

Language Assistance Plan

Key West Transit Title VI Program

PREPARED FOR



Key West Transit
5701 College Rd
Key West, FL 33040
305.809.3910

AUGUST 2023

Table of Contents

1	Four Factor Analysis	2
	Analysis Requirements	2
	Analysis Findings	3
	1: Number/proportion eligible to be served.....	3
	2: Frequency of contact	4
	3: Nature and importance of service.....	4
	4: Resources and costs.....	5
2	Language Assistance & Notifications	6
	Language Assistance Available	6
	Florida Relay Service.....	6
	Notification of Availability	7
3	Employee Language Assistance Training	8
	Onboarding & Refresher Training	8
	Language Assistance	8
4	Plan Monitoring & Evaluation	9
	Triennial Program Updates.....	9
	Third-Party Oversight	9
	Transit Development Plan Updates.....	9
5	References & Resources	10

1

Overview

The Key West Transit (KWT) Language Assistance Plan (LAP) provides policies and procedures for employees to provide language assistance to persons with Limited English Proficiency (LEP). The purpose of this plan is to ensure meaningful access to KWT programs and services by persons with LEP.

The LAP provides guidance detailing the agency's obligations to translate materials into languages other than English, as needed and consistent with the U.S. Department of Transportation (DOT) LEP Guidance. Per FTA Circular 4702.1B:

Recipients have considerable flexibility in developing a Language Assistance Plan, or LEP Plan. An LEP Plan shall, at a minimum:

- a) Include the results of the Four Factor Analysis, including a description of the LEP population(s) served;*
- b) Describe how the recipient provides language assistance services by language;*
- c) Describe how the recipient provides notice to LEP persons about the availability of language assistance;*
- d) Describe how the recipient monitors, evaluates and updates the language access plan; and*
- e) Describe how the recipient trains employees to provide timely and reasonable language assistance to LEP populations.*

FTA will solely determine, at the time the recipient submits its Title VI Program or subsequent to a complaint investigation or compliance review, whether a recipient's plan is sufficient to ensure meaningful access and thus ensure the recipient is not engaging in discrimination on the basis of national origin.

2

Four Factor Analysis

The Four Factor Analysis is used to ascertain the level of assistance warranted for KWT to achieve its goal of providing meaningful access to programs and services by individuals and communities with LEP.

Analysis Requirements

To determine the extent to which LEP services are required and in what languages, the law requires the analysis of four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the City’s programs, services or activities.
- The frequency with which LEP individuals come in contact with these programs, services or activities.
- The nature and importance of the program, service or activity to people’s lives; and
- The resources available to the City and the likely costs of the LEP services.

Per FTA Circular 4702.1B, After completing the Four Factor Analysis, a recipient may determine that an effective LEP plan for its community includes the translation of vital documents into the language of each frequently encountered LEP group eligible to be served and/or likely to be affected by the recipient’s programs and services. Vital written documents include, but are not limited to, consent and complaint forms; intake and application forms with the potential for important consequences; written notices of rights; notices of denials, losses, or decreases in benefits or services; and notices advising LEP individuals of free language assistance services. Examples of vital documents include an ADA complementary paratransit eligibility application, a Title VI complaint form, notice of a person’s rights under Title VI, and other documents that provide access to essential services. Failure to translate these vital documents could result in a recipient denying an eligible LEP person access to services and discrimination on the basis of national origin.

Analysis Findings

This section was derived from the Limited English Proficiency (LEP) Guidance section of the City of Key West’s overall Title VI Plan and adapted for the specific needs of Key West Transit.

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from federal agencies require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently.

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 City, private and non-profit entities, and subrecipients.

The City of Key West (City) has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to City programs as required by Executive Order 12166. 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.

1: Number/proportion eligible to be served

The City examined the US Census Bureau’s most recent American Community Survey (ACS) data and was able to determine that approximately 23% or 5,440 of the City of Key West population age 5 and older spoke a language other than English at home. Spanish comprised the largest non-English speaking language (2019-2022).

As the latest ACS survey indicates, of the 5,440 persons who speak a language other than English, 2,573 (47.3%) speak English less than “very well.” The survey further indicates that 3,747 of the 5,440 (69%) speak Spanish and 1,802 of the 3,747 (48%) speak English less than “very well.”

The breakdown for the other languages identified in the City is as follows:

- Other Indo-European 1,291 (24%); speaks English less than “very well” 536 (42%)
- Asian and Pacific Islander 321 (6%); speaks English less than “very well” 192 (60%)
- Other languages 81 (1%); speaks English less than “very well” 43 (53%)

Key West Transit services extend across three Census-defined county subdivisions: Key West, Lower Keys, and Middle Keys. These geographies were used in this analysis.

Table 1 - # of LEP Households by Language Spoken (ACS 2021)

Language Spoken by LEP Households	Key West	Lower Keys	Middle Keys	Total
Spanish	753	55	466	1,274
Other Indo-European	172	20	4	196
Asian and Pacific Island	22	17	0	39

Safe Harbor Provision

DOT has adopted DOJ’s Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP populations. 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. These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program.

As a result of the Harbor Provision, Key West Transit (KWT) must translate all vital documents into the LEP groups frequently encountered in Key West for languages that comprise 5% or 1,000 persons of the total population eligible to be served or likely to be affected, which has been determined to be Spanish which has 1,274 households that speak the language throughout the Florida Keys.

2: Frequency of contact

The City 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. The following summarizes the most recent information available from the City of Key West regarding frequency of contact with LEP persons:

- Key West Transit averages 50 calls per day, with six percent of calls requesting language assistance.
- City Hall receives 100 calls a day on average, with 15 percent of callers requesting language assistance.
- The police department had approximately 10 calls in FY 2023 and 30 calls in FY 2022 requiring language assistance.

Most calls received requiring language assistance were Spanish speakers.

3: Nature and importance of service

Key West Transit provides essential life-sustaining transportation services.

4: Resources and costs

The City will evaluate the need for any formal outreach efforts to identify those City programs which would be of importance to a Spanish-speaking LEP person. Furthermore, to help accommodate the Spanish speaking community, the City's Transit Department, has translated its system route map and brochures. The City also has the ability to translate any of its documents and brochures into Spanish as needed.

The City assessed its available resources that could be used for providing LEP assistance. This included identifying what staff and volunteer language interpreters are readily available, how much a professional interpreter and translation service would cost, which documents should be translated, taking an inventory of available organizations that the City could partner with for outreach and translation efforts, technological options, examining which financial and in-kind sources could be used to provide assistance and what level of staff training is needed.

3

Language Assistance & Notifications

The results of the Four Factor Analysis inform the type and degree of language assistance resources KWT has determined effective to achieve access for the LEP populations it serves.

Language Assistance Available

The analyses of these factors suggest that the following LEP services are called for:

- Continue to provide translation of documents to Spanish.
- Maintain a list of employees who fluently speak Spanish and other languages and who are willing to provide translation and/or interpretation services. The list will be updated on an annual basis and made available to all public facing employees through established communication channels.
- Ensure all public access areas have access to a computer with speakers (and microphone as needed) to use Google Translate or other free online translation tools for onsite translation assistance.
- Dispatcher will request assistance from supervisors or bus operators who fluently speak Spanish and other languages as needed, or use Google translate from a cell phone if none are available
- Provide notification in Spanish of the availability of LEP assistance which is available in City buildings, transit vehicles and facilities, and other public areas.

The City understands that its community profile is changing and the four factor analysis may reveal the need for more LEP services in the future. As such, it will examine its LEP plan every three years to ensure that it remains reflective of the community's needs.

Florida Relay Service

The City of Key West uses the Florida Relay System to communicate with persons with hearing or speech impairments. Customers with hearing or speech impairments dial the appropriate number from the list below and provide the operator with the phone number in the City that

they want to communicate with, so that staff who uses standard telephone equipment can be reached.

Contact the City

- Phone: 7-1-1(V)
- Phone: 800-955-8771 (TTY)
- Phone: 800-955-8770 (Voice)
- Phone: 877-955-5334 (STS)
- Phone: 877-955-8773 (Spanish)

Notification of Availability

Table #2: Availability of Website Documents in Various Languages

Item #	Document Name	Languages Available
1	FTA Title VI Civil Rights Program Plan	English-only. Complaint forms in document are in English, Spanish, and French.
2	Title VI Complaint Form	English-only on website.
3	Key West Transit Title VI Complaint Procedure	English-only on website.
4	Key West Transit "Alerts to Your Phone"	English-only.
5	City of Key West Department of Transportation Rules of Operation	English-only on website.

Notification of availability is provided by posting notices on buses and at the transit facility. Additional notification is provided on the Key West Transit website (kwtransit.com) and the City of Key West website (cityofkeywest-fl.gov)

4

Employee Language Assistance Training

Key West Transit employees are trained to provide excellent customer service to all riders. An important component of that service is to aid riders with limited English proficiency. This section details the methods used to ensure employees are prepared to effectively engage with these riders and identify resources they can access for assistance when necessary.

Onboarding & Refresher Training

Key West Transit employees receive regular training in various topics, which includes Language Assistance.

Language Assistance

Key West Transit employs bus operators with the ability to speak multiple languages including Spanish, Creole, and Russian.

RTAP Essential Spanish for Rural Transit

The Rural Transit Assistance Program (RTAP) Essential Spanish for Rural Transit program resources are used in KWT's training program. This training is completed as part of employee onboarding and refresher training. The training cards are also kept in each vehicle binder for ease of reference by operators. Currently, KWT is working on providing training cards to all transit employees.

5

Plan Monitoring & Evaluation

Triennial Program Updates

As part of updating the Title VI Program every three years, Key West Transit will review and revise its Language Assistance Plan. These updates will include the completion of a refreshed Four Factor Analysis with new population data and information gleaned from the prior three years of interaction with the public and individuals with LEP.

Third-Party Oversight

Key West Transit is subject to oversight by the Federal Transit Administration and Florida Department of Transportation. As part of regular oversight activities and reviews, these agencies assess KWT's LAP and its implementation.

Transit Development Plan Updates

Key West Transit produces a Transit Development Plan (TDP) Major Update every five years as a requirement of Florida Administrative Code 14-73.001. The TDP is Key West Transit's planning, development, and operational guidance document and serves as the strategic blueprint for meeting mobility needs within the service area. While this plan's required components are not centered around Title VI or LEP populations, it includes activities through which strategies in the language assistance plan will be implemented and evaluated.

6

References & Resources

TITLE	AUTHOR / SPONSOR	YEAR	LINK
TIPS AND TOOLS FOR REACHING LIMITED ENGLISH PROFICIENT COMMUNITIES IN EMERGENCY PREPAREDNESS, RESPONSE, AND RECOVERY	Federal Coordination and Compliance Section, Civil Rights Division, U.S. Department of Justice	2016	FTA Website
TCRP SYNTHESIS 170: INCLUSIVE PUBLIC PARTICIPATION IN TRANSIT DECISION-MAKING	Transportation Cooperative Research Board	2023	National Academies of Sciences, Engineering, Medicine
PROMISING PRACTICES FOR MEANINGFUL PUBLIC INVOLVEMENT IN TRANSPORTATION DECISION-MAKING	U.S. Department of Transportation	2022	Transportation.gov
HOW TO ENGAGE LOW-LITERACY AND LEP POPULATIONS IN TRANSPORTATION DECISIONMAKING	PBS&J for the Federal Highway Administration	2006	fhwa.dot.gov
LEP.GOV	U.S. Department of Justice	Active	https://www.lep.gov/