

Limited English Proficiency Plan

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Southwest Washington Regional Transportation Council

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Title VI Notice

RTC operates its programs without regard to race, color, and national origin in accordance with applicable laws, including Title VI of the Civil Rights Act of 1964 and related statutes. To request additional information on RTC's Title VI nondiscrimination requirements, or if any person believes they have been aggrieved by an unlawful discriminatory practice under Title VI or other applicable law and would like to file a complaint, contact RTC at 564-397-6067 (TTY 711) or email TitleVI@rtc.wa.gov.

Persons who do not speak or read English well may request language assistance, oral interpretation and/or written translation, at no cost. Contact RTC at 564-397-6067 (TTY 711) or email info@rtc.wa.gov.

American with Disabilities Act (ADA) Information

Individuals requiring reasonable accommodations may request written materials in alternate formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodations by contacting RTC at 564-397-6067 (TTY 711) or email info@rtc.wa.gov, with two days advance notice.

Aviso del Título VI

RTC opera sus programas sin considerar raza, color y origen nacional, de acuerdo con las leyes aplicables, incluyendo el Título VI de la Ley de Derechos Civiles de 1964 y los estatutos relacionados. Para solicitar información adicional de los requisitos de no discriminación de RTC Título VI, o si cualquier persona cree que ha sido perjudicada por una práctica discriminatoria ilegal bajo el Título VI u otra ley aplicable y desearía presentar una reclamación, comuníquese con RTC al 564-397-6067 (TTY 711) o por correo electrónico a TitleVI@rtc.wa.gov.

Las personas que no hablan o leen inglés bien pueden solicitar asistencia con el idioma, interpretación oral y/o traducción escrita, sin costo alguno. Comuníquese con RTC al 564-397-6067 (TTY 711) o por correo electrónico a info@rtc.wa.gov.

Información sobre la Ley de Estadounidenses con Discapacidades (ADA)

Las personas que requieran adaptaciones razonables pueden solicitar materiales escritos en formatos alternos, intérpretes de lenguaje de señas, adaptaciones de accesibilidad física, u otras adaptaciones razonables poniéndose en contacto con RTC al 564-397-6067 (TTY 711), o por correo electrónico a info@rtc.wa.gov con dos días de antelación.

Раздел VI Уведомление

RTC предоставляет участие в своих программах независимо от расы, цвета кожи и национального происхождения, в соответствии с применимыми законами, включая раздел VI Закона о гражданских правах 1964 года и связанные с ним законодательные акты. Чтобы запросить дополнительную информацию о требованиях RTC по разделу VI о запрете дискриминации, или подать жалобу, если какое-либо лицо считает, что оно пострадало от незаконной дискриминационной практики, запрещённой разделом VI или другим применимым законодательством, свяжитесь с RTC по телефону 564-397-6067 (TTY 711) или электронной почте TitleVI@rtc.wa.gov.

Лица, которые плохо говорят или читают по-английски, могут бесплатно запросить помощь устного и письменного переводчика. Позвоните в RTC 564-397-6067 (TTY 711) или отправьте сообщение по эл. почте на адрес info@rtc.wa.gov.

Информация об американцах с ограниченными возможностями (ADA)

Лица, которым требуются разумные услуги, могут запросить письменные материалы в альтернативных форматах, услуги сурдопереводчиков, приспособления для обеспечения физической доступности и другие разумные услуги, связавшись с RTC по телефону 564-397-6067 (TTY 711) с предварительным уведомлением за 2 дня.

第六章通知

根据适用法律（包括 1964 年《民权法案》第六章和相关法规，RTC 不以种族、肤色和国籍为由拒绝您参加其运营的项目。如需索取有关 RTC 第六章非歧视要求的进一步信息，或者如果任何人认为其因第六章或其他适用法律下的非法歧视行为而受到侵害并希望提交申诉，请致电 RTC 564-397-6067（文字电话 711）联系我们或发送电子邮件至 TitleVI@rtc.wa.gov。

英语不佳人士可以免费请求语言帮助、口译和/或书面翻译。请致电 564-397-6067（文字电话 711）或发送电子邮件至 info@rtc.wa.gov 联系 RTC。

美国残疾人法案 (ADA) 信息

需要合理设施的个人可以致电 564-397-6067 (文字电话 711) 联系 RTC，请求书面材料的替代格式、手语翻译、无障碍设施或其他合理设施，并提前两天通知。

Thông báo Tiêu đề VI

RTC điều hành các chương trình của mình mà không phân biệt chủng tộc, màu da và nguồn gốc quốc gia theo luật hiện hành, bao gồm cả Đề Mục VI của Đạo Luật Dân Quyền năm 1964 và các luật có liên quan. Để yêu cầu thông tin bổ sung về các quy định không phân biệt đối xử theo Đề Mục VI của RTC hoặc nếu bất kỳ người nào cho rằng mình bị ngược đãi bởi hành vi phân biệt đối xử trái pháp luật theo Đề Mục VI hoặc luật hiện hành khác và muốn nộp đơn than phiền, hãy liên hệ với RTC theo số 564-397-6067 (TTY 711) hoặc email TitleVI@rtc.wa.gov.

Những người không nói hoặc đọc Tiếng Anh trôi chảy có thể yêu cầu dịch vụ hỗ trợ ngôn ngữ, thông dịch và/hoặc biên dịch miễn phí. Hãy liên hệ với RTC theo số 564-397-6067 (TTY 711) hoặc email info@rtc.wa.gov.

Thông tin về Đạo luật Người khuyết tật Hoa Kỳ (ADA)

Những cá nhân cần hình thức hỗ trợ hợp lý có thể yêu cầu nhận các văn bản tài liệu ở các định dạng thay thế, dịch vụ thông dịch ngôn ngữ ký hiệu, hình thức hỗ trợ tiếp cận vật lý hoặc các hình thức hỗ trợ hợp lý khác bằng cách liên hệ với RTC theo số 564-397-6067 (TTY 711), kèm theo thông báo trước hai ngày.

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Limited English Proficiency Plan

Most persons living in the United States read, write, speak, and understand English. There are many persons, however, for whom English is not their primary language. If those persons have a limited ability to read, write, speak, or understand English, they are considered limited English proficient, or “LEP.” Language barriers often inhibit, or prohibit, LEP persons from accessing benefits and services, from understanding and exercising rights, from fulfilling responsibilities and obligations, and from understanding information provided to them regarding federally funded programs, activities, and services.

The Southwest Washington Regional Transportation Council (RTC) is designated under federal law as the Metropolitan Planning Organization (MPO) for Clark County and under state law as the Regional Transportation Planning Organization (RTPO) for Clark, Skamania, and Klickitat counties. RTC conducts and supports numerous state and federal planning, compliance, and certification programs, which enable members and other jurisdictions and entities in the region to obtain state and federal funding. RTC receives federal funding for its activities and plays a significant role in disbursement of federal transportation funding to member jurisdictions.

RTC is committed to engaging and involving all residents of Southwest Washington, including those with LEP, in its activities. Therefore, in accordance with the best practice standards for public involvement, together with assistance from the Washington State Department of Transportation (WSDOT) and other federal agencies, RTC has developed this Language Implementation Plan for Limited English Proficiency Persons. The LEP Plan outlines:

- how persons who may need language assistance are identified,
- the ways in which assistance is provided,

- staff training required, and
- how LEP persons are notified that assistance is available.

The goal of the LEP Plan is to ensure all residents of the RTC region can, to the fullest extent practicable, participate in RTC activities.

Title VI and Executive Order 13166

Section 601 of Title VI of the Civil Rights Act of 1964, codified as amended (42 U.S.C. § 2000d), provides that no person in the United States shall “on the 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 financial assistance.” Consistent therewith, and in accordance with Section 602 of Title VI, (42 U.S.C. § 2000d-1), the Department of Justice promulgated regulations prohibiting recipients of federal funds from “utilizing criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular race, color, or national origin.” The USDOT later promulgated nearly identical regulations (see 49 C.F.R. § 21.5(b) (vii) (2)).

To further clarify rights protected by Title VI, President William J. Clinton, on August 11, 2000, issued Executive Order 13166, Improving Access to Service for Persons with Limited English Proficiency. The order requires each federal agency to examine its programs and activities and to develop and implement plans so LEP persons can meaningfully access those programs and activities. That Executive Order includes the following statement.

Each Federal Agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure

that eligible LEP persons can meaningfully access the agency's programs and activities.

In conjunction with Executive Order 13166, the Department of Justice issued a general guidance document setting forth various principles for agencies to consider in developing guidance documents for recipients of federal funds (see *Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination against Persons with Limited English Proficiency*, 65 Fed. Reg. 50123).

USDOT and LEP Policy Guidance

In accordance with Executive Order 13166, USDOT, on December 14, 2005, issued its *Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons*. Adopting the framework established by the Department of Justice in its August 11, 2000 Guidance, USDOT identifies four factors that should be considered by a recipient of federal funds in assessing the needs of LEP persons and implementing a plan to address those needs.

The four factors include:

- 1) the number or proportion of LEP persons served or encountered in the eligible service population;
- 2) the frequency with which LEP individuals come in contact with the programs, activities, or services;
- 3) the nature and importance to LEP persons of your programs, activities, and services; and
- 4) the resources available to the recipient and costs

The greater the number or proportion of eligible LEP persons, the greater the frequency with which they will have contact with a program, activity, or service and the more likely enhanced language services will be needed. The intent is to strike a balance ensuring LEP persons have meaningful access to critical services without unduly burdening the local agency.

LEP Assessment for the RTC Planning Area

Factor 1: The number or proportion of LEP persons served or encountered in the eligible service population of the RTC region

The RTC region consists of Clark, Skamania, and Klickitat counties. To understand the profile of persons that may participate in RTC activities, the most recent United States Census data was used. For the purposes of this LEP Plan, persons who identified themselves as speaking English less than “very well” are considered LEP persons. Tables 1 through 3, below, summarize the relevant information derived from the United States Census Bureau 2018-2022 American Community Survey (ACS) 5-year Estimates – Table C16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years of Age and Over.

Table 1: Clark County - Speak English Less Than “Very Well”, 2022

Language Spoken at Home Clark County, WA	Total Persons	% of Total Population
Spanish or Spanish Creole	11,537	2.4%
Russian, Polish, or Other Slavic	7,510	1.6%
Vietnamese	1,929	0.4%
Chinese	1,863	0.4%
Other non-English	4,812	1.0%
Total LEP Population	28,821	6.1%
Total Population (Speak English Very Well)	446,327	93.9%

Source: 2018-2022 American Community Survey 5-year Estimates – Table C16001

In Clark County (Table 1), Spanish or Spanish Creole is the most common non-English language spoken at home, accounting for almost half of the estimated 28,821 persons that speak English less than “very well.” The estimated total LEP population of 28,821 represents about 6.1% of total 446,327 residents in Clark County.

Table 2: Klickitat County - Speak English Less Than “Very Well”, 2022

Language Spoken at Home Klickitat County, WA	Total Persons	% of Total Population
Spanish or Spanish Creole	1,028	4.7%
German or other West Germanic language	17	0.1%
Other LEP Population	36	0.2%
Total LEP Population	1,064	4.9%
Total Population (Speak English Very Well)	20,681	95.1%

Source: 2018-2022 American Community Survey 5-year Estimates – Table C16001

Spanish or Spanish Creole is also the most common non-English language spoken at home in Klickitat County (Table 2). The estimated 1,028 Spanish speakers who speak English less than “very well” represent over 97% of the 1,064 Klickitat residents who speak English less than “very well.” Over all about 4.9% of Klickitat County’s 20,681 persons are LEP persons.

Table 3: Skamania County - Speak English Less Than “Very Well”, 2022

Language Spoken at Home Skamania County, WA	Total Persons	% of Total Population
Spanish or Spanish Creole	98	0.8%
Other Asian and Pacific Island Languages	13	0.1%
Total LEP Population	111	1.0%
Total Population (Speak English Very Well)	11,502	99.0%

Source: 2018-2022 American Community Survey 5-year Estimates – Table C16001

In Skamania County (Table 3), Spanish or Spanish Creole is the most common non-English language spoken at home, accounting for almost all of the estimated 158 persons that speak English less than “very well.” The estimated LEP population of 111 represents about 1.0% of total 11,502 persons that reside in Skamania County.

Factor 2: The frequency with which LEP individuals come in contact with RTC programs, activities, or services

The previous analysis showed that LEP persons make up approximately 5.9% of Clark County’s population, with the majority speaking Spanish or Spanish Creole (2.4%) and Russian (1.5%). In Skamania County the percentage of LEP persons was 1.37% and in

Klickitat County the percentage of LEP persons was 4.43% with the majority speaking Spanish or Spanish Creole (1.28% and 4.07% respectively). Interpretation and translation for these languages are the most likely to be requested. To date, RTC has received no requests, formal or otherwise, by LEP persons seeking the translation of documents, interpreters at public meetings, or other language assistance.

RTC staff does not provide direct critical services to individuals. Activities are focused on regional planning efforts and allocation of funds to transportation projects to be implemented by other agencies and local governments. Thus, there is limited contact with the general public at large (for example, as compared to a public transit agency, school district, public health agencies, public safety agencies, or other direct providers of social services).

While RTC contact with LEP individuals has been limited, RTC remains committed to engaging and involving all residents of Southwest Washington, including those with LEP and seeking to remove linguistic barriers to full participation.

Factor 3: The nature and importance of the program, activity, or service provided by RTC

RTC works with Southwest Washington counties (Clark, Skamania, and Klickitat), cities and towns, ports, tribes, transit agencies, and the state to develop policies and make decisions about long-term regional issues on land use, transportation, and the economy. RTC does not provide any direct projects or services to the population of the Southwest Washington region. However, RTC does distribute funds through several transportation programs, including funds for those with special transportation needs, who may include LEP persons. All funds RTC distributes are to eligible recipients and must be consistent with adopted regional plans, the approval and adoption processes of which are guided by RTC's Public Participation Plan and all other applicable laws and regulations.

RTC encourages public input and involvement from all residents or their representatives. RTC posts agendas for all meetings that are open to the public on the RTC website. RTC staff is available to address community organizations as requested. RTC staff fields inquiries from the public regarding transportation projects, other planning activities, and aging services. RTC frequently updates its website to allow residents to learn about and follow RTC activities. While LEP persons are encouraged to participate directly in RTC's regional activities, they are often more engaged at the local level with RTC member governments or in association with local projects. This type of engagement is critical, as the feedback received at the local level can then be communicated to RTC's regional programs.

Factor 4: The resources available to RTC and costs of providing language assistance

The fourth factor of the analysis weighs the preceding three factors to assess the needs of LEP persons within the RTC region, compared with the resources available to RTC and the costs of providing access. RTC is committed to offering all residents in the region the opportunity to participate in and receive services from RTC's activities. The LEP Implementation Plan described below uses cost-efficient and productive measures to ensure language barriers are not preventing LEP persons from participating meaningfully in RTC's activities.

LEP Implementation Plan

The key to providing meaningful access to LEP persons is to ensure that RTC and LEP persons can communicate effectively and act appropriately based on that communication. RTC will take reasonable steps to ensure that LEP persons are given adequate information, are able to understand that information, and are able to participate fully and effectively in RTC programs and activities.

Needs Assessment

The LEP Assessment for the RTC planning area indicates that Spanish, Russian, Vietnamese, and Chinese speakers are the most likely LEP persons RTC staff will encounter. However, these are not the only languages; and when RTC staff encounter an LEP person, often the language will not be known. RTC staff will use *I Speak Cards* to identify a person's primary language. Copies will be kept with reception staff and brought to every public meeting.

I Speak Cards, as developed by the United States Census Bureau, bear the phrase "Mark this box if you read or speak [name of language]" translated into 38 different languages. The LEP person can then denote the language, and staff can respond as appropriate to provide or obtain assistance. The *I Speak Cards* may be downloaded at: <http://www.lep.gov/ISpeakCards2004.pdf>. Once an LEP person's primary language is identified, RTC staff will assess which language assistance measures would be most appropriate to assist the person to participate fully and effectively in RTC programs and activities.

Language Assistance Plan

RTC uses Language Assistance Measures to provide meaningful, early, and continuous opportunities for all interested residents to participate in the dialogue that informs key decisions, regardless of language barriers. The primary solutions RTC employs are outlined below. While these are the primary measures RTC uses to support participation by LEP persons, additional tools and techniques may be used during different program and project processes.

Written Documents

For guidance on when to translate written materials, RTC utilized the Safe Harbor Provision of the FTA Title VI Circular (4702.1B) when developing its policy for LEP populations:

DOT has adopted DOJ's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor"

for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translations obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost. (See FTAC 4202.1B, Chapter III, 9C)

The LEP Assessment for the RTC planning area indicates that Spanish, Russian, Vietnamese, and Chinese are the four languages spoken by more than 1,000 LEP persons in Clark, Skamania, and Klickitat counties. In Clark County Spanish (10,763), Russian (6,820), Vietnamese (1,984), and Chinese (1,805) are over the 1,000 LEP person Safe Harbor Provision threshold. In Skamania County the largest population of LEP persons is Spanish (146), and in Klickitat County the largest population of LEP persons is Spanish (857).

Based on this assessment, RTC will translate vital documents into these four most frequently spoken languages – Spanish, Russian, Vietnamese, and Chinese. RTC's vital documents include:

- Title VI Notice
- Title VI Complaint Form and Procedures
- American with Disabilities Act (ADA) Policy
- American with Disabilities Act (ADA) Notice

RTC's primary non-vital documents include the Regional Transportation Plan (RTP), Transportation Improvement Program (TIP), and Unified Planning Work Program (UPWP). RTC will provide oral interpretation and/or written translation of these and other vital and non-vital documents on request. Requests can be made by emailing RTC's Title VI Coordinator at Jennifer.campos@rtc.wa.gov.

Online Communication

Much of the public's interaction with RTC is through its website: www.rtc.wa.gov. In the website footer, RTC provides continuous access to Google Translate, which provides translation into over 90 languages. Additionally, in the footer are links in Spanish, Russian, Vietnamese, and Chinese to Title VI and LEP vital document notifications in Spanish, Russian, Vietnamese, and Chinese.

Notifications

The following Title VI statement is included in RTC documents in Spanish, Russian, Vietnamese, and Chinese, notifying the public of their rights under Title VI and the availability of translation services . The notification reads:

RTC operates its programs without regard to race, color, and national origin in accordance with applicable laws, including Title VI of the Civil Rights Act of 1964 and related statutes. To request additional information on RTC's Title VI nondiscrimination requirements, or if any person believes they have been aggrieved by an unlawful discriminatory practice under Title VI or other applicable law and would like to file a complaint, contact RTC at 564-397-6067 (TTY 711) or email TitleVI@rtc.wa.gov.

Persons who do not speak or read English well may request language assistance, oral interpretation and/or written translation, at no cost. Contact RTC at 564-397-6067 (TTY 711) or email info@rtc.wa.gov.

Surveys

RTC utilizes survey tools as part of its community engagement processes for different projects and programs. The surveys have been translated into other languages based on the identified LEP populations and the type of information being requested.

Oral Communication

When RTC receives a request for oral language assistance, staff members will follow these steps, as needed:

- Use the *I Speak Card*, if needed, to determine the person's primary language. These cards are available at the front desk and are brought to every public meeting.
- Take the person's name and contact information.
- Use the telephone interpreter service RTC contracts with to provide telephone-based interpreter services. If a request for interpretation is made in advance, RTC will utilize the Washington Courts web site (https://www.courts.wa.gov/programs_orgs/pos_interpret/), which provides a directory of certified interpreters by location, to arrange for services.
- The offer of a certified interpreter will always be made, regardless of the availability of a family member, friend, or volunteer for interpretation.

Mailing Lists

RTC will continue to monitor and update mailing lists and databases for meetings and community engagement purposes to include those as identified LEP populations, other underserved groups, community groups, Title VI relevant populations, businesses, membership groups, and local governments.

Agendas

The agendas for all RTC meetings include information on how to get materials and services in alternative formats and nondiscrimination notifications. The notification reads:

Individuals may request this written material in alternate formats by contacting RTC at 564-397-6067 (TTY 711) or email info@rtc.wa.gov, with two days' advance notice.

Español | Spanish, Русский | Russian, 中文 | Chinese, Tiếng viêt | Vietnamese, visit <https://www.rtc.wa.gov/info/titleVI/>.

Visualization Tools

Visualization techniques are one way to communicate with LEP or low-literacy persons. RTC uses visualization techniques such as maps, charts, graphs, illustrations, presentations, and videos at all types of meetings and in all types of print materials to explain concepts behind actions and decision-making. RTC may also use handouts and posters to display visual information. RTC's meeting rooms are equipped with computers, projectors, and sound systems for displaying visual and audio information.

Staff Training

In order to establish meaningful access to information and services for LEP individuals, RTC will train its employees to assist in person and/or by telephone any LEP individuals who request assistance using the assistance measures outlined above.

Monitoring

This LEP Plan will be incorporated into RTC's Title VI Plan, and RTC's Title VI Coordinator will report on requests for language assistance in RTC's annual Title VI Report to the Washington State Department of Transportation. RTC will adjust practices to meet language assistance needs and demand and periodically update this plan to reflect any changes.