



# *senior* *transportation*

## **toolkit and best practices**

### **Supplement No. 1: Transportation for Persons with Limited English Proficiency**

This is a guide for implementing the provisions of FTA Circular 4702.1A. It includes information about providing service to older persons with limited English proficiency with examples of useful practices





# **Transportation for Persons with Limited English Proficiency**

## **FTA Circular 4702.1A**

### **Updated Federal Guidance and Instruction with Discussion of Implementation and Examples of Useful Practices**

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## **Overview of Content**

This publication is a guide to implementing the provisions relating to service to persons with limited English proficiency in Federal Transit Administration (FTA) Circular 4702.1A, an updated version of the original guidance issued in 1988. Part I is a discussion about providing transportation services to persons with limited English proficiency with examples of useful practices. Part II summarizes the main provisions that apply to transportation providers.

## **Part I. Discussion with Examples**

### **Transportation and Persons with Limited English Proficiency**

Significant numbers of persons with limited English proficiency are already riders of community and public transportation. According to the 2000 Census, more than 11 percent of persons with limited English proficiency reported public transportation as their primary means of getting to work in contrast to four percent of fluent English speakers. Because they lack the ability to speak English well, this population often works in jobs that require few communication skills, which tend to pay low-wages, and are likely to depend on public transportation because they cannot afford a car.

Many also come from countries and cultures where public transportation is a primary means of getting about. Large numbers, however, do not know about the transportation options in their new community or how to use them because they are unable to access information communicated in English. Transportation providers that have conducted culturally appropriate outreach programs to inform the community about available services report an increase in riders from the targeted population. By reaching out to

persons with limited English proficiency, transportation providers are increasing their own customer base and also providing a means for persons with limited English to overcome their isolation from the broader community.

## Older People with Limited English Proficiency

Community organizers often turn to older residents to gain an understanding of a community. An organizer in the South Bronx explained that she began her efforts by talking with the older residents because they remembered the community when it was a good place to live and so were likely to believe it could be again. The Federal Highway Administration's guide, *How to Engage Low-Literacy and Limited English-Proficiency Populations in Transportation Decisionmaking*, advises "Seek out the elders":

Communities with low-literacy and limited-English proficiency populations often do not have written histories because their residents could not write them. Instead, their histories are oral and kept alive by the community elders. Look for these elders, engage them in conversation, let them share their stories, and ask them to identify others who might be able to contribute to the community's history. This can be time consuming, but the information conveyed in their remembrances will assist in identifying current concerns, uncovering past discriminations, and revealing familial relationships. p. 20.

Older Latino and Asian-American people (groups for whom information is available) accounted for a significant share of the 310 million public transportation rides that older American non-drivers made in 2001: 21 percent of older Latinos and 16 percent of older Asian-Americans used public transportation at least occasionally. (Source: *Aging Americans: Stranded Without Options*, Linda Bailey, Surface Transportation Policy Project, 2004).

Older persons with limited English proficiency often need special help in learning what transportation options are available and how to use them. They are likely to depend on younger family members for information and to require their assistance in filling out eligibility forms; they may also need a family member to accompany them in their travels.

## Community Service and Outreach: Four Examples

### Teaching Basic Spanish

Front-line employees at **WMATA (Washington Metropolitan Area Transit Authority)** in **Washington, D.C.** are learning basic Spanish. The course is part of WMATA's pilot project to help fulfill federal requirements on language assistance. The goal is to have the 18 front-line employees learn occupational-based, functional, command Spanish. Then those employees, all of whom work on routes heavily traveled by Spanish-speaking customers, will provide better customer service because they can communicate more effectively. Improved customer service can also lead to an

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business."  
John Catoe**

increase in riders. The employees (six bus operators, six station managers, and six street supervisors) attend a 2.5-hour class, twice a week. Once the pilot program has concluded, it will be evaluated and improvements will be made to strengthen the classes. "This is good and it's good business," says Metro General Manager John Catoe. **Source:** [www.wmata.com](http://www.wmata.com); "Your Farecard, Por Favor" by Lena H. Sun, *Washington Post*, October 25, 2007, p. B1. For more information, contact Ms. Ferreira, e-mail: [jferreira@wmata.com](mailto:jferreira@wmata.com).

## Community Support and Volunteer Translators

In rural Washington State, **Okanogan County Transportation & Nutrition (OCTN)**, a small non-profit organization that provides transportation services for all county residents, is reaching out to Spanish-speaking residents. Although OCTN cannot yet afford to create a staff position for a Spanish-English translator, it is finding ways with help from within the community to reach out to Spanish-speaking residents. For example, it now uses a Spanish-speaking volunteer as a translator. In addition, Executive Director Leanne Leifer reports that OCTN will soon have all its schedules translated into Spanish because a Department of Social & Health Services employee has offered – at no cost – to translate them as a part of a class she will be teaching. Ms. Leifer explains how this offer came about:

**"We are all  
very active in  
coalitions."  
Leanne Leifer**

We are fortunate to live in a wonderful community where we all recognize the need to combine efforts and areas of expertise to help keep expenses down in a world of limited funding and we are all very active in coalitions where we meet regularly to discuss our services and options for the community.

The number of Spanish-speaking riders in Okanogan County has been increasing, and OCTN expects the increase to be more rapid after the schedules written in Spanish are available. **Source:** Leanna Leifer, Executive Director, Okanogan County Transportation & Nutrition. For more information, contact Ms. Leifer by e-mail at [leifer@communitynet.org](mailto:leifer@communitynet.org).

## Community Outreach and Translation

**IndyGo in Indianapolis, Indiana** learned at outreach community sessions why so few Latino workers were riding buses: many of the workers came from areas where buses traveled fixed routes and then stopped whenever a person waved them down. Thus these workers were frustrated that Indy Go buses did not stop for them when they signaled them on the street; they also thought IndyGo's bus stops were advertising kiosks of some sort. IndyGo responded by preparing a new outreach campaign that included a 10-minute how-to-ride video accompanied by an information packet in Spanish and a laminated pocket guide with a special 800 transportation-information number for Spanish-speaking callers. The video and information packet were distributed to gathering places throughout the Latino community: Latino-owned businesses, churches, schools, employers, health centers, and social service agencies.

The how-to-ride video was created by a local producer, an immigrant from Venezuela, who understood the perspective of the target audience. **Sources:** *APTA Passenger Briefs*, March 11, 2002, p. 18, [www.APTA.com](http://www.APTA.com); Memo by Wendy Klancher, Metropolitan Washington Council of Governments, October 1, 2002. For more information, visit [www.indygo.net](http://www.indygo.net).

## Reaching People from Many Cultures and Countries

People with limited English come from many cultures and countries. **Senior Community Services in Hennepin County, Minnesota** translates its materials into Hmong, Somali, and Spanish, and has referral links to Jewish Family and Children's Service where Russian-speaking persons can get assistance. Staff also provide information in Croatian, Laotian, and Native American languages.

Senior Community Services uses seven subcontractors as drivers, each of whom serves a specific area, in addition to its own drivers. The subcontractors and their employees speak the language of the residents of their area so they are able to communicate with passengers, many of whom have limited ability to read their own native language.

To ensure that their service is attuned to cultural mores and preferences, Senior Community Services frequently evaluates its own services and seeks advice and suggestions from members of the community. Through community contacts, for example, they learned that riders from some cultures feel more comfortable when they can see a tangible confirmation of service, so they have arranged to have a small ticket-like paper clipped to the manifest which the driver gives to the passenger as a service confirmation. **Source:** Courtney Whited, Transportation Coordinator, Senior Community Services; [www.seniorcommunity.org](http://www.seniorcommunity.org); for more information, contact Ms. Whited by e-mail at [c.whited@seniorcommunity.org](mailto:c.whited@seniorcommunity.org).

“We do take care of every rider's personal needs.”  
Courtney Whited

## Customer Service and Outreach for Persons with Limited English Proficiency: Some Basic Guidelines

Some basic guidelines of customer service and outreach for persons with limited English proficiency can be drawn from these four examples of very different transportation providers in large and mid-sized urban, suburban, and rural communities:

- Include the community at the planning and development stage.
- Know there is no one recipe—as you get to know the target community, be creative based on your own insights and knowledge.
- Use your analytic and problem-solving skills after something goes wrong. What can you learn from it? What can be done to prevent or reduce the risk of its happening again?

- Hire staff who reflect the target community population or train staff to communicate with the target community population.
- Connect with organizations already working with the target population.
- Keep in touch with members of the community and seek their advice on what small changes you can make so that your service is more attuned to their cultural mores and can better accommodate their way of living.
- Review your services continually to see how they can be improved.
- The key to providing effective service to persons with limited English proficiency is a provider's commitment to effective community service and outreach for all residents.

The examples of effective service and community outreach efforts for persons with limited English proficiency described in this paper have one key element in common: each limited English proficiency program is part of the provider's larger community service and outreach program. Each transportation provider, whether operating in a large-size urban, mid-size urban, suburban, or rural community, strives to provide every rider with quality service. Courtney Whited of Senior Community Services stated the principle precisely in her explanation of why each rider with limited English proficiency receives such individualized service: "Our services are one on one and very personal and that is why we do take care of every rider's personal needs."

## Two Useful Resources

***How to Engage Low-Literacy and Limited-English-Proficiency Populations in Transportation Decisionmaking***, Prepared by: PBS&J for the Federal Highway Administration, February 2006. [www.fhwa.dot.gov/hep/lowlim/index.htm](http://www.fhwa.dot.gov/hep/lowlim/index.htm)

This guide contains a useful overview, a discussion of the different levels of literacy, and ways to access documented indicators at a sub-State level. Much of the material on special approaches for outreach to low-literacy and limited-English-proficiency populations is generally applicable to community outreach efforts. Includes references to other resources.

***Achieving Cultural Competence, A Guidebook for Providers of Services to Older Americans and Their Families***, U.S. Administration on Aging, January 2001. [www.aoa.gov/prof/adddiv/cultural/CC-guidebook.pdf](http://www.aoa.gov/prof/adddiv/cultural/CC-guidebook.pdf)

This guidebook is designed for providers of social and health services to older persons, but much of its material is useful for providers of transportation services to racially and ethnically diverse populations of all ages. Appendix 5 is a guide to other resources.

**NOTE:** Both of these documents were used in the preparation of this paper.

## Senior Community Services, Hennepin County, Minnesota

### Example of Transportation Service Information In Multiple Languages



Senior Community Services wants to thank Community Action Partnership of Suburban Hennepin (CAPSH) for their generous donation of Spanish, Hmong and Somali translation services. See below for information on Russian translation help.



This directory is also available in Spanish, Hmong and Somali! Please visit our home page on our website at [www.seniorcommunity.org](http://www.seniorcommunity.org) and scroll down to the bottom of the page. You will be able to click, download and print out the version you need.

*Если вам нужна помощь, чтобы прочесть этот справочник, Еврейская Организация по Обслуживанию Семей и Детей поможет вам. Звоните в Информационную Службу на Русском Языке по телефону 952-417-2142.*



If you speak Russian and need help reading this directory, Jewish Family and Children's Service will assist you. Information and referral service for the Russian speaking population is available by calling 952-417-2142.

With the support of local communities and Metropolitan Council, funded under contract with the Metropolitan Area Agency on Aging, Inc. as part of the Older Americans Act Program.

## PART II. FTA TITLE VI CIRCULAR 4702.1A

This section provides a brief summary to assist a person reading the full Circular and is not a substitute for the full Circular, which includes contact information for readers with questions.

### Introduction

Title VI refers to the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. "Since 1972, the Federal Transit Administration has required applicants, recipients and subrecipients of Federal assistance, to certify compliance with the requirements of Title VI as part of the grant approval process for their certifying compliance with the requirements of Title VI. The FTA has revised and updated its *Title VI Circular, 4702.1* that was issued in 1988 –almost twenty years ago—to incorporate developments in legislation, Executive Orders, DoT directives, court cases that have affected the rights and responsibilities of recipients and beneficiaries." See 72 Federal Register 18733 (April 13, 2007). [www.fta.dot.gov/documents/Federal\\_Register\\_Notice.doc](http://www.fta.dot.gov/documents/Federal_Register_Notice.doc)

#### Some Events Since the Original Circular Was Issued

1991

- The Federal Transit Administration was created – replacing the Urban Mass Transportation Administration
- Intermodal Surface Transportation Equity Act (ISTEA)

1998

- Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21)

2001

- Executive Order 13166, *"Improving Access to Services for Persons with Limited English Proficiency"*
- DoT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons (DoT LEP Guidance)

2005

- Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU)
- Reissue of DoT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons (DoT LEP Guidance)

The revised circular, *FTA Circular 4702.1A*, assists FTA recipients in integrating the policies and principles of access to services for persons with limited English proficiency into their programs and activities (as embodied in *Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency*) and the considerations expressed in the U.S. Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons. See **72 Federal Register 18733** (April 13, 2007).

## **Circular Introductory Material (Chapters I and II)**

Chapter I of the Circular, **How to Use This Circular**, is a concise, two-page (I-1 & I-2) explanation of which sections apply to different FTA applicants, recipients, and subrecipients, with a **Reference Chart** (page I-3) that displays which chapters pertain to whom.

One of the circular's five objectives is to ensure meaningful access to programs and activities by persons with limited English proficiency (Page II-1, Chapter II, Overview)

**Definition of Limited English Proficient (LEP) Persons:** persons for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. It includes people who reported to the U.S. Census that they do not speak English well or do not speak English at all. See Chapter II, 6.n.

Definition of national origin means "the particular nation in which a person was born, or where the person's parents or ancestors were born." See Chapter II, 6.s.

## **General Requirements And Guidelines (Chapter IV)**

The general requirements presented in Chapter IV, including the reporting requirements, apply to agencies that provide demand-response transportation that is available to the general public or, in the case of services funded under FTA's Section 5310 program, is open to eligible older adults and individuals with disabilities. The requirements of this chapter also apply to providers of fixed-route transportation. See 72 Fed. Reg. 18736.

### **Requirement to Provide Meaningful Access to LEP Persons**

FTA recipients are required to "take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP)." See Chapter IV, 4.

**Bases for appropriate language assistance.** "Appropriate language assistance should be based on the recipient's analysis of the number of LEP people eligible to be served or likely to be encountered by a program, activity, or service; the frequency with which those people come into contact with the program; the nature and importance of the program, activity or service to people with LEP; the resources available to the agency; and the cost of providing language assistance." See 72 Fed. Reg. 18740.

***Assistance to LEP population with low literacy in their native language.*** “Recipients whose LEP population includes members with low literacy in their native language or people with disabilities that contribute to language barriers should consider using symbol signs, pictograms, and oral translation or providing accessible features consistent with DoT’s requirements under Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), and the ADA Accessibility Guidelines for Buildings and Facilities (ADAAG).” See 72 Fed. Reg. 18740.

### **Developing a Language Implementation Plan**

Recipients and subrecipients can ensure that LEP persons have meaningful access to their programs and activities by developing and carrying out a language implementation plan pursuant to the recommendations in Section VII of the *DoT LEP Guidance*. See Chapter IV, 4.a.

### **Recipients and Subrecipients Without a Language Implementation Plan**

Certain FTA recipients or subrecipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop an LEP plan. However, recipients and subrecipients who do not have a written LEP plan must still meet the underlying obligation to ensure meaningful access by LEP persons to their program or activities. See Chapter IV, 4.b.

**All recipients** should submit to the Federal Transit Administration (FTA) as part of their Title VI Program, a copy of the agency’s plan for providing access to meaningful activities and programs for persons with limited English proficiency, as based on the DoT LEP Guidance or a copy of the agency’s alternative framework for providing access to activities and programs. **Subrecipients** should submit the information to their direct recipient. See Appendix A [of the circular].

### **Requirement to Notify Beneficiaries of Protection under Title VI**

To comply with 49 CFR 21.9(d), recipients and subrecipients are required to provide information to the public regarding their Title VI obligations and the public’s protections against discrimination under Title VI. Recipients and subrecipients that provide transit service must disseminate this information to the public. See Chapter IV, 5.

**Document translation.** Notices detailing a recipient’s or subrecipient’s Title VI obligations and complaint procedures should be translated into languages other than English, as needed and consistent with *DoT LEP Guidance*. See Chapter IV, 5,b.(3)

**Subrecipients.** To reduce administrative burden, subrecipients may adopt the Title VI Notice developed by the recipient. Nonetheless, subrecipients should notify their

beneficiaries that they may file discrimination complaints directly with the subrecipients. *See* Chapter IV, 5,b(4).

### **Requirement to Prepare and Submit a Title VI Program Plan**

The FTA requires that all recipients report certain general information to determine compliance with Title VI. It requires that all recipients document their compliance by submitting a Title VI Program plan to FTA's regional civil rights officer every three years. *See* Chapter IV, 7.

The report must contain a copy of the agency's plan to provide language assistance for persons with limited English proficiency based on *DoT LEP Guidance* or the agency's alternative framework for providing language assistance (the option for recipients not required to file a plan). *See* Chapter IV, 7.a(2).

### **Guidance on Promoting Inclusive Public Participation**

To integrate the considerations expressed in the *DoT LEP Guidance* into community outreach activities, recipients and subrecipients should seek out and consider the views of LEP populations as they conduct public outreach and involvement activities. *See* Chapter IV, 9.

Implementing DoT's policy guidance concerning recipients' responsibilities to LEP persons to overcome barriers to public participation is one of the examples of effective practices given in the Circular. *See* Chapter IV, 9.1(5).

## **Guidance to State DOTs or Other Administering Agencies on Providing Assistance to Subrecipients in Complying with the General Reporting Requirements of Chapter IV**

### **Program-Specific Requirements and Guidelines, Chapter Vi, 2.A-C**

Assistance should be provided at request of a subrecipient or as deemed necessary and appropriate by the State DoT or other administering agency. Agencies should consider providing the following information to subrecipients:

- a. *Sample notices* to the public informing beneficiaries of their rights under Title VI and procedures on how to file a Title VI complaint.
- b. *Sample procedures* for tracking and investigating Title VI complaints filed with a subrecipient.
- c. *Demographic information* on the race, income, and English proficiency of residents served by the recipient. (This information will assist the subrecipient in assessing the level and quality of service it provides to communities within its service area and in assessing the need for language assistance.)"

## Recipients Serving Large Urbanized Areas with a Population of 200,000 People or Greater: Program-Specific Requirements and Guidelines For Recipients (Chapter V)

### Requirement to Collect Demographic Data

Recipients have two options for collecting the data: one is to use demographic and service profile maps and charts (*Option A*), and the other is to collect survey information on customer demographics and travel patterns (*Option B*). See Chapter V, 1.a. and b.

**For recipients who elect to use *Option B* (survey information)**, the FTA recommends that the recipient gather information on “whether the rider speaks or understands English ‘not well’ or ‘not at all.’” See Chapter V, 1.b.(2). Further, the FTA states, “In administering [Option B], grantees should keep the following guidance in mind:

Language access. The recipient should take steps to translate customer surveys into languages other than English, or to provide interpretation services in the course of conducting customer surveys consistent with the *DoT LEP Guidance*. [See Chapter V, 1.b.(10) (b).]

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