and will be educated on procedures and services available. This information will also be a part of the County staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI LEP responsibilities;
- Use of LEP “I Speak” cards;
- How to access an interpreter (in person or via telephone);
- Documentation of language assistance requests;
- How to handle a complaint

Element 4: Providing Notice of Available Language Service to LEP Persons

Bartow County has provided a language translator tool on its website and will post appropriate signage that language assistance is available in County buildings, transit vehicles and other public places.

Outreach Techniques:

- If staff knows 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 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 estara 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 comuniquese con la Catoosa County al telefono 706-965-2500, 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.

Element 5: Monitoring and Updating the LEP Plan

The Plan will be reviewed and updated on an ongoing basis. At a minimum, the County will follow the Title VI Program update schedule for the LEP Plan. Updates will consider the following:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in Bartow 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 and are they sufficient to fund the language assistance resources needed?
- Were any complaints received?

DOT has adopted the Department of Justice’s Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP population. The Safe Harbor Provision stipulates that, if a recipient provides 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, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations. Translation of non-vital documents, if needed can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

The Bartow County Transit System recognizes that there are LEP groups within the Bartow County service area that qualify for the Safe Harbor Provision and will take the necessary steps to provide translation material to LEP language groups as deemed necessary and appropriate.

Dissemination of the County Limited English Proficiency Plan

The County will post the LEP Plan on its website at www.bartowga.org. Additionally, the Policy Statement and Complaint Procedure will be posted at the Bartow County Transit Office, the Senior Centers, the Bartow County Human Resources Office and the Bartow County Commissioner’s Office. The Complaint Policy Statement and Complaint Procedure are also included in the Transit vehicles.

Any person, including social services, non-profit organizations, law enforcement agencies and other community partners with internet access will be able to access the Plan. For those without personal internet service, the Bartow County Library offers free internet access. All Transit employees will also be educated on the importance of providing language assistance. LEP persons may obtain copies of the Plan upon request.

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

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