

Hibbing Area Transit



Language Assistance Plan



Ensuring Meaningful Access for Limited English Proficient Individuals

**Effective: 12/01/2010
Revisions: 10/05/2022**

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Purpose

The purpose of this Language Assistance Plan (hereinafter "LAP") is to meet Federal Transit Administration's (FTA's) requirements to comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin.

"No person shall, on grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance." - Civil Rights Act of 1964

As a subrecipient of FTA funds, Hibbing Area Transit system resolves to take reasonable steps to provide meaningful access to its public transit services for persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. The FTA refers to these persons as Limited English Proficient (LEP) persons. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.

The completion of this LAP for persons with Limited English Proficiency conforms to the requirements of the FTA Circular 4702.1B Title VI Requirements and Guidelines for Federal Transit Administration Recipients.

The U.S. DOT's FTA Office of Civil Rights' publication "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons – A Handbook for Public Transportation Providers," dated April 13, 2007, was used in the preparation of this plan.

The LAP provides guidance to Hibbing Area Transit staff who may interact directly with LEP individuals or whose work involves providing information or services to the public. The plan provides protocols for identifying LEP individuals, language assistance measures, and staff responsibilities and training related to ensuring meaningful access for LEP individuals.

The DOT LEP Guidance recommends that all recipients, especially those that serve large LEP populations, should develop an implementation plan to address the needs of the LEP populations they serve. The DOT LEP Guidance provides that to provide for effective implementation plans would typically include the following five elements:

1. Identifying LEP individuals who need language assistance (Four Factor Analysis)
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP individuals
5. Monitoring, evaluating, and updating the plan

For further questions regarding this plan, please contact:

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Definitions

Disproportionate Burden: Refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

Four Factor Analysis: The assessment provided by federal regulation to help the Transit system determine the level of language assistance required for a program or activity.

Interpretation: The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Language Assistance Guide: Provides an itemized list of non-English languages and can be used as a tool to help an LEP individual identify their preferred language to the Transit system staff.

Language Assistance: Oral and written language services needed to help LEP individuals communicate effectively with staff and ensure meaningful access to, and equal opportunity to fully participate in, the programs and activities provided by the Transit system.

Limited English Proficient (LEP): Individuals whose primary language is not English and who have a limited ability to read, speak, write, or understand English. Individuals may be proficient in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing).

Meaningful Access: Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.

Public Engagement: Any process that (1) involves the public in identifying and solving challenges and problems and uses public input to make sustainable decisions, (2) educates or informs the public about a topic or issue, or (3) seeks to build meaningful connections and trust with the public through communication and interaction.

Timely: Language assistance provided at a time and place that avoids the effective denial of the service, benefit, or right at issue or the imposition of undue burden on or delay in important rights, benefits, or services to LEP individuals.

Translation: The replacement of a word, phrase, or text in one language (source language) with an equivalent-meaning word, phrase, or text in another language (target language).

Vital Documents: Paper or electronic written material containing information that is (1) critical for accessing programs, services, benefits, or activities, (2) directly and substantially related to public safety, or (3) required by law.

Identification of LEP Individuals – the Four-Factor Analysis

Title VI and its regulations require subrecipients to take reasonable steps to ensure meaningful access to the transportation system’s information and services. What constitutes reasonable steps to ensure meaningful access is contingent on a four-factor analysis established by the U.S. Department of Justice.¹ The four-factor analysis is an individualized assessment that should be applied to all transportation system programs and activities to determine what reasonable steps must be taken to ensure meaningful access for LEP individuals.

Hibbing Area Transit has completed the four-factor analysis attached as **Appendix A**. The Analysis is intended to assist in ensuring compliance with federal limited English proficiency guidance and Title VI of the Civil Rights Act of 1964. This analysis does not cover every situation, and compliance determinations are made on a case-by-case basis.

Safe Harbor for Written Translations

U.S. DOT LEP Guidance provides a “safe harbor” to help ensure greater clarity regarding whether a subrecipient is meeting its obligation to provide written translations. These provisions only apply to the translation of written documents and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language assistance services are needed and reasonable.

¹ Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons with Limited English Proficiency, effective August 11, 2000. Available here: <https://www.justice.gov/sites/default/files/crt/legacy/2010/12/14/eolep.pdf>

A. Language Assistance Measures

Various language assistance services or protocols are necessary to ensure meaningful access to LEP individuals. Hibbing Area Transit has identified available language assistance services and operational measures where language assistance measures are needed based on the first two factors in the four-factor analysis.

Based on our analysis, Hibbing Area Transit has determined the importance of language assistance to our program(s), activity(ies), or service(s) as:

- A. Low level (little to no LEP population)
- B. Mid-Level (some LEP population)
- C. High Level (significant LEP population)

Hibbing Area Transit has looked at differing considerations in communicating with LEP populations about transit services and information. One consideration is to provide a guide to identify the foreign language spoken by non-English speakers, such as the “Language Identification” card, attached in Appendix C. Other considerations are posting notices in appropriate languages informing LEP persons of available services and translating any key documents.

Recording Use of Language Assistance Services

Hibbing Area Transit has the responsibility to document all interpretation and translation services provided proactively or upon request. A written log documenting all language assistance services provided must be maintained. A template for the Language Service / Public Participation Log is attached as Appendix E.

Hibbing Area Transit provides language assistance services that would fulfill requests for interpretation and translation services in a timely manner. The following outlines how each of these services would be provided for:

Translation (written): *Translation is the replacement of a word, phrase, or text in one language (source language) with an equivalent meaning word, phrase, or text in another language (target language).*

Interpretation (oral): *Interpretation is the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.*

Public Engagement/Participation

Hibbing Area Transit has incorporated Title VI and LEP considerations into an established public participation plan. The Public Participation Plan which outlines the steps our agency follows is attached as **Appendix D**. The attached plan provides a clear process for engaging and involving the public, including minority and LEP populations. Consideration of LEP communities is documented by first using the results of the four-factor analysis that determines the level and type of language assistance necessary for a particular public engagement plan or activity.

The plan aims to seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. Hibbing Area Transit's public participation strategy offers adequate notice of public participation activities, as well as early and continuous opportunities for public review and comments at key decision points to identify social, economic, and environmental impacts of proposed transportation decisions. The plan describes the proactive strategies, procedures, and projected outcomes that align with the public participation activities throughout the year(s). Every effort is made to involve minority and LEP populations in effective participation in our decision-making process. The following practices include, but are not limited to:

- Scheduling meeting at times and locations that are convenient and accessible for minority and LEP communities
- Employing different meeting sizes and formats
- Coordinating with community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities
- Considering radio, television, newspaper, social media ads on stations, outlets, and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts.
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- Preparing for public engagement activities by determining ways to provide language assistance when no interpreter is present or whether needed or not, providing written documents in other languages, if requested, including ethnic media, schools, and religious or community organizations to assist in providing information.

All language assistance services provided during public engagement or community outreach will be recorded on the Language Service / Public Participation Log is attached as **Appendix E**.

B. Staff Training

To ensure transit staff, and/or appropriate overall agency staff, understand the obligations to provide meaningful access to information and services for LEP individuals, all employees in public contact positions will be properly trained. This plan outlines the training provided on an annual, on-going and/or on-demand basis to implement the following:

- Staff have been trained and understand meaningful LEP policies and procedures
- New staff will have appropriate training as part of the orientation for new employees
- Staff who have contact with the public is trained to work effectively with in-person and telephone interpreters
- Management staff, even if they do not interact regularly with LEP individuals, will be fully aware of and understand the plan to reinforce the importance of the program and ensure it is implemented accordingly by/to staff

Hibbing Area Transit has developed standard presentations, resource connections and other language assistance trainings that provide for cost-effective and flexible opportunities for staff and management to understand the LAP Plan, the Public Participation Plan and responsibilities. Existing employees, especially managers and those who work with the public will be offered re-training or new training sessions to keep up to date on their responsibilities to LEP individuals. The following outlines the information incorporated within the training provided annually, on-going or on-demand:

- Standard presentation provided to new, existing and management on the staff responsibility to LEP populations. Template is used at multiple agency trainings and is updated on a regular and as-needed basis
 - Consistent information will be included on transit agency's responsibilities to LEP populations
 - Summary of Language Assistance Plan
 - Demographic data about local LEP population
 - Frequency of contacts between LEP populations and the transit system's services, programs, and activities
 - The importance of community outreach and inclusion of activities for LEP populations
 - Description of the type of language assistance currently providing and instructions on how staff can access these products and services
 - Description of Hibbing Area Transit and/or overall agency's cultural sensitivity policies and practices
- Printed LEP resources: understanding the information, how to use information and method in presenting information to LEP populations
- Resources and methods in response to verbal requests for transit service in a foreign language
- Responsibility to notify transit manager about any LEP persons' unmet needs

Staff Training Program

To ensure effective implementation of this plan, Hibbing Area Transit will schedule training at orientations for new staff and for all relevant employees on an annual basis to review The Language Assistance Plan, demographic data about the LEP population, printed LEP person's materials if required, how to handle verbal requests for transit service in a foreign language, and the responsibility to notify the transit manager about any LEP person's unmet needs. See **Appendix F**.

Resources

- “Breaking Down the Language Barrier: Translating Limited English Proficiency into Practice.” This video, which is available as a streaming video link on www.lep.gov, explains the language access requirements of Title VI and Executive Order 13166 through vignettes that expose the problems resulting from the absence of language assistance. The video goes on to show how these same situations could have been handled more appropriately if the service provider took reasonable steps to provide meaningful access
- “How to Engage Low-Literacy and Limited English Proficient Populations in Transportation Decision making,” available at https://www.fhwa.dot.gov/planning/publications/low_limited/index.cfm This report documents “best practices” in identifying and engaging low-literacy and LEP populations in transportation decision making. These “best practices” were collected during telephone interviews with individuals in 30 States.
- “Guidelines for Developing Traffic Safety Educational Materials for Spanish-Speaking Audiences,” a manual developed by the Education in Traffic Safety project, Education Development Center, Inc., with funding from the National Highway Traffic Safety Administration. The manual is organized into three sections: research and planning, creating materials, and dissemination and evaluation. Available at http://www.casaferoutestoschool.org/wp-content/uploads/2011/05/TSEM_Guidelines.pdf

C. Notice to LEP individuals

Based on the four-factor analysis, Hibbing Area Transit has determined that language services will be provided for the LEP populations identified as having a need. For those languages that meet the translation need for written documents threshold based on Safe Harbor guidance, notices will be in the language the LEP individual would understand. For languages that do not meet the written document requirement, based on the Safe Harbor guidance, Hibbing Area Transit will provide meaningful access to LEP individuals through competent oral interpreters where oral language assistance services are needed and reasonable. All notifications will provide that identified services are available free of charge to LEP individuals.

Examples of notification considered include:

- Transit intake areas, transfer stations, transit shelters, transit stops, or similar areas
- Signs on buses
- Brochures or Pamphlets
- Posters
- Targeted Community Outreach events or meetings
- Information provided to local organizations that work with LEP individuals
- Telephone messages
- Local ads (print, radio, TV, social media, billboards)
- Website notices
- Information tables/booths at local events, community businesses, schools, and churches
- Employee Outreach and Recruitment
- Other: Describe:

All facility(ies) where Hibbing Area Transit interacts with the public in-person will have a Public Notice of Rights Under Title VI posted clearly and conspicuously, including non-English versions of the notice, if deemed necessary after conducting a four-factor analysis. A notice in English is attached as **Appendix G**. Staff will use, when necessary, a language guide tool or a process similar to interact with LEP individuals. All

interactions with LEP individuals will be recorded on the Language Service / Public Participation Log as **Appendix E**.

This Language Assistance Plan and the Notice are available on our website at <https://www.ci.hibbing.mn.us/services/hibbing-area-transit>

D. Monitoring, Evaluating and Updating Plan

Hibbing Area Transit has developed a process for determining whether new documents, programs, services, and activities need to be made accessible for LEP individuals and will provide notice of any changes in services to the LEP public and to staff. The process includes an annual review to consider changes in demographics, types of services, or other needs that may require an annual reevaluation. Hibbing Area Transit will also seek feedback from LEP populations and community outreach programs with follow-up meetings, focus groups and/or with surveys.

The Language Assistance Plan considers the following five elements:

1. Identifying LEP individuals who need language assistance (Four Factor Analysis)
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP individuals
5. Monitoring, evaluating, and updating the plan

In addition to the five elements, the plan sets clear goals, management accountability, and opportunities for staff and community input and planning throughout the process.

Areas of consideration when monitoring, evaluating and updating include:

- Current LEP populations in the service area or population affected or encountered.
- Frequency of encounters with LEP language groups.
- Nature and importance of activities to LEP persons.
- Availability of resources, including technological advances and sources of additional resources, and the costs imposed.
- Whether existing assistance is meeting the needs of LEP persons.
- Whether staff knows and understands the LEP plan and how to implement it.
- Whether identified sources for assistance are still available and viable.
- Whether staff training is sufficient.
- Review any complaints from LEP individuals received during the past year.

The Hibbing Area Transit is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, or national origin by Hibbing Area Transit, providing programs and services in the city of Hibbing. Person who alleges that a violation to the Title VI requirements has been made may file a Title VI complaint by completing and submitting the Title VI Complaint Form to Hibbing Area Transit and/or to MnDOT Office of Transit and Active Transportation Attn: Compliance Coordinator. Hibbing Area Transit and/or MnDOT, will investigate complaints received no more than 180 days after the alleged incident. All complaints that are complete will be processed and responded to based on the Title VI Complaint Procedures attached as **Appendix H**.

Hibbing Area Transit has created and made available a Title VI Complaint Form for use by customers who wish to file a Title VI complaint. The complaint form is available on the City of Hibbing's website at

<https://www.ci.hibbing.mn.us/services/hibbing-area-transit>. The Title VI Complaint Form specifies the three classes protected by Title VI—race, color, and national origin—and allows the complainant to select one or more of those protected classes as the basis/bases for discrimination. The Title VI Complaint Form is a vital document. If a Limited English Proficient (LEP) populations in the Hibbing Area Transit area meets the Safe Harbor threshold, then the procedure is provided in English *and* in any other language(s) spoken by LEP populations that meet the Safe Harbor Threshold. Attached as **Appendix I** is the Title VI Complaint Form.

E. Contact Information

Based on the feedback received from agency staff, community members, LEP populations, and other key stakeholders; incremental changes may be needed for the type of written and oral language assistance provided, along with any staff training and community outreach efforts.

This Language Assistance Plan will be reviewed by our transit system every other year, with any revisions being approved by the Board of Directors or Policy Board and dated. The next review will occur in September 2024.

Questions or comments about this plan may be submitted to:

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Hibbing Area Transit



Limited English Proficiency Four-Factor Analysis

Date: 10/05/2022

Completed by/title: Erin Husmann/Internal Auditor

Briefly describe the program or activity subject to analysis:

Title VI and its regulations require subrecipients to take reasonable steps to ensure meaningful access to the transportation system's information and services. The four-factor analysis is an individualized assessment that should be applied to all transportation system programs and activities to determine what reasonable steps must be taken to ensure meaningful access for LEP individuals. This population will be program-specific and includes people who are in the Transit system's geographic area.

Factor #1: The number or proportion of LEP persons eligible to be served or likely to be encountered through the program or activity?

The greater the number or proportion of LEP individuals from a particular language group served or encountered in the eligible service population, the more likely language assistance services are necessary. Ordinarily, "individuals eligible to be served or likely to be encountered" by a program or activity are those who are in fact, served or encountered in the eligible service population. This population will be program-specific and includes people who are in the Transit system's geographic area.

Hibbing Area Transit first examined prior experiences with LEP individuals and determined the number and proportion of LEP persons served or encountered within the service area. Hibbing Area Transit also included LEP populations that are eligible to be served or likely to be affected or encountered.

To support the efforts of conducting the four-factor analyses, Hibbing Area Transit referred to the data compiled from the MnDOT's LEP Data Tool for our system's jurisdiction of services at the city and county-level attached as **Appendix B**.

Primary Languages for Transit System County Programs or Information

The data provided in **Appendix B** identified Other Asian/Pacific Islander, Chinese, and other Unspecified languages as the top three LEP groups in the jurisdiction providing service.

1. City served: Hibbing
2. Total population: 16,214
3. The total number of LEP individuals in our service area is: 249
4. The total eligible population in our service area is: 0
5. The proportion (percentage) of LEP population to the total eligible service population is: 2%

Reliable External Data Sources for Identifying LEP Groups

Hibbing Area Transit used reliable external data sources to determine the number or proportion of individuals eligible to be served or likely to be affected or encountered based on the expected geographic area served (ie. city, county, regional area, etc.) Reliable external data sources included:

- [MnDOT's LEP Data Tool](#): Allows subrecipients to identify LEP language groups by county, city, and school district. Webpage includes further details about how to use the tool.
- [American Community Survey](#): An annual survey conducted by the U.S. Census Bureau providing vital demographic information and is widely considered the most reliable source of detailed information about the United States population.
- [Minnesota Compass](#): A Wilder Research project providing Minnesotans with credible, user-friendly data about their communities.
- [EJSCREEN](#): A mapping tool created by the U.S. Environmental Protection Agency based on nationally consistent data and an approach that combines environmental and demographic indicators in maps and reports. The functions include automated demographic reporting for a geographic area around an identified project area.
- [MN State Demographic Center](#): Provides data and reporting on various topics, including language and immigration.

In addition to identifying and examining prior experiences with LEP individuals and the external data sources outlined above, Hibbing Area Transit looked at local data resources to determine the number or proportion of LEP individuals who may be eligible to be served. These include:

- Survey results:
- Locally Coordinated Human Services/Transit Plan
- Other Human Services data
- Area/Metropolitan Planning Organizations/Regional Development Commission data
- Information from local organizations (religious, legal, social service, etc.) about LEP persons in our service area: St. Louis County Social Services did not have any information to provide. They will notify us if we can provide any assistance to make Hibbing Area Transit more accessible.
- Reports from drivers, dispatchers, and others about contact with LEP persons: Currently three students are riding the bus to campus
- Other information:

Safe Harbor for Written Translations

U.S. DOT LEP Guidance provides a “safe harbor” to help ensure greater clarity regarding whether Hibbing Area Transit is meeting its obligation to provide written translations. These provisions only apply to the translation of written documents and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language assistance services are needed and reasonable.

The following actions by Hibbing Area Transit are considered as meeting the compliance with the written-translation obligations:

- (a) Providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000 people, whichever is less, of the population of individuals eligible to be served or likely to be affected or encountered. Translation of non-vital documents, if needed, can be provided orally; or
- (b) If there are fewer than 50 individuals in a language group that reaches the 5% trigger in (a), the vital written materials are not translated, but written notice of the right to receive free, competent oral interpretation of those vital written materials in the primary language of the LEP language group of is provided.

Failure to meet the actions provided does not mean there is noncompliance, but rather provide a resource to obtain greater certainty of compliance with a fact-intensive, four-factor analysis. Generally, it would not be necessary to translate vital documents when it would be so burdensome as to defeat the legitimate objectives of a program. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

The findings from the graphs within Appendix B did not indicate any LEP language groups meet the safe harbor threshold. At this time, Hibbing Area Transit will not translate written documents. However, efforts will be made to reasonably accommodate any language access requests that may arise.

Factor #2: The expected frequency with which LEP individuals will interact with the program, activity, or service?

Hibbing Area Transit conducts an assessment process, as accurately as possible, to obtain updated information on the frequency with which the Transit system would have or should have contact with LEP individuals from different language groups seeking assistance. The assessment is completed on an annual basis, by survey and/or outreach efforts. In determining the needs, emphasis is placed on populations that will have frequent contacts for services, while less frequent or unpredictable service contact needs will require less intensified solutions. Less intensified solutions could be as simple as being prepared to use telephone interpretation services for immediate interpreter services or the use of staff person who can translate for the parties. At all times, Hibbing Area Transit will look for opportunities to increase their outreach efforts to all LEP language groups.

Drivers reported that there are currently three college students who utilize our transit service to campus. We also reached out to the St. Louis County Public Health and Wellness office, however, we did not receive any information on any LEP individuals who may need assistance.

LEP persons may interact in several ways other than for public transit trip opportunities, with Hibbing

Area Transit, including but not limited to:

- Public meetings
- Community events
- Project-specific meetings, events, and discussions
- Online engagement
- Walk-in requests for information
- Phone communications
- Customer service interactions
- Surveys for information

The conclusions drawn from examining this information about LEP persons seeking transit services are: We must be ever watchful for anyone who may be experiencing difficulty in accessing transit services so that we may refer them to resources which will improve their transit experience.

In conducting our most recent review in September 2022 Hibbing Area Transit has had very little interactions with any LEP language groups in the past three years.

Factor #3: The nature and importance of the program, activity, or service provided by the program to the people's lives?

The obligations to communicate rights to LEP individuals who need access to services or information is a priority in meaningful transportation. Hibbing Area Transit is aware that certain activities would have serious consequences to individuals if language barriers would prevent a person from benefiting from the service, i.e., emergency evacuation instructions in vehicles and facilities, security awareness or emergency preparedness information in vehicles and at facilities.

Our transit system considers transit to be an important and essential service for many people living in our service area. Hibbing Area Transit works with the community organizations, such as the Social Services office to provide opportunities for access and information to public transit services. Hibbing Area Transit provides over 45,000 rides annually for medical appointments, employment, shopping, library, college classes, etc.

Within our analysis, Hibbing Area Transit will identify necessary language assistance measures, including the translation of vital documents into an identified LEP population that seeks services or information on a regular basis and is likely to be affected. Vital documents are paper or electronic written material that contains information that is 1) critical in accessing programs, services, benefits, or activities, 2) directly related to public safety, or 3) required by law. Determining whether a document or the information is "vital" may depend on the importance of the information or service involved and the consequences to the LEP individual if the information is neither accurate nor timely.

Examples of vital documents in the U.S. DOT LEP Guidance include:

- Emergency transportation information
- Notices advising LEP individuals of free language assistance
- Instructions on how to participate in a program or activity or receive service

Because no languages were identified as meeting the safe harbor threshold for translating vital written materials, Hibbing Area Transit is not at this time providing a list of documents considered vital. Should future analysis indicate an LEP group meeting the safe harbor threshold, Hibbing Area Transit will evaluate its vital documents and provide translations

in accordance with the analysis and federal guidance.

Factor #4: The resources available to the public for LEP outreach, as well as the costs associated with providing meaningful language access.

Hibbing Area Transit has weighed the demand for language assistance against the agency's current and projected financial and personnel resources. In our analysis we have determined if the language services, or lack of language services, currently provided is cost effective and to plan for future investments that will provide the most needed assistance to the greatest number of LEP individuals within our service jurisdiction. Hibbing Area Transit will determine on a case-by-case basis whether language assistance costs outweigh the benefits.

Our current annual budget for marketing to or communicating with LEP individuals or populations in their language about transit services that are available to them is part of our overall marketing/advertising budget of \$5,080. \$5,278 is budgeted for 2023, and an estimated \$5,500 for 2024 and \$5,700 for 2025. This may include funding for staff training, translation services, brochures, flyers, newspaper ads, radio ads, website, etc. The amount and efforts our agency have provided over the years has remained the same and include written records of efforts and resources provided for the past three years. Records indicate that our agency has remained the same in the number of staff and percentage of staff time that is associated with providing language assistance. This number and percentage will remain the same over the next three years.

Hibbing Area Transit has taken into consideration that "reasonable steps" may cease to be reasonable when the costs imposed substantially exceeds the benefits, and we have carefully explored the most cost-effective means of delivering competent and accurate language services before limiting services due to the resource concerns. Our efforts to be resourceful have considered the impact in utilizing technology advances, such as telephone and video conferencing interpretation services and translating vital documents posted on our website, reasonable business practices, and sharing of language assistance materials and services among and between other transit agencies. The range in services may be from using telephone-based interpretation services to provide in-person interpretation at a public event. In all cases, however, Hibbing Area Transit will proactively identify how to provide language assistance services efficiently and cost-effectively while ensuring meaningful access to LEP individuals.

Based on our analysis of demographic data and contact with community organizations and LEP individuals, we have determined that we have consistently addressed the needs of the LEP populations and our efforts in determining information that needs to be translated into additional languages or additional oral or written language service are being met, and that additional language assistance needs are being addressed or more widespread.

Findings: What language assistance measures will you need to employ to ensure meaningful access to LEP individuals:

Based on the analysis above, how important will language assistance be to this program or activity?

- Not Important (little to no LEP population)
- Important (some LEP population)
- Very Important (significant LEP population)

What non-English languages are most prevalent in your service area? What are the numbers and percentages for each, based on total populations?

- Other Asian/Pacific Islanders: 67 persons; 0.45%
- Chinese: 63 persons; 0.42%
- Other Unspecified: 54 persons; 0.36%
- Vietnamese: 43 persons; 0.29%

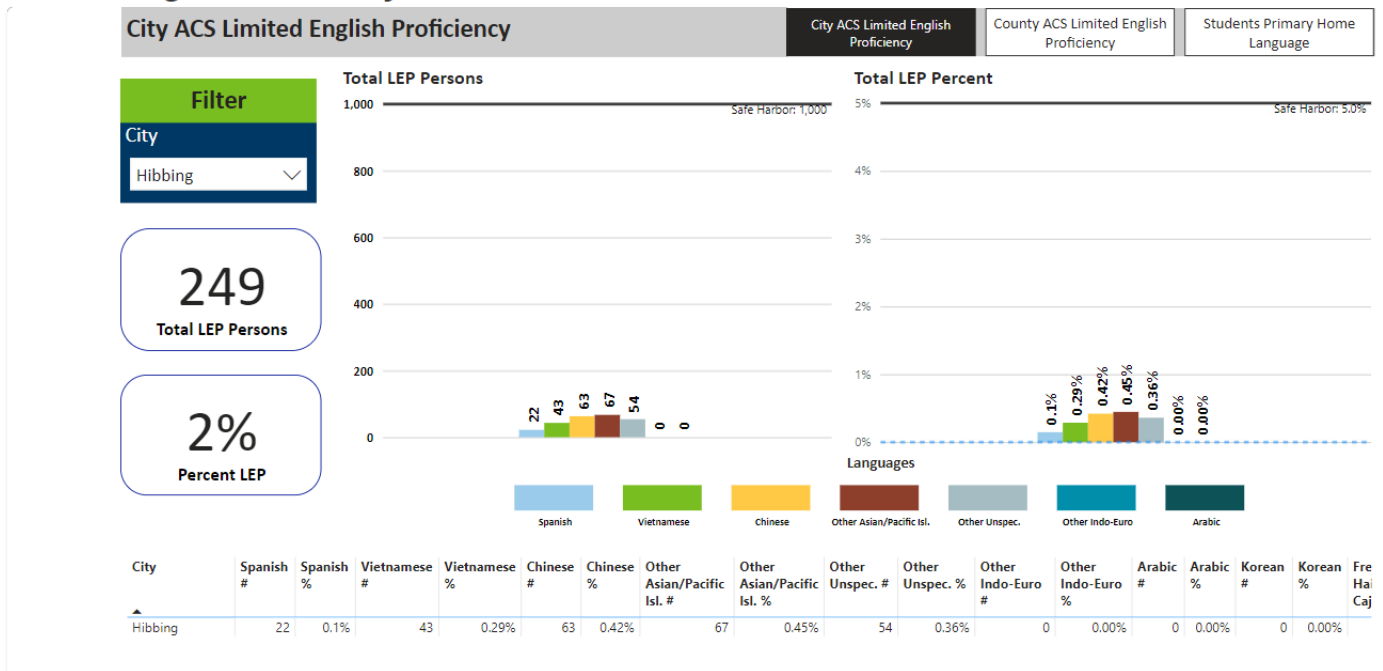
Based on the findings of most prevalent non-English languages, will you need to translate documents for any or all of the identified populations? No

Will you need to provide interpreters for any public outreach or similar event(s)? No

Limited English Proficiency (LEP) Data

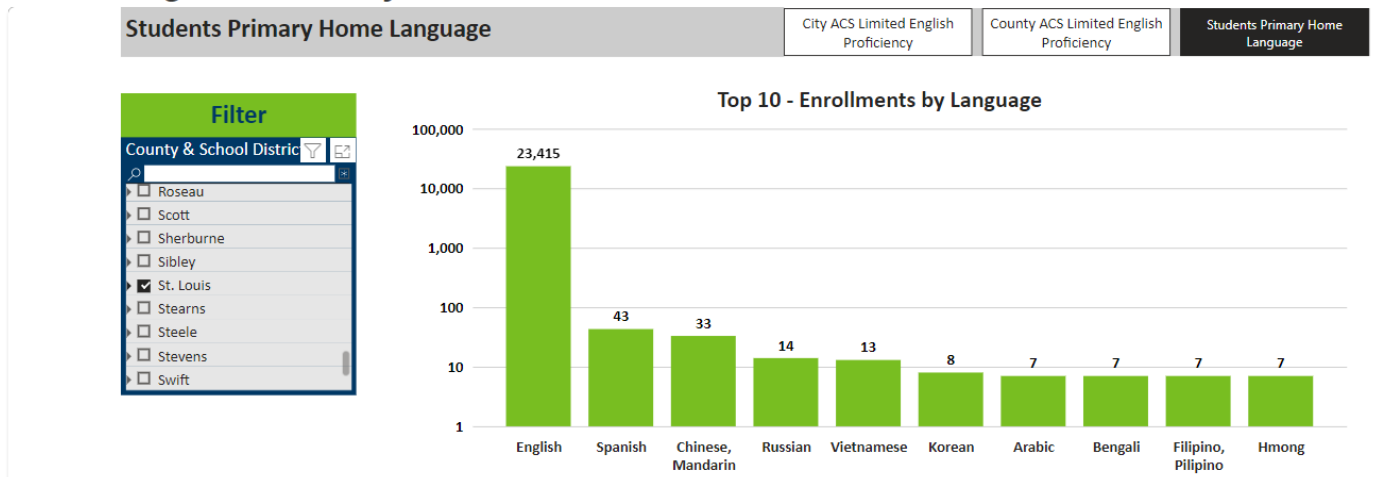
American Community Survey (5-Year Estimate 2015-2019, Table ID C16001)

Limited English Proficiency Data Tool



Minnesota Department of Education: Primary Home Language for Students

Limited English Proficiency Data Tool



Language Identification

One way to determine the language of communication is to use language identification cards (or "I speak cards"), which invite LEP persons to identify their language needs to staff. Such cards, for instance, might say, "I speak Spanish" in both Spanish and English, or "I speak Vietnamese" in both English and Vietnamese

Language Identification Cards

Side 1 of 2

Instructions: Place a check by the language spoken.

<input type="checkbox"/> Mark this box if you read or speak English.	<i>English</i>
<input type="checkbox"/> ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	<i>Arabic</i>
<input type="checkbox"/> Խոսողու՞մ ե՞նք նշու՞մ կատարե՞ք այս քանակու՞մ, եթե խոսու՞մ կա՞մ կարողու՞մ եք հայերե՞ն:	<i>Armenian</i>
<input type="checkbox"/> যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	<i>Bengali</i>
<input type="checkbox"/> ឈ្មួញបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	<i>Cambodian</i>
<input type="checkbox"/> Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	<i>Chamorro</i>
<input type="checkbox"/> 如果你能读中文或讲中文，请选择此框。	<i>Simplified Chinese</i>
<input type="checkbox"/> 如果你能讀中文或講中文，請選擇此框。	<i>Traditional Chinese</i>
<input type="checkbox"/> Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	<i>Croatian</i>
<input type="checkbox"/> Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	<i>Czech</i>
<input type="checkbox"/> Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	<i>Dutch</i>
<input type="checkbox"/> اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.	<i>Farsi</i>

Public Participation Plan

Plan Adopted: 7/06/2016
Plan Revisions: 10/05/2022

Purpose:

To integrate consideration of the viewpoints of minority, low-income, and limited English proficiency (LEP) populations into the Transit System's community outreach activities. The public participation strategy offers early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions.

Strategies

Hibbing Area Transit considers the LEP populations and key stakeholders in proactive strategies, procedures, and projected outcomes that align with the public participation activities throughout the year(s). Hibbing Area Transit offers adequate notice of public participation activities in the planning stages and throughout the process. When appropriate, notice of free language assistance will be posted in areas that the public and staff have access to during all public activities. All language assistance services provided during public engagement or community outreach will be recorded on the Language Service / Public Participation Log is attached as **Appendix E**.

Strategies to involve minority and LEP populations in effective participation in our decision-making process and to serve on appropriate committees, groups, boards, etc. has been implemented. Hibbing Area Transit monitors the involvement and percentage of transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, and their membership of which is selected by the system, and provides annually an updated table with the following areas shown as in the attached **Appendix K**.

Virtual Engagement

Microsoft Teams is a tool that can be used in communication with LEP individuals attending an online public engagement event. Microsoft Teams allows for real-time closed caption translations during a Teams [meeting](#) or [live event](#). Meeting organizers will provide information to attendees at the beginning of the meeting or live event on tools to use translated closed captions. For a Teams live event, the event lead can turn on the ability for attendees to view closed captioning in up to 6 languages. Instructions for this is available [here](#). For Teams meetings, there is no ability to automatically set up closed captioning for attendees. Attendees, can however, turn on closed captioning for their view only. Instructions for this is available [here](#).

Surveys to the public and current ridership

Surveys are an opportunity to gain public input and obtain insight on opinions of and feedback on the usage or lack of use of the public transit system, services, and information. All surveys provided will be accessible to LEP individuals based on the four-factor analysis that identifies the targeted populations.

Website and Online Documents

Based on the four-factor analysis, no languages other than English will need written language translation. As appropriate, Hibbing Area Transit provides notice of the availability of free language assistance and written language translation for each of these identified languages. All vital documents will be translated as needed and provided on the website in an easily accessible and identifiable location.

In-Person

All facilities that have interaction with the public in-person will display the Public Notice of Rights Under Title VI in a location that is accessible to the public. Non-English versions of the notice will be posted as well if, based on the four-factor analysis, that particular language was identified as needed. A notice in English is attached as **Appendix G**. Staff will use language guides, if necessary, if bilingual staff are not available to assist. Language guide resources are available in **Appendix C**.

Phone

Planned resources will be identified and utilized when bilingual staff are not available to assist. Text messaging can be used as an alternate means to communicate with the dispatcher.

Email or Other Written Communication

No written communication was identified as needed.

Outreach practices:

The nature of language assistance provided will be based in part on the number and proportion of LEP individuals served, the frequency of contact between Hibbing Area Transit and the LEP population, and the importance of the service provided to the LEP population. Hibbing Area Transit will assess the needs of the populations frequently encountered or affected by their program or activity to determine whether translation of outreach materials is needed. Every effort will be made to coordinate with community organizations to assist in determining outreach materials that would be helpful to translate, find opportunities to align with other outreach activities in the area, and utilize ethnic media, schools, and religious or community organizations to help spread the message.

The following outlines the practices that Hibbing Area Transit takes in community outreach:

- Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities:**
 - Public notices regarding meetings placed at following locations: City Hall, Library, and Social Services Office

 - Efforts made to ensure meeting times and locations are in convenient and accessible locations: Meetings are held in City Hall which is handicap accessible.

- Coordinating with community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities:**
 - Specific organizations, institutions, or other organizations are: Human Rights Commission, Social Services Office

 - Efforts include: Contact members of the Human Rights Commission to gather input on community needs.

- Involvement of minority, low-income and limited English proficiency (LEP) populations as Transportation Advisory Committee (TAC) members:**
 - Special Interest Group(s) serving on TAC:

TAC meeting schedule: 1-2 times per year.

Role and Purpose of TAC: The purpose of the Transit Advisory Committee is “to provide community input into the planning, management, and operation of the local transit system.” Meetings usually last from 1 to 1-1/2 hours one or two times per year. Notices with the City Hall phone number are posted at the library, Social Services Office, and City Hall requesting any interested parties to call.

Language Service / Public Participation Log

Staff Instructions

Hibbing Area Transit staff should make an effort to track all language services requested or proactively provided throughout the year. Hibbing Area Transit has designated the following staff position to be primarily responsible for ensuring the log is consistently utilized: Erin Husmann, Internal Auditor.

Date of Service: This is the date the translation or interpretation service was available to the public. For instance, the date of service for a translated service brochure would be the date of its first distribution to the public. If the same brochure is used multiple times, that can be noted in the Additional Comments column.

Request or Proactive: Select "Proactive" if Hibbing Area Transit proactively determined the language services was necessary. Select "Request" if a member of the public requested the language service be provided.

Translation or Interpretation: Translation refers to converting written materials from one language to another and interpretation refers to converting spoken word from one language to another.

Description of Service Provided: The description should include an associated public engagement reference or product title and brief details explaining the service provided (i.e. what was translated, what event/meeting, particular audience, etc.)

Vital Document: A "vital document" is a paper or electronic written material that contains information that is critical for accessing programs, services, benefits, or activities; directly and substantially related to public safety; or required by law. It is at the designated staff discretion to determine whether a document is deemed a vital document.

Service Provider: The name of the qualified language services provider that completed the request through service provider or in-house.

Type of Service Provider: Note whether you used specified staff person, a collaborative partner, or an outreach consultant to complete the language services request. Use the "other" option was used or for unique situations (i.e. bilingual staff providing assistance) and make a note explaining further in the Additional Comments column.

Hibbing Area Transit Language Service/Public Participation Log

Date of Service	Request or Proactive	Translation, Interpretation, or other service	Description of Service Provided	Vital Document	Language(s)	Service Provider	Type of Service Provider	Additional Comments

Staff Training Log

Title VI training is included in new employee orientation and includes: The Language Assistance Plan, demographic data about the LEP population, printed LEP person's materials if required, how to handle verbal requests for transit service in a foreign language, and the responsibility to notify the transit manager about any LEP person's unmet needs.

Public Notice of Rights under Title VI

THE CITY OF HIBBING

Notifying the Public of Rights Under Title VI

- The City of Hibbing operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Hibbing.
- For more information on the City of Hibbing's civil rights program and the procedures to file a complaint, contact 218-312-1560; e-mail cseppala@ci.hibbing.mn.us or visit our administrative office at 401 East 21st Street, Hibbing, Minnesota 55746. For more information, visit www.ci.hibbing.mn.us.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave. SE, Washington, DC 20590.
- If information is needed in another language, contact 218-362-5930.
- A complainant may contact MNDOT to make a civil rights complaint at:

Title VI Specialist
Minnesota Department of Transportation
Office of Civil Rights, Mail Stop 170
395 John Ireland Blvd.
St. Paul, Minnesota 55155-1899
Phone: (651) 366-3322
Fax: (651) 366-3129

Title VI Compliant Procedure

The Hibbing Area Transit is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, or national origin by the Hibbing Area Transit, providing programs and services in Hibbing (hereinafter referred to as “Hibbing Area Transit,”) may file a Title VI complaint by completing and submitting Hibbing Area Transit, Title VI Complaint Form. Hibbing Area Transit investigates complaints received no more than 180 days after the alleged incident. Hibbing Area Transit will process complaints that are complete.

Once the complaint is received, Hibbing Area Transit will review it to determine if our office has jurisdiction or if the complaint will be handled by MnDOT OTAT Compliance Coordinator and/or MnDOT Office of Civil Rights Title VI Coordinator. The complainant will receive written acknowledgement informing her/him that the complaint has been received and who will be handling.

Hibbing Area Transit and/or MnDOT, has 30 days to investigate the complaint. If more information is needed to resolve the case, Hibbing Area Transit and/or MnDOT, may contact the complainant. The complainant has 15 business days from the date of the written notification to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, Hibbing Area Transit and/or MnDOT can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two written documentations to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 15 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with MnDOT, Office of Transit and Active Transportation, ATTN: Compliance Coordinator at 395 John Ireland Blvd., MS 430, St. Paul, MN 55155-1899 or email complaint form to jean.meyer@state.mn.us. As an alternate, a person may file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

Title VI Complaint Form

Hibbing Area Transit Title VI Complaint Form

Name:	
Address:	
Phone:	
Email:	
Date of Alleged Discrimination:	
<p>I believe the discrimination I experienced was based on (check all that apply):</p> <p><input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin</p>	
<p>Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.</p>	

Signature _____

Date: _____

PLEASE SUBMIT YOUR COMPLAINT FORM TO:
CITY ADMINISTRATOR'S OFFICE
401 E 21 ST.
HIBBING, MN 55746
 YOU WILL BE CONTACTED WITHIN SEVEN BUSINESS DAYS.

RECEIVED BY: _____

DATE: _____

INVESTIGATED BY: _____

RESULT OF INVESTIGATION AND RECOMMENDATIONS:

Title VI Investigations, Complaints and Lawsuits Log

Legal Name: City of Hibbing
 Transit System Name: Hibbing Area Transit
 Last Updated: 10/05/2022

Title VI List of Transit Related Investigations, Complaints and Lawsuits

2022 Complaints/ Investigations/ Lawsuits Chart				
Complaints	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Investigation	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Lawsuit	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
2023 Complaints/ Investigations/ Lawsuits Chart				
Complaints	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Investigation	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Lawsuit	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
2024 Complaints/ Investigations/ Lawsuits Chart				
Complaints	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Investigation	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				
Lawsuit	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
0				

Title VI Non-elected Decision Makers

Legal Name: City of Hibbing
 Transit System Name: Hibbing Area Transit
 Last Updated: 10/05/2022

Title VI Non-elected Decision Makers

Body	White alone	Black or African American alone	American Indian & Alaska Native alone	Asian alone	Two or More Races
Population 2020 Census	91.27%	1.51%	0.86%	0.47%	5.89%
TAC (Transit Advisory Committee) Sept., 2022	100%	0%	0%	0%	0%

Language Assistance Plan Resolution