

Brockton Area Transit Authority

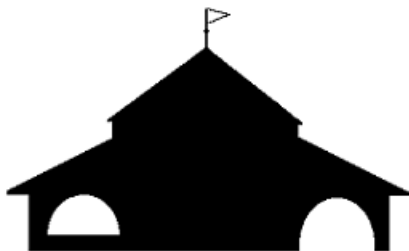
**BAT**

**LIMITED ENGLISH PROFICIENCY  
(LEP) PLAN/ LANGUAGE ASSISTANCE  
PLAN (LAP)**

*Providing Meaningful Language Assistance*

**2023**

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## Introduction

The Brockton Area Transit Authority (BAT) is the primary public transit provider in the greater Brockton Area. BAT services the City of Brockton and the towns of Abington, Avon, Bridgewater, East Bridgewater, Easton, Hanson, Rockland, Stoughton, West Bridgewater, and Whitman. BAT delivers fixed route, paratransit and flex route services and provides over 2.6 million passenger trips per year. This document will demonstrate how BAT addresses the population it services with Limited English Proficiency.

The intent of this Limited English Proficiency Plan is to ensure that the population that does not speak or read English proficiently has access to BAT services in its service area. The production of multilingual documents and notices and/or interpretation at meetings or events will be provided to the degree that funding permits based on requests for such services and current laws and regulations.

## Law & Policies Guiding Limited English Proficiency Plans

The Brockton Area Transit has developed this plan following the guidelines of the Federal Transit Administration (FTA)'s Title VI Circular 4702.1B and is required to make a submission of its Title VI Program every three (3) years.

### Who is an LEP Individual?

As defined in the 2020 United States Census, it is any individual who speaks a language at home other than English as their primary language, and who speak or understand English less than “very well”.

### Determining the Needs

As a recipient of federal funding, BAT is required to take reasonable steps to ensure meaningful access to the information and services it provides. As identified in the Federal FTA Circular 4702.1B, there are four factors to consider in determining “reasonable steps”.

- **Factor 1:** The number and proportion of LEP persons in the eligible service area.
- **Factor 2:** The frequency with which LEP persons encounter BAT services programs.
- **Factor 3:** The importance of the service provided by BAT.
- **Factor 4:** The resources available and overall cost of providing BAT services.

The USDOT Policy Guidance provides recipients of federal funds substantial flexibility in determining what language assistance is appropriate based on a local assessment of the four factors listed above. The following is an assessment of need in the BAT service area in relation to the four factors and the transportation planning process.

## LEP Assessment for the Brockton Area Transit Authority

### Factor 1: The Number and Proportion of LEP Persons in the Eligible Service Area

The first step towards understanding the profile of individuals that could participate in the transportation planning process is a review of Census data. Tables 1 and 2 display language spoken and number of individuals that are LEP. The 2020 BAT LEP/LAP Plan utilized a different Census data table that had languages broken down into more categories on a multi community level. This LEP/LAP Plan is using a dataset that does not have the specific languages used in the last report, however the data is available on the individual community level. The three most common languages in the BAT service area are Portuguese, French-/Haitian-Creole, and Spanish. The data for the first two languages are grouped together with others while Spanish has

its own separate data line. The most recent data for the previously used dataset was 2018, and given that ACS is updated every year, it was determined that utilizing 2021 ACS data was more appropriate as it is more current.

For our planning purposes, we are considering people that speak English less than “very well” and only the top three language groups are included in the analysis.

**Table 1**, derived from the U.S. Census’ American Fact Finder, shows the number and percentage of all LEP persons who are five (5) years and older in regard to their English language skills for the communities within the BAT’s service area. As indicated, 10.3% of BAT’s service area population is not proficient in English. In BAT’s service area, the City of Brockton possesses the highest number of LEP persons at 20.3%. The only other two communities with percentages of LEP persons over 5% are Stoughton at 10.0% and Avon at 7.2%.

**Table 1: Limited English Proficient Population in the BAT Service Area**

<b>Community</b>	<b>Population 5 Years and Older</b>	<b>Number of LEP Persons</b>	<b>Percent of LEP Persons</b>
Abington	15,842	731	4.6%
Avon	4,441	320	7.2%
Bridgewater*	26,019	633	2.4%
Brockton	97,470	19,760	20.3%
East Bridgewater	13,589	377	2.8%
Easton	24,179	572	2.4%
Hanson	10,179	142	1.4%
Rockland	16,569	665	4.0%
Stoughton	27,805	2,788	10.0%
West Bridgewater	7,223	117	1.6%
Whitman	14,469	318	2.2%
<b>Total</b>	<b>257,785</b>	<b>26,423</b>	<b>10.3%</b>

Source: U.S. Census ACS 5-Year Estimates Table C16001

**Table 2** shows the number and percent of LEP persons by language spoken at the individual’s home constituting 5% of BAT’s service area’s population or 1,000 person or more in said area. Of the LEP persons within the BAT service area meeting this measure, 27.3% speak Other Indo-European languages (which includes Portuguese) at home. The second most common language of the area’s LEP population is French, Haitian, or Cajun languages (which includes French- and Haitian-Creole) at 44.0%, making this the most significant percentage of the area’s LEP population. Spanish speakers make up 18.8% of the service area’s LEP population.

**Table 2: Language Spoken at Home by LEP Persons – BAT Service Area**

<b>LEP Persons</b>	<b>Spanish Language</b>	<b>French, Haitian, or Cajun Language</b>	<b>Other Indo-European Language</b>
5 Years and Older Total Population	4,966	11,635	7,207
Percent of all LEP Persons	18.8%	44.0%	27.3%

Source: U.S. Census ACS 5-Year Estimates Table C16001

## Factor 2: The Frequency in which LEP Individuals Encounter BAT Programs

BAT's bus routes services many of the highest minority census tracts in the Greater Brockton Region. Given that BAT operates in these high minority communities, the potential for encountering LEP individuals is high. However, to date, no requests have been made by any individuals or groups directly to BAT for Portuguese (Cape Verdean Creole), French-/Haitian-Creole, Spanish or other language interpreters or publications. Nevertheless, to assist with the identification of language spoken, staff utilizes the [2020 U.S. Census Language Identification Flashcards](#). BAT also has number of employees that speak multiple languages and language-dialects that will be utilized in assisting LEP individuals.

An underlying principle of BAT's service planning process is public participation, coordination, and consultation with appropriate agencies and groups. BAT's staff engages the public to the maximum extent possible. Various strategies are deployed, documented, and evaluated. These strategies consist of activities designed to build better relationships with citizens that are engaged with their communities and businesses, along with individuals of "traditionally underserved" communities and Limited English Proficiency, local officials, non-profit organizations, and other transportation authorities or agencies. The main purpose of the public participation process is to educate and inform stakeholders on possible service changes, whether those changes are service increases, reductions, route realignments, or fare changes. The process is designed to fulfill federal-aid requirements and to document people's public transportation needs. BAT uses the [Old Colony Planning Council's Public Participation Plan](#) as part of BAT's outreach efforts.

One strategy that BAT's staff uses to reach out to the Limited English Proficiency population in the region is through the use of surveys. Surveys are great tools to reach individuals that feel uncomfortable participating with the public and for individuals that cannot attend meetings and public hearings; they are also made available in multiple languages. BAT also conducts outreach to LEP community groups, churches, and other organizations to help facilitate LEP population participation.

## Factor 3: The Importance of the Service Provided by BAT

Public transportation provides an essential link to those that have no other resources in which to travel. Considering that LEPs tend to use public transportation in greater numbers than non-LEPs, public transit provides a vital service to this population. The demand response service and bus routes that BAT provides enables individuals to reach their workplace, medical appointments, and any other daily needs. Without the transportation services and amenities provided by BAT, LEP individuals and their families could be negatively impacted. BAT uses federal and state funds to plan future transportation projects, operate existing transit service, provide passenger and maintenance facilities, and transit amenities. The federal funds that BAT receives to provide all services and amenities mentioned directly benefit all BAT riders, including LEPs.

## Factor 4: The Resources Available and Overall BAT Cost

Given the size of the LEP population in BAT's service area, full multi-language translations of all documents other than those concerning the most urgent of service notices or policies would be cost prohibitive. At this time BAT utilizes a combination of it bus operators and other employees, along with American Translation Partners to assist in translating vital documents and customer service related exchanges with LEP individuals. With the continuing growth of the Portuguese, French-/Haitian-Creole, and Spanish speaking populations in the BAT service area that do not speak English well, the continuation of exploring cost effective translation service is ongoing.

As a result of this increasing LEP population and potential for greater contact with these individuals, BAT makes use of technological solutions to address its multiple language translation

needs. Website translating services like Google Chrome translate and Mozilla Firefox translate with plugins are also being utilized in addition to BAT's workforce language skills to translate [BAT's website](#) and service notices for the LEP community. BAT will continue its efforts to collaborate with state and local agencies and community groups to provide language translation and interpretation services when needed or requested taking cost into consideration. The translation of these documents will begin after the final English version has been completed. Portuguese, Haitian-/French-Creole, and Spanish outreach materials from organizations such as federal, state, and local transportation agencies will be used when possible.

## Meeting the Requirements

Engaging the diverse population within BAT's service area is important. BAT is committed to providing quality public transit services to all its customers, including those with limited English proficiency. Portuguese, Haitian-/French-Creole, and Spanish are the most dominant languages spoken by LEP individuals in the BAT service area.

### Safe Harbor Stipulation and LEP Thresholds

Federal law provides a "safe harbor" stipulation so recipients of federal funding can ensure compliance with their obligation to provide written translations in languages other than English with greater certainty. A "safe harbor" means that as long as a recipient (BAT) has created a plan for the provision of written translations under a specific set of circumstances, such action will be considered strong evidence of compliance with written translation obligations under Title VI.

However, failure to provide written translations under the circumstances does not mean there is non-compliance, but rather provides for recipients a guide for greater certainty of compliance in accordance with the four-factor analysis.

Evidence of compliance with the recipient's written translation obligations under "safe harbor" includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000 persons, whichever is less of eligible persons served or likely to be affected. Translation can also be provided orally.

The "safe harbor" provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and reasonable to provide. However, BAT will make every effort to comply with providing interpreters when requested.

### Providing Notice to LEP Persons

US DOT guidance indicates that once an agency has decided, based on the four factors, to provide language services, it is important that the recipient notify LEP persons of services available free of charge in a language the LEP persons would understand.

Where appropriate and feasible, the staff will include the following language in English, Portuguese, Haitian French Creole, and Spanish on meeting notifications, service announcements, and other informational materials:

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services for a meeting (free of charge) should contact Michael Lambert at 508-588-2240 or [kriddell@ridebat.com](mailto:kriddell@ridebat.com) at least seven days in advance.

Se solicita La participación del público, sin importar la raza, color, nacionalidad, edad, sexo, religión, incapacidad o estado familiar. Personas que requieran facilidades especiales bajo el Acta de Americanos con Discapacidad (Americans with Disabilities Act) o personas que requieren servicios de traducción (sin cargo alguno) deben contactar a Michael Lambert al teléfono 508-588-2240 o kriddell@ridebat.com por lo menos siete días antes de la reunión.

A participação do público é solicitado, sem distinção de raça, cor, nacionalidade, idade, sexo, religião, deficiência ou situação familiar. Pessoas que necessitam de acomodações especiais sob o Americans with Disabilities Act ou pessoas que necessitam de serviços de tradução para uma reunião (sem custo) devem entrar em contato Michael Lambert at 508-588-2240 or kriddell@ridebat.com pelo menos sete dias de antecedência.

Se Montre granmoun ki patisipasyon solisite san yo pa konsidere ras, koulè, orijin nasyonal, laj, sèks, relijyon, andikap yo oswa kondisyon fanmi yo. Moun ki bezwen aranjman espesyal anba Ameriken Andikape yo Act oswa moun ki bezwen sèvis tradiksyon pou yon reyinyon (gratis) ta dwe kontakte Michael Lambert at 508-588-2240 or kriddell@ridebat.com omwen sèt jou an davans.

BAT will use the following methods for notification:

- Signage indicating that free language assistance is available with advance notice.
- Stating in outreach documents that language services are available.
- Working with community-based organizations and other stakeholders to inform LEP individuals of BAT's transit services and the availability of language assistance.
- Including notices in local newspapers in languages other than English.
- Providing notices on non-English-language radio and television stations about BAT's transit services and the availability of language assistance.
- Providing presentations and/or notices at schools and community-based organizations (CBO).
- Website Translation Tools.

BAT will publicize the availability of interpreter services, free of charge, with adequate notice, prior to BAT public meetings, workshops, forums, or events that will be publicly noted on the BAT website, in meeting notices/packets, and using the following additional tools as appropriate:

- Signage
- Public outreach material
- Community-based organizations
- Local newspapers
- Old Colony Library System

BAT defines an interpreter as a person who translates spoken languages orally, as opposed to a translator, who translates written languages and transfers the meaning of written text from one language into another. BAT will request language interpreter services from BAT staff or through contracted interpreter service agencies.

### Identifying Persons Who May Need Language Assistance

When encountering an LEP person(s), staff will use Language Identification Flashcards to identify that person's primary language. Language Identification Flashcards, as developed by the U.S. Census Bureau, are translated into 59 different languages. The flashcards are used by the

Census Bureau and other federal agencies to identify the primary language of LEP persons during face-to-face encounters.

The staff will make the Language Identification Flashcards available at all public meetings. Once a LEP person's primary language is identified using the flashcards, the staff will assess the feasibility of providing written translation service, and/ or oral interpretation assistance to the LEP person.

### Language Assistance

Information regarding BAT's service planning processes is made available through multiple means, including translated public meeting notices and providing a bilingual staff whenever possible. BAT's future programs and services to enhance accessibility of transit services to LEP persons likely include:

- Partnerships with the Old Colony Planning Council (OCPC) and community organizations to develop a list of language translation volunteers who are available for public meetings. This option could be used where advanced notice is provided that translator services are needed. This option may also help increase the number of languages for which translation services are available.
- Continue to work with OCPC in development of a written translation and oral interpreter service providers database. This would improve the speed and convenience with which written documents can be translated for the public and reduce the need to have public requests for them.
- Regular updates to this LEP Plan, as needed by new events, such as the release of new language-related demographic data from the U.S. Census Bureau or indications of increases in LEP population.
- Identification of community-based organizations that are not being contacted through existing outreach.

BAT intends to continue to make key documents, important service notices, and public meeting notices available in Portuguese (Cape Verdean Creole), Haitian Creole, and Spanish when requested. Key documents include the Regional Transportation Plan, the Transportation Improvement Program, the Public Participation Plan, Public Hearing Policy, Notice of Protection, Complaint Procedures, and Service Accouchements available in Portuguese (Cape Verdean Creole) Haitian Creole, and Spanish.

A goal of the MPO's (BAT) Public Participation Plan is to provide user-friendly material that will be appealing and easy to understand. BAT may provide reports and analysis in alternative formats, such as brochures or newsletters, depending on the work product.

BAT will utilize visualization techniques, methods and devices that do not use language alone. For example, use of pictograms, symbol signs, diagrams, color code warnings, illustrations, graphics, and pictures can be considered information using few words in any language. When appropriate, schematic maps can similarly communicate large amounts of information without words.

### BAT Staff Training

In order to establish meaningful access to information and services for LEP individuals, BAT will properly train its employees to assist LEP persons who request assistance in person and/or by telephone. BAT Board members will receive a copy of the LEP Plan, assuring that they are fully aware of and understand the plan and its implementation.



### Monitoring and Updating the Language Assistance Plan

The LEP/Language Assistance Plan as part of BAT's Title VI Plan, will be reviewed triennially by Title VI coordinators on staff at the Old Colony Planning Council and BAT in coordination with Title VI Report submission. This triennial review will include a review of whether existing assistance is meeting the needs of LEP persons, and whether new documents, programs, services, and activities need to be made better accessible for LEP individuals. Such guidance will also be based on consideration of the frequency of encounters with LEP language groups and the availability of resources.

Additionally, as new data is made available on the demographics of the region and the resulting transportation needs (updated U.S. Census Data), this LEP/Language Assistance Plan will be reviewed and updated to respond to the needs of the region's growing and changing population.