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# LIMITED ENGLISH PROFICIENCY PLAN

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La Crosse Municipal  
Transit Utility

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Adopted by LMTU Board

**December 12, 2023**

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# LIMITED ENGLISH PROFICIENCY PLAN

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## **Introduction**

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and,

## **Executive Order 13166**

Executive Order 13166 “Improving Access to Services for Persons with Limited English Proficiency,” reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice’s (DOJ’s) Policy Guidance entitled “Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination Against Persons with Limited English Proficiency.” (See 65 FR 50123, August 16, 2000 DOJ’s General LEP Guidance). Different treatment based upon a person’s inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as the La Crosse Municipal Transit Utility (LMTU) and governments, private and non-profit entities, and sub recipients.

## **Plan Summary**

The LMTU has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to LMTU services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future updates.

In developing the plan while determining the LMTU’s extent of obligation to provide LEP services, the LMTU undertook a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number of or proportion of LEP persons eligible in the LMTU service area who maybe

served or likely to encounter an LMTU program, activity, or service; 2) the frequency with which LEP individuals come in contact with an LMTU service; 3) the nature and importance of the program, activity or service provided by the LMTU to the LEP population; and 4) the resources available to the LMTU and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

#### **Four Factor Analyses**

**1. The number or proportion of LEP persons eligible in the LMTU service area who maybe served or likely to encounter an LMTU program, activity, or service.**

The LMTU examined the US Census report from 2021 (American Community Survey 5 Year Estimates) and was able to determine that approximately 5%, or 9,680 people within LMTU's service area age 5 and older spoke a language other than English. Of the 9,680 people reporting they speak other languages than English, 3,408, 2% of the total respondents speak English less than very well.

The LMTU further analyzed our actual experience and contact with LEP persons by reviewing contacts with transit vehicle operators and customer service personnel. It was determined that the contact with LEP persons by these individuals was very low.

**2. The frequency with which LEP individuals encounter an LMTU program, activity, or service.**

The LMTU assesses the frequency at which staff and drivers have or could possibly have contact with LEP persons. This includes documenting phone inquiries and verbally surveying drivers. LMTU has had no requests for interpreters and zero requests for translated LMTU documents. The staff and drivers have very little contact with LEP individuals. The primary contacts are international students attending school at the University of Wisconsin La Crosse or Viterbo University. Our experience with this population has shown that they tend to know enough English to communicate on the phone and with drivers. The other primary contacts are with Hmong speaking individuals, but many of those individuals also speak English. There has been no contact with LEP individuals at MTU Board Meetings or ADA Advisory Committee Meetings.

**3. The nature and importance of the program, activity, or service provided by LMTU to LEP community.**

The largest geographic concentration of any one type of LEP individuals in the LMTU service area is Hmong speaking individuals equaling 4% of the total population for the 3-county area. The second largest geographic concentration of LEP individuals in the LMTU service area is Spanish speaking Individuals equaling 3% of the total population for the 3-county area. Flyers put on LMTU buses are printed in 3 languages. English, Hmong, and Spanish. LMTU has had no requests for schedules in another language. No LEP individuals have attended MTU Board meetings or ADA Advisory Committee meetings. LMTU has had no requests for translated materials.

The University of Wisconsin La Crosse offers several social, service, and professional organizations.

- Multicultural Student Service - The primary goals of the Office of Multicultural Student Services (OMSS) at the University of Wisconsin-La Crosse are to increase the undergraduate and graduate enrollments of U.S. underrepresented and disadvantaged students, to improve the quality of their educational and social experiences and to increase the number of graduates. To accomplish these objectives, OMSS is involved in specific recruitment and retention activities, and special academic support programs. OMSS also sponsors numerous cultural events, supports ethnic student organizations and services, promotes community outreach efforts, consults, and holds joint programming sessions with other support services offices and encourages staff and faculty involvement in underrepresented student assistance programs.
- Multicultural Faculty and Staff Organization (MUFASO) serve as a professional and communal resource for multicultural faculty and staff at UW-L.

The La Crosse Area Hmong Mutual Assistance Association (LAHMAA)

- The LAHMAA strives to actively assist Southeast Asian families to become socially and economically self-sufficient by accessing educational opportunities, teaching job skills, strengthening family relationships, and promoting and preserving traditional customs.

Apart from the above organizations, there is a lack of any other social, service, professional and leadership organizations within the LMTU service area that focuses on outreach or membership of LEP individuals.

Services provided by LMTU that are most likely to encounter LEP individuals are the fixed route bus system which serves the public and the demand response (MTU Mobility Plus) system which serves primarily disabled persons. It is also likely that LMTU will encounter LEP individuals at the downtown Grand River Station where passes are sold, community outreach events and posters are displayed relating to transit events.

#### **4. The resources available to the LMTU and overall costs.**

The LMTU assessed its available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost on an as needed basis, which documents would be the most valuable to be translated if and when the populations support it, taking an inventory of available organizations that the LMTU could partner with for outreach and translation efforts, and what level of staff training is needed.

After analyzing the four factors, the LMTU developed the plan outlines in the following section for assisting persons of limited English proficiency.

### **LIMITED ENGLISH PROFICENCY PLAN OUTLINE**

#### **How to identify an LEP Person who Needs Language Assistance**

Below are tools to help identify persons who may need language assistance:

- Examine records requests for language assistance from past Board meetings and public hearings to anticipate the possible need for assistance at upcoming meetings.
- When LMTU sponsored public information meetings or hearings are held, set up a sign-in sheet table, have staff member greet and briefly speak to each attendee. To informally gage the attendee's ability to speak and understand English, ask a question that requires a full sentence reply.
- Have the Census Bureau's "I speak Cards" at the public hearing sign in table. While staff may not be able to provide translation assistance at the meeting, the cards are an excellent tool to identify language needs for future meetings. Also, have the cards available at the LMTU Transit Center Customer Service area; and
- Survey drivers and other front-line staff on an annual basis regarding their experience on having any direct or indirect contact with LEP individuals.

#### **Language Assistance Measures**

The LMTU has or will implement the following LEP procedures. The creation of these steps is based on the very low percentage of persons speaking other languages or not speaking English at least "well," and the lack of resources available in the LMTU services area:

- Census Bureau's "I Speak Cards" are to be located at the Customer Service window in the Transit Center at all times.
- The computer located at the Customer Service window in the Transit Center will have Google Translate added to the favorites listing for easy access via Microsoft Internet Explorer for translation of blocks of texts, such as timetable or Rider Guide information. This will aid the LMTU staff in the interpretation of services on a one-on-one basis for LEP individuals visiting the LMTU Transit Center.
- The LMTU used I translate to create an alternative schedule written in Spanish and Hmong to hand out to passengers when requested.

- The LMTU will try to utilize our own Hmong speaking staff (currently ten drivers) in certain situations to assist with interpreter needs. The La Crosse Police Department and Gundersen Lutheran Medical Center are also sources of assistance in this regard.
- When an interpreter is needed, in person or on the telephone, and the LMTU staff has exhausted the above options, staff will first attempt to determine what language is required. Staff shall use the telephone interpreter service – Language Line Services at <http://www.language.com>. On the Language Line home page, the staff will select the Need an Interpreter Now Link and follow the directions to receive an access code.

### **LMTU Staff Training**

All LMTU staff will be provided with a copy of the LEP Plan and will be educated on procedures to follow. This information will also be part of the LMTU staff orientation and training process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities.
- What language assistance services the LMTU offers.
- Documentation of language assistance requests.
- How to handle a Title VI and/or LEP complaint.

### **Outreach Techniques**

As of this first draft of the LMTU LEP Plan dated April 2011, LMTU has an informal practice of outreach techniques due to the low number of LEP populations and resources available in the service area. However, the following are a few examples of what LMTU has incorporated into our services to LEP individuals:

- Informational postings (such as detours) that are put on buses are in English, Spanish and Hmong.
- If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be printed in an alternate language, based on known LEP population in the area.
- Key print materials, including schedules and policies, will be translated, and made available at the LMTU Transit Center, on board vehicles and in communities when a specific and concentrated LEP population is identified.
- The La Crosse Area Hmong Mutual Assistance Association and Office of International Education were contacted for input on adding Hmong and Chinese languages to La Crosse MTU website for translation.

## **Monitoring and Updating the LEP Plan**

This plan is designed to be flexible and is one that can be easily updated. At a minimum, the LMTU will follow the Title VI Program update schedule for the LEP Plan. The next required Title VI Program update must be forwarded to FTA by February 1, 2024. The update will then include information from the 2020 Census if available.

Each update should examine all plan components such as:

- How many LEP persons were encountered.
- Were their needs met.
- What is the current LEP population in the LMTU service area.
- Has there been a change in the types of languages where translation services are needed.
- Is there still a need for continued language assistance for previously identified LMTU programs? Are there other programs that should be included?
- Have the LMTU's available resources, such as technology, staff, and financial costs changed.
- Has LMTU fulfilled the goals of the LEP Plan; and
- Were any complaints received?

## **Dissemination of LMTU Limited English Proficiency Plan**

The LMTU includes the LEP plan on the LMTU website ([www.cityoflacrosse.org/mtu](http://www.cityoflacrosse.org/mtu)) together with its Title VI Policy and Complaint Procedures. The LMTU Notice of Title VI Rights is to be posted at the LMTU Transit Center and on all LMTU buses.

Any person, including social service agencies, non-profits, and law enforcement agencies and other community partners with internet access will be able to access the plan.

## **LA CROSSE MUNICIPAL TRANSIT UTILITY PUBLIC HEARING POLICY ON FARE AND SERVICE CHANGES**

It is the policy of the Municipal Transit Utility to hold a public hearing and consider public comment prior to raising fares and implementing service changes when:

1. There is an increase in any fare.
2. Reduced or promotional fares which are instituted on a daily basis or periodically within a period of 180 days are exempt from the public hearing requirement.



3. There is a change in service of 25 percent or more of the number of transit revenue miles of a route computed on a daily basis for the day of the week for which the change is made.
4. When a new transit route is established.
5. Standard seasonal variations are exempt from the public hearing requirement unless the timing or type of standard seasonal variations change.
6. Experimental service changes may be instituted for 180 days or less without a public hearing being held. A public hearing on an experimental service change is required if the experimental change remains in effect for more than 180 days and if the change meets the test of #3 above.
7. A notice, in the form of a display ad, will be published in the La Crosse Tribune at least 10 days prior and again 5 days prior to the date of any public hearing. In addition, notification will be sent to all local media and all known organizations with an interest in transit service. Notices will also be posted on all MTU buses.

Copies of the LEP Plan will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP person may obtain copies/translated upon request.

Any questions or comments regarding this plan should be directed to the LMTU Transit Director at:

Transit Director  
La Crosse MTU  
2000 Marco Drive  
La Crosse, WI 54601  
Phone: 608-789-7350

Title VI complaints to the City of La Crosse Title VI Coordinator:

Transit Operations Manager  
La Crosse MTU  
2000 Marco Drive  
La Crosse, WI 54601  
Phone: 608-789-7350



