

**Ada County Highway District
Limited English Proficiency Plan
June 2008**

The Ada County Highway District (ACHD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. ACHD assures that no person shall on the grounds of race, color, national origin, gender, age or disability be excluded from participation in, be denied benefits of, or be otherwise subject to discrimination under any ACHD service, program or activity. Additionally, in accordance with Presidential Executive Order 13166 – Improving Access to Services for Persons with Limited English Proficiency (LEP), ACHD is committed to taking the steps necessary to provide meaningful access to its services, programs and activities for people with limited English proficiency.

Limited English Proficiency (LEP) is a term used to describe persons who do not speak English as their primary language and have no ability or are limited in their ability to read, write, speak or understand English.

The diversity of Ada County’s population continues to grow and change. A review of the Census Bureau statistics for 2000 showed that in Ada County approximately 3% of the population reported that they speak English less than “very well”. There is one city in Ada County with a LEP population of over 6% and the other 5 cities are reporting LEP populations ranging from 1.3% to 3.3%. Given the current growth trends and changing demographics, these numbers are anticipated to continue to increase. It is important for the District to continue a proactive approach in engaging all members of the community in the public involvement aspects of our programs.

The District has committed to ensuring publications intended for public outreach or public involvement, where appropriate, will be offered in Spanish (Ada County’s largest LEP population).

Specifically, District Management shall:

- be responsible for becoming familiar with LEP compliance requirements;
- monitor their respective program areas to determine and document the frequency and nature of public contact;
- evaluate current practices to determine what opportunities exist for improved services to LEP populations;
- develop written procedures where needed, to ensure consistent service delivery;
- orient current and new employees as to compliance with LEP requirements;
- report LEP related data annually to the Human Resource Department.

Human Resource staff shall:

- in coordination with District Management, determine the most appropriate level and type of language assistance to provide;
- provide training and technical assistance in understanding and implementing LEP requirements;
- provide assistance in evaluating local population demographics to determine compliance requirements;
- collect LEP related data for Federal reporting purposes;
- respond to and investigate all complaints.

In preparing the District's plan for compliance with the Presidential Executive Order 13166, implementation guidance has been sought from the following sources:

- Presidential Executive Order 13166
- US Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, Federal Register/Vol.70, No. 239/December 2005
- US Department of Justice Policy Guidance, Enforcement of Title VI of the Civil Rights Act of 1964- National Origin Discrimination Against Persons With Limited English Proficiency, Federal Register Vol. 65, No. 159, August 2000
- US Department of Justice Clarifying Memo, dated October 26, 2001

SELF ASSESSMENT

Part I: Demography

Ada County demographics from the 2000 census show that of the homes where a language other than English is spoken – Spanish, French, German and Serbo-Croatian – are the languages representing significant indicators of potential LEP populations. In further reviewing the 2000 census information relating to the ability to speak English, a significant number of Spanish speaking households had members who spoke English “not well” or “not at all”. The census reports group all other languages together into “Other Indo-European Languages”, “Asian and Pacific Island Languages”, and “All Other Languages”. The group “Other Indo-European Languages” was the only group with significant numbers of household members who spoke English “not well” or “not at all”. French, German and Serbo-Croatian all were included in this group. Additional review of the “Ability of Speak English” data indicates that there are households throughout Ada County where members speak limited English. However, the significant populations are located primarily in the city of Boise.

Part II: Frequency of Contact

The District contracted with Sage Community Resources to conduct surveys with ACHD staff and various community based organizations and schools.

ACHD staff who interact with people outside of the District on a regular basis were surveyed. Almost two thirds of the respondents said that they interact with LEP individuals less than monthly and slightly less than one third never encounter LEP populations. The majority of respondents indicated that Spanish is the language most often spoken by LEP individuals. One third of the respondents indicated that contact with LEP individuals took place primarily in the office or public meeting environments.

Additionally, twenty-six schools, places of worship and community organizations throughout Ada County were contacted in an effort to gain additional demographic information relating to potential LEP populations. Seven agencies responded and only half were able to disclose any types of profiles for the

LEP groups. The community survey information was limited but was generally consistent with the census information.

Based on the recent survey information, it appears that ACHD staff interaction with LEP individuals is fairly infrequent. However, when the interaction does occur it is most often with Spanish speaking individuals.

Part III: The Nature and Importance of the Program, Activity or Service Provided

The District maintains and operates roads, streets and bridges in Ada County. Our mission is to provide the best public highway system for the safe and efficient movement of people and goods throughout Ada County. The District also operates the Commuteride Program. The goal of this program is to coordinate vanpooling and carpooling within the Treasure Valley by working with employers and commuters to encourage and provide alternative transportation options.

Some examples of vital documents used in our program would be marketing and outreach materials, public notices, vanpooling/carpooling information for participants and documents related to land transactions.

While the District provides a critical service to the community, generally a delay or denial of access to services or information would not have serious or life threatening implications for an LEP individual. However, the District recognizes the importance for all citizens to have an opportunity to participate in the public processes designed for them to provide input and will work to ensure that LEP individuals have the same opportunity as non-LEP individuals. Additionally, the District will continue to monitor programs and services that may have a more direct impact on LEP individuals such as the Commuteride Program and land transactions and provide the necessary assistance as appropriate.

PART IV: Resources Available

As a part of the self assessment process, it has been determined that while not frequent there are some interactions between ACHD staff and LEP individuals. The census information additionally indicates that there are some significant numbers of LEP individuals living in the geographical area served by the District. As many public agencies, the District operates on a strict and limited budget. The District has limited internal resources for interpretation as only 2 employees have been identified as speaking languages that would service our potential LEP customers. We will continue to monitor for new employees who may have this skill set. However, through the use of contract interpreters, telephone services and community-based organizations, we believe that we can meet the needs of LEP individuals in our service area. Additionally, by assigning an individual as a point of contact to coordinate language access activities including training, we believe that the District can fulfill the requirements of Executive Order 13166.

LANGUAGE ASSISTANCE PLAN (LAP)

Identifying LEP Individuals Who Need Language Assistance

In completing the self-assessment, several sources of information were analyzed to assist in identifying potential LEP populations. This information included census statistics on the local demographics, school populations and surveys conducted of community based organizations and ACHD staff. Our analysis of this information showed that Spanish-speaking individuals would be the District's most likely contact with LEP individuals. This conclusion was supported by all of the data sources. The District recognizes that there may be other LEP groups who need assistance and will make reasonable efforts to identify and provide those individuals with appropriate language assistance.

- ✓ The District will post notices in commonly encountered languages notifying LEP persons of language assistance.
- ✓ The District will utilize language assistance cards or "I speak" cards which invite the LEP person to identify his/her language.
- ✓ The District will collect and maintain primary language needs of participants in an effort to have current information on the needs and potential changes in the language needs of participants.

Language Assistance Measures

While the census information indicated that there were potentially significant LEP groups within the service area of the District, the survey conducted with ACHD staff indicated that staff interactions with LEP individuals occurred less than monthly with nearly two-thirds of the staff and approximately one-third of the staff reported no contact with LEP individuals. Nevertheless, the District recognizes the need to ensure that appropriate language assistance measures are available when necessary and will take the necessary steps to provide the assistance.

- ✓ Human Resources staff will coordinate accessing language assistance.
- ✓ The District will maintain an inventory of language skills among staff.
- ✓ The District will maintain a list of interpreter and translators with their contact information.
- ✓ The District will provide for "vital documents" to be translated into the appropriate language as deemed necessary.

Training Staff

The District will provide training to all existing and new staff to ensure understanding and consistency in implementing LEP requirements.

- ✓ The Human Resources staff will train management staff members on the procedures of providing language assistance and how to determine whether and the type of language services a customer needs.

- ✓ The Human Resources staff will provide initial introduction of LEP requirements to new employees.
- ✓ Management staff will be responsible for training their staff members who may potentially interact with LEP individuals.

Providing Notice to LEP Persons

In meeting the District's commitment to provide language assistance where needed, it is important to let LEP persons know that those services are available and free of charge. This information will be provided in a notice in a language LEP persons will understand. Some of the notification practices will include:

- ✓ Posting signs in areas where the public is likely to read them.
- ✓ Stating in outreach documents (brochures, booklets, pamphlets, flyers) that language services are available.

Monitoring and Updating the LAP

The District will continue to monitor and update the LAP plan on a regular basis to ensure that as demographics or the frequency of staff interactions with LEP individuals change the appropriate language assistance is provided. Specifically, the District will:

- ✓ Monitor changes in the LEP population and the population affected or encountered.
- ✓ Monitor staff interactions with LEP persons and request feedback on the language assistance measures utilized.
- ✓ Monitor changes in the nature and importance of activities to LEP persons.
- ✓ Monitor changes in resources including new technologies, additional resources and budget availability.
- ✓ Maintain an up-to-date listing of interpreters and translators with contact information.
- ✓ Maintain an up-to-date listing of language abilities of staff members.
- ✓ Monitor and review any complaints filed due to language access problems.
- ✓ Update the LAP, as appropriate.

Complaint Procedure

Complaints may be filed by any person who believes that he or she has been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Ada County Highway District (ACHD) service, program or activity, and believes the discrimination is based upon race, color, national origin, gender, age, disability or lack of meaningful access for individuals with limited English proficiency. Complaints will be accepted in writing only and may be filed with ACHD's Human Resource Department in Garden City.

A signed written complaint must be submitted within 180 days of the alleged discriminatory act (or latest occurrence). The complaint should contain:

- Name, address, telephone number and signature of complainant.
- Facts and circumstances surrounding the claimed discrimination, including date of allegations, and basis of complaint (i.e., race, color, national origin, gender, age, disability or lack of meaningful access for individuals with limited English proficiency).
- Any names of persons, if known, that the investigator could contact for additional information to support or clarify the allegations.
- Corrective action being sought by the complainant.

Within ten days of receiving a written complaint, ACHD's Human Resource Department will acknowledge receipt of the allegation, and inform the complainant of action taken or proposed action to process the allegation.

Federal laws prohibit a recipient of federal funds from retaliating against any person who has made a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing. Any complaints of retaliation should be directed in writing to ACHD's Human Resource Department immediately at:

Ada County Highway District
Attention: Sr. Manager – Human Resources
3775 Adams
Garden City, Idaho 83714
Phone: (208) 334-8852 Fax: (208) 387-6391