

**EPTA**  
**Language Assistance Plan (LAP)**

Submitted to:

Federal Transit Administration

Region 3

1760 Market Street, Suite 500

Philadelphia, PA 19103-4124

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## **I. INTRODUCTION**

The purpose of this Language Assistance Plan (LAP) is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (USDOT) and assist them in fulfilling their responsibilities to Limited English Proficiency (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.

## **II. 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 such as EPTA, governments, private and nonprofit entities, and sub recipients.

### **III. PLAN SUMMARY**

EPTA has developed this Language Assistance Plan (LAP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to EPTA services as required by Executive Order 13166. A LEP person is one who does not speak English as their primary language or who has a limited ability to read, speak, write, or understand English.

This plan details procedures on identifying a person who may need language assistance, providing assistance through various methods, training staff, notifying LEP persons that assistance is available, and information for future plan updates.

In order to determine EPTA's extent of obligation to provide LEP services, EPTA undertook a USDOT four-factor LEP analysis which considers the following:

- 1) The number or proportion of LEP persons eligible in the EPTA service area who may be served by or are likely to encounter an EPTA program, activity, or service.
- 2) The frequency with which LEP individuals come in contact with EPTA services.
- 3) The nature and importance of the program, activity, or service provided by EPTA to the LEP population; and
- 4) The resources available to EPTA and the overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

## **IV. FOUR-FACTOR ANALYSIS**

### **1. The number or proportion of LEP persons eligible in the EPTA service area who may be served by or are likely to encounter a EPTA program, activity, or service**

EPTA examined statistics from the United States Census Bureau website American FactFinder which estimated in 2013 that approximately 4.9% or 4,841 people in Berkeley County and 6.1% or 3084 people in Jefferson County spoke a language other than English at home. According to the 2015 EPTA onboard and community survey results, less than 2% of the daily riders are from LEP populations. The estimated number of LEP riders is 4 passengers per day, out of over 300 daily riders on the EPTA system.

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

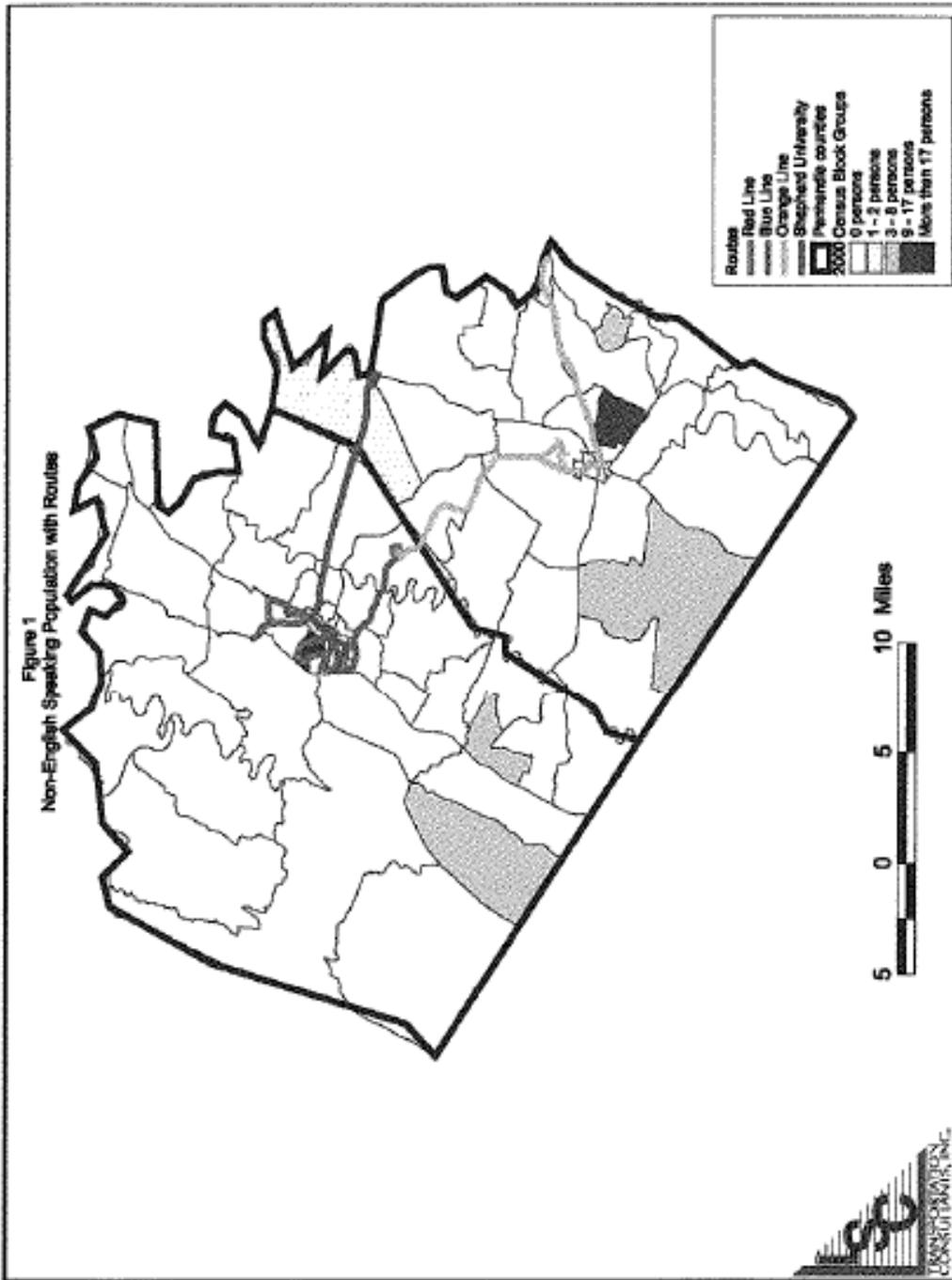
EPTA assesses the frequency at which staff and drivers have or could possibly have contact with LEP persons. This includes documenting telephone inquiries and verbally surveying drivers. EPTA has never had a request for interpreters or to translate EPTA documents. The Receptionist has documented 3 LEP persons who call the EPTA transit center routinely for assistance for an average of less than 1%. When surveyed, the drivers have had very little contact with LEP individuals. According to the onboard survey results, 2.2 percent of the EPTA riders do not speak English as their primary language with Spanish being the predominant other language at 1.2 %. Therefore, the majority of the riders that use EPTA programs and services speak English.

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

There is a small geographic concentration of LEP individuals in the EPTA service area. This small geographic area is presented in Figure 1. Most of the LEP population in the region is outside of the current EPTA service area. The nonprofit agency Telamon Corporation in Martinsburg, West Virginia conducts a program in the region that provides human services to the LEP population. EPTA has and will continue to have coordination and communication with Telamon Corporation.

### **4. The resources available to EPTA and the overall costs**

EPTA assessed its available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost on an as-needed basis, identifying which documents would be the most valuable to be translated if and when the populations supports such action, taking an inventory of available organizations that EPTA could partner with for outreach and translation efforts, and determining what level of staff training is needed.



## V. LANGUAGE ASSISTANCE PLAN OUTLINE

After analyzing the four factors, EPTA developed the following plan for assisting LEP persons.

### Identifying a LEP Person Needing Language Assistance

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

- Staff will examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings.
- When EPTA sponsored workshops or conferences are held, staff will set up a sign-in sheet table where they will greet and briefly speak to each attendee. To informally gauge the attendee's ability to speak and understand English, the staff member should ask a question that requires a full sentence reply.
- Staff will have the US Census Bureau's "I Speak Cards" at the workshop or conference sign-in sheet table. While the EPTA staff member may not be able to provide translation assistance at this meeting, the cards are an excellent tool to identify language needs for future meetings.
- The staff will frequently survey the drivers and other first-line staff regarding any direct or indirect contact with LEP individuals.

### Language Assistance Measures

EPTA has or will implement the following LEP procedures. The creation of these steps is based on the low percentage of LEP persons riding the EPTA system and the lack of resources available in the EPTA service area.

- EPTA staff will provide interpretation of services on a one-on-one basis for LEP individuals visiting the EPTA transit center.
- EPTA's Pocket Bus Schedule and "How to Ride" brochure will be available in Spanish and English at the Transit Center and on all buses.
- EPTA Civil Rights complaint forms are translated into Spanish and available at the Transit Center and on the website.
- The EPTA website includes a translation link to provide information in any language. ([www.eptawv.com](http://www.eptawv.com))
- When an interpreter is needed (in person or on the telephone) and the EPTA staff has exhausted the above options, the staff will first attempt to determine what language is required. The staff shall follow the written procedure for using the telephone interpreter service Language Line Services at <http://www.language.com>. On the Language Line Services home page, the staff

will select the "Need an Interpreter Now" link and follow the directions to receive an access code. EPTA will also work with Telamon Corporation to assist in this process.

- The EPTA transit center and all EPTA buses will be equipped with a Spanish/English photo guide entitled "Assisting Individuals with Communication Issues Ride the Bus: A Tool for Drivers" which contains common terms or requests. The photo cards can be used to assist any LEP person(s) in addition to anyone with limited communication skills.

### **EPTA Staff Training**

All EPTA staff will be provided with the Language Assistance Plan and will be educated on procedures to follow. This information will also be part of the EPTA staff orientation process for new hires. Training topics are listed below.

- Title VI policy and LEP responsibilities
- Language assistance services offered by EPTA
- "Assisting Individuals with Communication Issues Ride the Bus: A Tool for Drivers" photo book
- Language Line Services interpretation and translation services
- Documentation of language assistance requests
- Civil Rights complaint process (contained in Appendix A of the EPTA Title VI Plan)

### **Monitoring and Updating the Language Assistance Plan**

This Language Assistance Plan is designed to be flexible and is one that can be easily updated. At a minimum, EPTA will follow the Title VI program update schedule for the LAP. Each update should examine all of the plan components including:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in the EPTA service area?
- 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 EPTA programs? Are there other programs that should be included?
- Has EPTA's available resources (such as technology, staff, and financial costs) changed?
- Has EPTA fulfilled the goals of the Language Assistance Plan?
- Were any complaints received?

## **Dissemination of the Language Assistance Plan**

EPTA includes the Language Assistance Plan with its Title IV Policy and Civil Rights Complaint Procedures. EPTA's Notice of Rights under Title VI to the public is posted in the EPTA office and in all EPTA vehicles. Select printed materials also refer to the Language Assistance Plan's availability.

Any person or agency with internet access will be able to access the LAP via the EPTA website at [www.eptawv.com](http://www.eptawv.com). Copies of the LAP will be provided on request to any person requesting the document via telephone, in person, by mail, or by email. LEP persons may obtain translations of the LAP upon request.

Any questions or comments regarding this plan should be directed to the EPTA Complaint Coordinator.

Cheryl Keyrouze, Executive Director and Complaint Coordinator  
EPTA  
446 Novak Drive  
Martinsburg, WV 25401  
**[ckeyrouze@eptawv.com](mailto:ckeyrouze@eptawv.com)**

## Appendix C: Title VI Public Participation Plan

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### Eastern Panhandle Transit Authority Title VI Public Participation Plan

The Eastern Panhandle Transit Authority (EPTA) provides an extensive all-inclusive opportunity for the community to be involved in the decision making of public transit. Through the many outside agencies and organizations, EPTA is continually reaching out to the diverse public that it serves in order to help educate all populations.

#### **I. Formal Public Participation (Public Transit Provided)**

- A. On the third Monday of every month, the Eastern Panhandle Transit Authority holds its monthly Board of Director's meeting. This meeting is published in local newspapers, posted at the office, published on Facebook, Twitter, and our website (language can be translated). Every board meeting agenda includes the opportunity for public comment.
- B. EPTA presents at City/County government council meetings.
- C. Annually, EPTA holds a public Charrette workshop for planning purposes; this is open to the public. This meeting announcement is published in local newspapers, posted at the office, published on Facebook, Twitter, and our website (language can be translated).
- D. Every year EPTA holds an Open House at its facility. This meeting announcement is published in local newspapers, posted at the office, published on Facebook, Twitter, and our website (language can be translated).
- E. EPTA publishes a monthly newspaper article to update the public on some of the latest news we have to offer.
- F. EPTA continually updates its website (language can be translated), Facebook, and Twitter accounts.
- G. Published Program of Projects in coordination with the Hagerstown Eastern Panhandle Metropolitan Organization (HEPMPO).

#### **II. Regular Outside Agency Collaboration (including LEP programs)**

- A. Blue Ridge Community and Technical College
- B. Shepherd University
- C. James Rumsey Technical Institute
- D. Martinsburg-Berkeley County Public Libraries
- E. Department of Health and Human Resources (Self-Sufficiency)
- F. Catholic Charities
- G. Eastern Panhandle Free Clinic
- H. Jefferson County Health Department
- I. Berkeley County Senior Services
- J. Bethany House (shelter for the homeless)
- K. Cold Weather Shelters
- L. Regional Ministries
- M. Panhandle Home Health
- N. Hospice of the Panhandle
- O. Good Shepherd Interfaith Volunteer Caregivers
- P. Homeland Security
- Q. WorkForce WV
- R. Healthier Jefferson County

### **III. EPTA Outreach and Education (including LEP programs)**

- A. EPTA partnered with the Rahall Transportation Institute to provide an Industry Exchange Day with the James Rumsey Technical Institute.
- B. Art on the Bus – A program designed to educate the public on public transit through children painting murals on our buses under the guidance of professional artists at Earth Day in Morgan’s Grove Park and the Jefferson County Heritage Festival.
- C. Public Presentations for:
  - a. League of Women Voters
  - b. Shepherdstown Community Club
  - c. Three different Rotary Clubs
  - d. Chamber of Commerce
  - e. Jefferson County Commission Brown Bag Series
  - f. For MARC Train Commuters with State Legislator
  - g. Different Schools
  - h. Radio Interviews with WRNR Martinsburg, WV
- D. Educational Outreach:
  - a. EPTA presented at a Shepherd University luncheon for a non-profit organization called English & More, Inc. This group is primarily a non-English speaking. Hispanic fliers were distributed through the University.
  - b. EPTA educated the homeless on our program “Get a job, get a ride” at Bethany House Shelter.
  - c. EPTA has a staff member designated as a Community Liaison to train the different regional agencies on how to ride the bus in order for the agency staff to give the correct information to their clients.
  - d. EPTA has translated both the “How to Ride” brochure and the EPTA Pocket Schedule into Spanish.

### **IV. Surveys (including LEP programs)**

- A. EPTA partnered with the Rahall Transportation Institute to provide a survey for Blue Ridge Community and Technical College in order to find the need for public transit for low-income students.
- B. EPTA was appointed by the WV Division of Public Transit to be the lead agency for transit coordination. EPTA held two public workshops with RLS & Associates, Inc., for our new Coordinated Transit Plan, which is currently in the making. RLS provided our ridership a survey to learn how to better serve them.
- C. EPTA is currently working with Baker Inc. on a Transportation Development Plan in which part of their work was to survey our ridership to learn how to better serve them.
- D. EPTA created a survey for the MARC Train commuters to learn how many commuters would take a bus all the way to the first Washington, DC Metro stop.
- E. In May 2015, EPTA completed both an Onboard and Community survey as a needs analysis for LEP ridership and language translation. The surveys are included within APPENDIX C.

### **V. EPTA Advocates**

EPTA is in the beginning stages of encouraging the start of a non-profit 501c3 “friends” group to support EPTA in additional outreach, education, and fundraising. EPTA has made efforts to be all inclusive by inviting new members from diverse community groups such as the NAACP, Diversity Council of Berkeley

County Schools, and both Berkeley and Jefferson County Clergy Associations. Below is a table depicting the current minority representation within this group.

### Membership of EPTA Advocates by Race

Body	Total Population	Caucasian	Latino	African American	Asian American	Native American
Berkeley County*	108,706	88.6%	3.9%	7.4%	1.1%	0.3%
Jefferson County*	55,073	88.5%	5.3%	6.9%	1.8%	0.3%
EPTA Advocates	10	80%	10%	10%	0	0

\*

Population estimates, July 1, 2013, (V2013) from US Census data: <http://www.census.gov/quickfacts/table/PST045214/54003.00,54037>

## **Appendix D: Updated Title VI Planning Process and Onboard & Community Surveys**

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### **Title VI Planning Summary**

#### **Public Open Houses and Outreach**

EPTA has continued to make public involvement a key component in the planning process. The most recent public open houses was conducted May 14, 2014 which included transportation from Caperton Station and Charles Town Court House. Representatives from the Hagerstown-Eastern Panhandle Metropolitan Planning Organization (HEPMPO) and FourSquare Integrated Transportation Planning were in attendance to obtain public feedback for the Transit Development Plan. Staff provided visitors with tours of the facility and buses and answered questions about the transit authority.

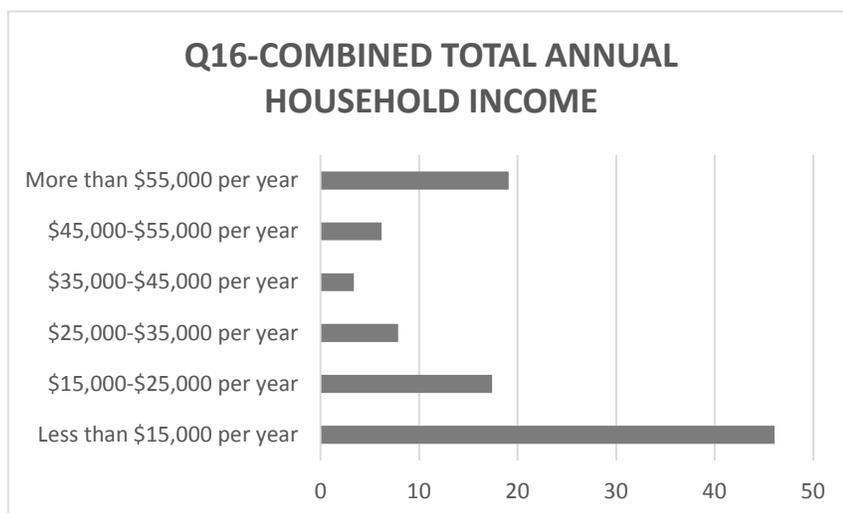
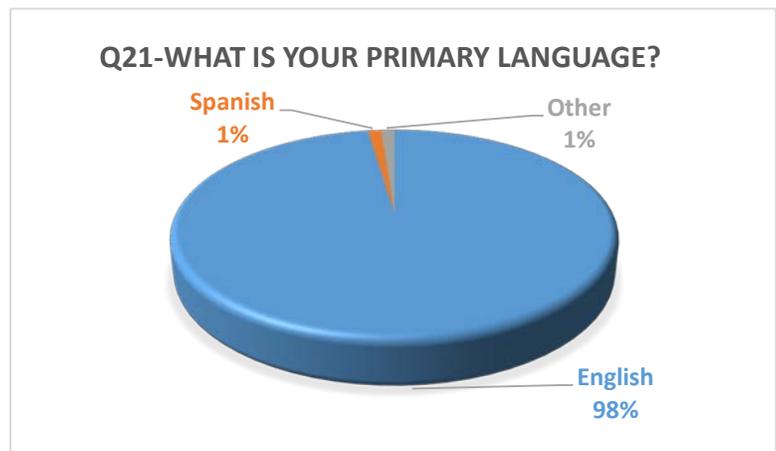
EPTA also conducted regular outreach events in both Berkeley and Jefferson Counties. As part of the annual Earth Day celebrations at Morgan's Grove Park, EPTA has regularly provided a public information table and "art on the bus" projects. Other regular outreach events include Kid's Day at the Mall, Mall Spring Expo, Seniors Expo, Heritage Festivals, and "How to Ride" trainings at numerous social service agencies and Shepherd College in coordination with "English & More."

In addition to public outreach, EPTA leadership members are active in numerous community organizations as noted in the Public Participation Plan found in APPENDIX C..

## Onboard and Community Surveys - 2015

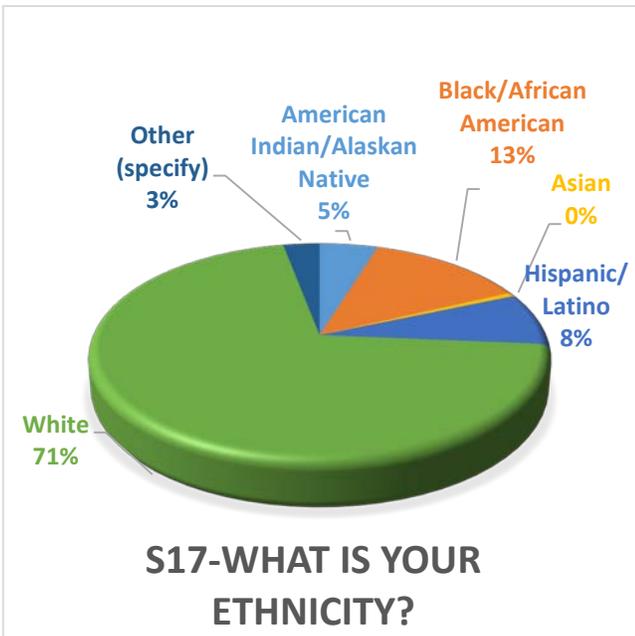
In updating the 2015 Title VI program, a public survey was conducted onboard all regular route buses and the MARC commuter line from April 22 until May 4, 2015 to reassess the needs of current EPTA riders. A second survey was conducted within the same time period throughout the community with public participation from seventeen (17) different social service and educational organizations across Berkeley and Jefferson Counties. The survey results were used to reevaluate the Title VI program and to complete a needs analysis for the Language Assistance Plan. The Onboard survey included approximately 200 riders while the Community survey garnered 190 responses, some of which were also regular riders. APPENDIX C presents the survey questionnaire in English and Spanish. These results were compared with the results from the December 12, 2007 onboard survey results. Survey results were also shared with the HEPMPO and FourSquare consultants for further evaluation in the Transit Development Plan.

In terms of the LEP population, 3.81 percent of the 2007 respondents stated that Spanish was their primary language as compared to 1.2 percent in the 2015 Onboard survey. In contrast, the Community survey indicated 6.5% of the responders used Spanish as their primary language. The LEP population continues to constitute a small percentage of the total EPTA ridership, and the bus drivers have limited contact with individuals that do not speak English. EPTA will continue to provide schedules and flyers translated into Spanish.



The Onboard survey results showed that 64 percent of the riders of the EPTA system have an annual household income of less than \$25,000 of which 46 percent have an annual household income less than \$15,000. Note that the 19% of incomes over \$55,000 per year were due in large part to the inclusion of MARC commuters in the survey.

Onboard survey results also showed that 48 percent of the riders on the EPTA system were in minority populations, while 52 percent indicated that they were Caucasian.



The Community survey results showed only 29% of those participating were in minority populations with higher percentages in the American Indian and Hispanic categories while the other 71% indicated they were Caucasian. The disparity in results suggested there is still a Hispanic community not using the EPTA service.

The Onboard and Community survey results showed that the majority of the riders viewed the EPTA service as meeting their transportation needs. Riders requested later hours, more bus stops, weekend service, and connections with Hagerstown and Winchester, some of which is already being addressed through the Transit Development Plan. Although EPTA is currently meeting the transportation needs of the low-income, minority, and LEP populations in the service area, our goal is to expand our service to include more riders who are waiting for routes to reach their areas of the Panhandle.