

SECTION 5: LIMITED ENGLISH PROFICIENCY PLAN

On August 11, 2000, the President signed E.O. 13166, "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency. The Executive Order also requires that the Federal agencies work to ensure that recipients of Federal assistance provide meaningful access to their LEP applicants and beneficiaries. Executive Order 13166 applies to all federal agencies, all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and governments, private and non-profit entities, and sub-recipients.

Federally assisted recipients are required to make reasonable efforts to provide language assistance to ensure meaningful access for LEP persons to the recipient's programs and activities.

The actions that the recipient may be expected to take to meet its LEP obligations depend upon the results of the four factor analysis including the services the recipient offers, the community the recipient serves, the resources the recipient possesses, and the costs of various language service options. All organizations would ensure nondiscrimination by taking reasonable steps to ensure meaningful access for persons who are LEP.

FOUR FACTOR ANALYSIS

The DOT guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs for ensuring reasonable and meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of Harbor Transit.
2. The frequency with which LEP individuals come in contact with Harbor Transit.
3. The nature and importance of the program, activity, or service provided by Harbor Transit to the LEP Community.
4. The resources available to Harbor Transit and the overall cost.

The greater the number or proportion of eligible LEP persons; the greater the frequency with which they have contact with a program, activity, or service; and the greater the importance of that program, activity, or service, the more likely enhanced language services will be needed. Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets. The intent of DOT's guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

Additional detail can be found in the Dept. of Transportation issued Policy Guidance Concerning Recipients' Responsibilities to LEP Persons, Federal Register: December 14, 2005 (Volume 70, Number 239).

A summary of the results of Harbor Transit's four-factor analysis is contained in the following section.

FACTOR 1: THE PROPORTION, NUMBER, AND DISTRIBUTION OF LEP PERSONS

The U.S. Census Bureau (2020) has a range of four classifications of how well persons speak English. The classifications used are "very well," "well," "not very well," and "not at all." For Harbor Transit's planning purposes, we are considering people that speak English less than "very well" as Limited English Proficient persons.

Table 1: Population 5 Years Old & Older Speaking a Language Other than English at Home, with any change from the last plan update noted in parenthesis.

	Population 5 years old & older	Speak a Language Other than English at Home	Percent Speaking a Language Other than English at Home
Grand Haven, City of	10,144 (Decrease 10)	324 (Increase 10)	3.19% (Increase 1.34%)
Ferrysburg, City of	2,923 (Increase 43)	224 (Increase 196)	7.7% (Increase 6.73)
Spring Lake, Village of	2,358 (Increase 38)	53 (Increase 18)	2.2% (Increase 0.7%)
Grand Haven Charter Twp.	16,088 (Increase 1,132)	685 (Increase 113)	4.2% (Increase 0.4%)
Spring Lake Township	14,318 (Increase 258)	535 (Increase 103)	3.7% (Increase 0.6%)

Source: U.S. Census Bureau 2020 / American Fact Finder / *Profile of General Population & Housing Characteristics 2020* (DP-1).

Table 2: Among the Languages Spoken at Home, the Proportion of Population 5 Years Old or Older Speaking English Less Than “Very Well.”

	Spanish, speaking English less than “very well.”	Other Indo-European, speaking English less than “very well.”	Asian & Pacific Islander, speaking English less than “very well.”
Grand Haven, City of	0.6%	0.8%	0.0%
Ferrysburg, City of	1.0%	2.9%	0.0%
Spring Lake, Village of	0.1%	0.7%	0.20%
Grand Haven Charter Twp.	7.8%	20.1%	61.7%
Spring Lake Township	16.7%	24%	40%

Source: U.S. Census Bureau 2020 / American Fact Finder / *Profile of General Population & Housing Characteristics 2020* (DP-1).

FACTOR 2: THE FREQUENCY WITH WHICH LEP INDIVIDUALS COME INTO CONTACT WITH HARBOR TRANSIT

A very small percentage of Latino/Spanish-speaking people reside within Harbor Transit's service area, and of that population, a smaller percentage speak English less than very well. However, Harbor Transit provides some transit information in both English and Spanish to accommodate those passengers designated as LEP. This information can be found in Appendix J.

FACTOR 3: THE NATURE AND IMPORTANCE OF THE PROGRAM, ACTIVITY, OR SERVICE PROVIDED BY HARBOR TRANSIT TO THE LEP COMMUNITY

Without a conscious effort from federal recipients to make available adequate and necessary information to all persons, some populations may not have fair and equal access to important, perhaps life-saving services. Harbor Transit recognizes that access to public transportation is crucial to many populations within the community, regardless of background. As the provider of public transportation for the cities of Grand Haven and Ferrysburg, Spring Lake Village, Spring Lake Township, and Grand Haven Charter Township, Harbor Transit does not provide direct emergency services or assistance to the community in situations that potentially have serious or life-threatening implications on an LEP individual, especially compared to services such as health, emergency transportation, utilities, fire/police protection, and other emergency services.

Harbor Transit Multi-Modal Transportation System does understand its role within the community and operates in full agreement with the U.S. Department of Transportation's Limited English Proficiency Guidance Section IV (4) recognizing that the inability of an LEP person to effectively utilize public transit (due to a language barrier) could in fact adversely affect his or her ability to obtain quality health care, child care, education, or access to employment opportunities within the service area.

FACTOR 4: THE RESOURCES AVAILABLE TO HARBOR TRANSIT AND THE OVERALL COST

Although current resources remain limited, Harbor Transit provides assistance by offering operational information in Spanish. This information includes hours of service, fares and rules regarding the use of Harbor Transit services. Additionally, in the event that language interpretation should be needed, Harbor Transit will utilize the resources of our LAC Board member Chrysteen Moelter-Gray, retired Spanish professor, Grand Haven, MI, cell 248-217-3879 who is proficient in both speaking and writing Spanish. Harbor Transit will also utilize Google Translate for additional assistance interpreting for passengers.

Based on the Four-Factor analysis of determining the need for an LEP program, Harbor Transit has chosen not to implement a plan at this time. However, Harbor Transit will remain vigilant in reviewing LEP data which could prove to be the basis for such implementation in the future.

PROVIDING LANGUAGE ASSISTANCE MEASURES

In compliance with the "safe harbor" threshold, Spanish-language assistance will be provided for LEP individuals through the translation of key or "vital" documents and materials, as well as through oral language interpretation when necessary and when possible. Translation of all Harbor Transit plans and materials is not possible due to cost restrictions and secondary population levels that do not warrant such measures.

Harbor Transit continues to provide Spanish-language "vital" documents (those documents deemed necessary to understanding the transit system's policies and safety measures, and for utilizing all available services) have been identified and translated into Spanish (Appendix F & Appendix G). However, Harbor Transit will consider additional translation of other documents in the future, especially those suggested from within the local LEP community.

SECTION 6: TITLE VI MINORITY REPRESENTATION NON-ELECTED BOARDS & COUNCILS

The tables below reference, respectively, the proportion of non-elected planning boards and councils consisting of public representation with that of service-area demographic characteristics:

BODY	AFRICAN AMERICAN	ASIAN AMERICAN	CAUCASIAN	LATINO	NATIVE AMERICAN	OTHER*
Authority Board	0%	0%	100%	0%	0%	0%
Local Advisory Council	0%	0%	100%	0%	0%	0%

Source: U.S. Census Bureau 2020 / American Fact Finder / *Profile of General Population & Housing Characteristics 2020* (DP-1).

*Those identifying as Native Hawaiian and Other Pacific Islander, Some Other Race, or Two or More Races.

JURISDICTION	TOTAL	AFRICAN AMERICAN	ASIAN AMERICAN	CAUCASIAN	LATINO	NATIVE AMERICAN	OTHER*
City of Grand Haven	10,944	96	128	10,791	222	132	54
City of Ferrysburg	3,013	24	41	2,820	92	54	34
Spring Lake Village	2,497	14	17	2,356	43	3	74
Grand Haven Charter Township	18,004	156	300	16,185	761	100	492
Spring Lake Township	15,296	112	174	14,079	444	56	459
TOTAL	49,754	402	660	46,231	1003	345	1,113

Source: U.S. Census Bureau 2020 / American Fact Finder / *Profile of General Population & Housing Characteristics 2020* (DP-1).

*Those identifying as Native Hawaiian and Other Pacific Islander, Some Other Race, or Two or More Races.

Efforts will continue to encourage the participation of minorities on Harbor Transit committees. Recruiting efforts planned or used in the past to fill open or newly created board or council seats include:

- Public notice of board or committee vacancies.
- Outreach to local chapters of minority service organizations.
- Allowing additional time for vacancies to remain open, to allow time to get the word out

SECTION 7: MONITORING SUBRECIPIENTS

In accordance with 49 CFR 21.9(b), and to ensure that sub recipients are complying with the DOT Title VI regulations, primary recipients must monitor their sub recipients for compliance with the regulations.

Harbor Transit does not have sub recipients of Federal financial assistance.