



Limited English Proficiency Populations

Communication Guide

Overview

The Idaho Transportation Department (ITD) is committed to enhancing quality of life through transportation by engaging meaningfully with all transportation system users.

This guide will define Limited English Proficiency (LEP) populations and their presence in Idaho, outline thresholds for translation and interpretation and share best practices for communication.

SPEAKING THE SAME LANGUAGE

LEP populations refer to groups of people who do not speak English as their primary language and have a limited ability to read, speak, write or understand English.

This guide is designed to comply with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, which prohibits recipients of federal financial assistance from discrimination based on race, color and national origin. The Civil Rights Restoration Act of 1987 further establishes that Title VI applies institution-wide to any entity that receives federal financial assistance,

regardless of funding sources for a particular project. Therefore, under ITD's Title VI nondiscrimination program, no person will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination based on race, color or national origin under any ITD program, service or activity, whether federally funded or not.

While this guide focuses specifically on LEP populations, there are many similar terms that should be defined.

- Minority populations: a person who is: **(1) Black:** a person having origins in any of the black racial groups of Africa; **(2) Hispanic or Latino:** a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race; **(3) Asian American:** a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent; **(4) American Indian and Alaskan Native:** a person having origins in any of the original people of North America, South America (including Central America), and who maintains cultural identification

through Tribal affiliation or community recognition; or **(5) Native Hawaiian and Other Pacific Islander:** a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

- Low-income populations: a person whose median household income is at or below the Department of Health and Human Services poverty guidelines.
- Underserved populations: refers to a broad category that includes minority and low-income populations but may also include many other demographic categories that face challenges engaging with the transportation process and reaping equitable benefits, such as children, the elderly, and the disabled.
- Environmental justice populations: broader term for any of the above populations.

Identifying Populations

Use the Four-Factor Analysis to document and identify LEP populations on every project. The project team should complete the analysis in the planning stages, with each factor completed in order, to help with meaningful engagement early and throughout the life of the project.

- **Factor 1: Number and proportion of LEP persons eligible to be served or likely to be encountered by the project.** Data is collected for the project area from specific sources. If thresholds are not met, no further analysis is needed, and the Four-Factor Analysis is considered complete.
- **Factor 2: Frequency of contact with LEP persons in a project area.** The more frequent the contact, the more likely language services are needed.
- **Factor 3: Assess the nature and importance of the program or activity provided to the individual's life.** The more important the service

or the greater the possible consequences to LEP individuals who lose access to the service or program, the more likely language services are needed.

- **Factor 4: Identify resources available and cost associated with providing LEP services.** The level of resources and associated costs might affect the nature of the steps that are taken to provide meaningful access for LEP persons. Reasonable steps balance the costs with the benefits.

For directions on how to complete the Four-Factor Analysis, and to view an example, refer to ITD's LEP Language Assistance Plan at itd.idaho.gov/civilrights.

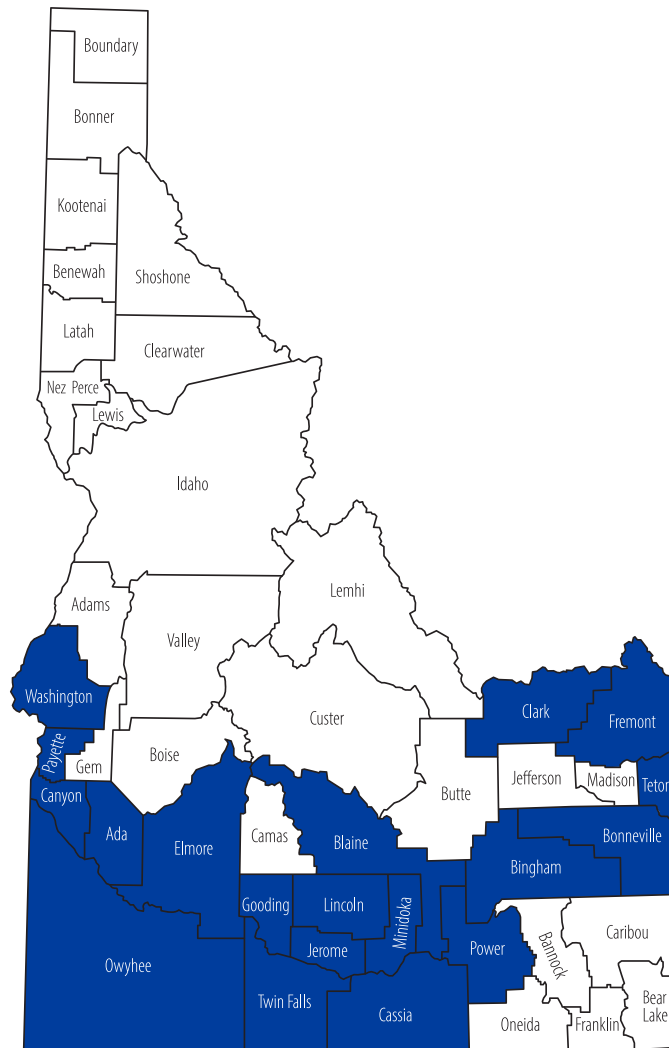
Based on the results of the analysis, the public information officer should incorporate any additional efforts into the communication plan with support from the district environmental planner and project manager.

LEP Populations in Idaho

The Office of Civil Rights (OCR) performed a review of the state to identify where LEP thresholds are met at the county-level in Idaho.

LEP populations in Idaho speak English less than “very well” and generally have Spanish proficiency. Of the 44 counties, 19 meet thresholds. These counties are primarily in Districts 3 and 4.

Project teams should still complete a Four-Factor Analysis on all projects, whether or not thresholds are met at the county level. To identify populations at a project level, complete a Four-Factor Analysis and refer to the data sources outlined in the LEP Language Assistance Plan at itd.idaho.gov/civilrights.



DISTRICT 3

Ada
Canyon
Elmore
Owyhee
Payette
Washington

DISTRICT 4

Blaine
Cassia
Gooding
Jerome
Lincoln
Minidoka
Twin Falls

DISTRICT 5

Bingham
Power

DISTRICT 6

Bonneville
Clark
Fremont
Teton

LEP Language Assistance Plan

ITD maintains its own LEP Language Assistance Plan, which is posted at itd.idaho.gov/civilrights.

While communication plays a central role in accommodations, the LEP Plan offers more details on the Four-Factor Analysis and captures other efforts like training, monitoring and the complaint process.



Safe Harbor Thresholds & Translation

As part of the Four-Factor Analysis, utilize the Safe Harbor Thresholds as a guide to determine when written translation of vital documents for each LEP language group is necessary.

When translation is required, the project team must translate vital documents. Vital documents convey information that critically affect the ability of recipients to make decisions.

Vital documents generally include:

- Postcards*
- Flyers, fact sheets, brochures, etc.
- Project websites and news blogs
- Public involvement communications like display boards and ads
- FAQs
- Email updates
- Text messages
- Executive summaries of environmental documents.

**For postcards or any communication that is directly mailed to stakeholders, do not use both English and translated language on the same document.*

Instead, use translated accommodation language with a QR code to link to the translated version.

Press releases are directed to news media and are not considered vital documents that need to be translated even when thresholds are met.

These documents relate primarily to external project communication. The OCR can identify what documents are vital for other programs and services.

Translated documents should be published separately; for example, rather than have both English and

Spanish on the same fact sheet, two separate fact sheets should be made.

The project team may seek consultant services for translation. ITD maintains contracts with Network Interpreter Services, Language Link, and Linguistica that can be used for translation or interpretation. Bilingual staff may also provide support.

Documents not considered vital are not automatically translated, but ITD provides translation of any document free of charge upon request.

Size of Language Group	Course of Action
5% or 1,000 individuals, whichever is less, of the eligible population in the area or among beneficiaries.	ITD provides written translation of vital documents for each eligible LEP language.
Less than 5% or 1,000 individuals of the eligible population in the market area or among current beneficiaries.	ITD provides accommodation language in the primary language of the LEP group of the right to receive competent oral interpretation of those written materials, free of cost.

Safe Harbor Thresholds & Accommodation Language

ITD requires accommodation language be included on all public-facing documents as other accommodations outside of language assistance may be needed.

ITD will use the following statement to notice available accommodations:

Persons needing an interpreter or special accommodations are urged to contact 208-334-8884 or TTY/TDD users Dial 711 to use the Idaho Relay System.

When translated to Spanish, it reads:
Se les recomienda a las personas que necesiten un intérprete o arreglos especiales que llamen al 208-334-8496. Usuarios de TTY/TDD: Marque 711 o (800) 377-3529 para usar el sistema de Relay de Idaho.

This statement should be translated when included on a translated document.

For English vital documents, the accommodation language should appear in both English and Spanish.

Accommodation language does not need to be printed on display boards for open houses. This language is included on other materials like postcards and fact sheets to encourage attendees to arrange for services prior to attending.

The accommodation language should also be posted to online channels like social media platforms.

Oral Interpretation

Title VI materials and the voluntary self-identification survey cards in both English and Spanish (or other languages as identified in the Four-Factor Analysis) should be made available at all public events hosted by ITD.

Interpreters are provided upon request whether for events like open houses or for provision of services. Bilingual staff may provide support.

Other Communication Channels

LEP populations may not engage with ITD the same as other populations. To offer meaningful engagement opportunities, ITD should not only follow Safe Harbor thresholds for translation but also consider other steps.

Other channels and venues for communication with these populations include:

- Schools and universities
- LEP-owned businesses
- Cultural centers
- Libraries
- Nonprofits
- Churches
- Ethnic radio.

