

# Office of Civil Rights

# LEP PLAN LIMITED ENGLISH PROFICIENCY

A Guide to Improving Access to Services to Federally Conducted and Federally Assisted Programs and Activities for Persons Who, as a Result of National Origin, are Limited in Their English Proficiency

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#### INTRODUCTION

Most individuals living in the United States read, write, speak, and understand English. There are many individuals, however, for whom English is not their primary language. The 2010 census shows that the U.S. population age 5 years and older includes over 37 million individuals that speak Spanish and well over 9 million individuals that speak an Asian or Pacific Island language at home. If these individuals have a limited ability to read, write, speak, or understand English, they are limited English proficient, or "LEP." Of the 37 million Spanish speakers 44.7% reported that they spoke English less than "very well." Among those that speak Asian or Pacific Island languages 47.9% reported that they spoke English less than "very well."

Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other vital information. The Oregon Department of Transportation (ODOT) is committed to improving the accessibility of its programs, services and activities to eligible LEP persons, a goal that reinforces its overall commitment to promoting equitable access to all its programs, services, and activities to all segments of the population and particularly to those that may be the most vulnerable.

Oregon is home to millions of individuals from different cultures and backgrounds. A significant number are limited English proficient (LEP). 2010 census data shows that among those 5 years and older in Oregon, 6.1%, or 219,778 individuals, reported that they spoke English less than "very well." Analysis of

According to the 2010 U.S. Census American Community Survey it is estimated that nationwide 8.7% of the population 5 years and older Speak English less than "very well." In Oregon 6.1% of the State's population is considered to be LEP.

census data reveals that 66% of those that reported that they spoke English less than "very well" reside in an adjoining 3 county area representing Marion, Multnomah, and Washington counties.



United States
Percent of specified language
speakers

speakers	Total	Speak English "very well"	Speak English less than "very well"
	Estimate	Estimate	Estimate
Population 5 years and over	289,215,746	91.3%	8.7%
Speak only English	79.4%	(X)	(X)
Speak a language other than English	20.6%	57.6%	42.4%
Spanish or Spanish Creole	12.8%	55.3%	44.7%
Other Indo-European languages	3.7%	67.7%	32.3%
Asian and Pacific Island languages	3.2%	52.1%	47.9%
Other languages	0.9%	69.0%	31.0%

Oregon	
Percent of spe-	cified language
speakers	

speakers	Total	Speak English "very well"	Speak English less than "very well"
	Estimate	Estimate	Estimate
Population 5 years and over	3,602,925	93.9%	6.1%
Speak only English	85.6%	(X)	(X)
Speak a language other than English	14.4%	57.8%	42.2%
Spanish or Spanish Creole	8.6%	55.0%	45.0%
Other Indo-European languages	2.6%	72.7%	27.3%
Asian and Pacific Island languages	2.7%	50.7%	49.3%
Other languages	0.4%	68.1%	31.9%

Source: U.S. Census Bureau, 2010 American Community Survey

#### **PURPOSE OF THE LEP PLAN**

The Oregon Department of Transportation, as a recipient of funding from the United States Department of Transportation (USDOT), must assure that Limited English Proficient (LEP) people have meaningful language assistance by reasonable means when using ODOT services, or services provided by recipients of federal funds through ODOT. Funding assistance from the USDOT agencies, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) require a plan for



providing this meaningful access in accordance with Title VI of the Civil Rights Act of 1964 and implementing regulations.

This plan was developed to provide ODOT divisions and business lines with guidelines and resources that will ensure that the Agency is fulfilling our commitment to the LEP public. The plan also has the purpose of establishing a clear expectation of how ODOT will assess the relevance of the LEP programs being executed by the agencies and organizations that are ODOT subrecipients of federal funds. This plan contains recommendations and resource material including ODOT's best practices. Our goal is to provide a framework that will help ODOT and its subrecipients better serve the LEP members of our communities. Finally, this plan serves to document the accomplishments of ODOT and its partners in providing equitable access to our programs and services.

#### **AUTHORITY**

Executive Order (EO) 13166 – Improving Access to Services for Persons with Limited English Proficiency, August 2000 is directed at implementing the protections afforded by Title VI of the Civil Rights Act of 1964 and related regulations. Accordingly, it prohibits recipients of federal financial assistance from discriminating based on national origin by failing to provide meaningful access to services to individuals who are LEP. This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services that are normally provided in English.

#### **EXECUTIVE ORDER 13166**

#### IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to improve access to Federally conducted and Federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP), it is hereby ordered as follows:

Section 1. Goals.

The Federal Government provides and funds an array of services that can be made accessible to otherwise eligible persons who are not proficient in the English language. The Federal Government is committed to improving the accessibility of these services to eligible LEP persons, a goal that reinforces its equally important commitment to promoting programs and activities designed to help individuals learn English. To this end, each Federal agency shall examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly



burdening, the fundamental mission of the agency. Each Federal agency shall also work to ensure that recipients of Federal financial assistance (recipients) provide meaningful access to their LEP applicants and beneficiaries. To assist the agencies with this endeavor, the Department of Justice has today issued a general guidance document (LEP Guidance), which sets forth the compliance standards that recipients must follow to ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations. As described in the LEP Guidance, recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

#### Sec. 2. Federally Conducted Programs and Activities.

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. Agencies shall develop and begin to implement these plans within 120 days of the date of this order, and shall send copies of their plans to the Department of Justice, which shall serve as the central repository of the agencies' plans.

#### Sec. 3. Federally Assisted Programs and Activities.

Each agency providing Federal financial assistance shall draft title VI guidance specifically tailored to its recipients that is consistent with the LEP Guidance issued by the Department of Justice. This agency-specific guidance shall detail how the general standards established in the LEP Guidance will be applied to the agency's recipients. The agency-specific guidance shall take into account the types of services provided by the recipients, the individuals served by the recipients, and other factors set out in the LEP Guidance. Agencies that already have developed title VI guidance that the Department of Justice determines is consistent with the LEP Guidance shall examine their existing guidance, as well as their programs and activities, to determine if additional guidance is necessary to comply with this order. The Department of Justice shall consult with the agencies in creating their guidance and, within 120 days of the date of this order, each agency shall submit its specific guidance to the Department of Justice for review and approval. Following approval by the Department of Justice, each agency shall publish its guidance document in the Federal Register for public comment.

#### Sec. 4. Consultations.

In carrying out this order, agencies shall ensure that stakeholders, such as LEP persons and their representative organizations, recipients, and other appropriate individuals or entities, have an adequate opportunity to provide input. Agencies will evaluate the particular needs of the LEP persons they and their recipients serve and the burdens of compliance on the agency and its recipients. This input from stakeholders will assist the agencies in developing an approach to ensuring meaningful access by LEP persons

that is practical and effective, fiscally responsible, responsive to the particular circumstances of each agency, and can be readily implemented.

Sec. 5. Judicial Review.



This order is intended only to improve the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers or employees, or any person.

WILLIAM J. CLINTON THE WHITE HOUSE, August 11, 2000.

#### **FOUR FACTOR ANALYSIS**

Following are factors to consider when determining what reasonable steps to take to provide LEP individuals with meaningful access to its programs, activities and services.

- Determine the <u>number or proportion of people</u> served or likely to be encountered who would potentially be excluded from the program or activity absent efforts to remove language barriers; the "reasonableness" of a program's/division's efforts should correspond to this analysis.
- Consider the <u>frequency of contact</u>. Title VI obligations will differ for programs/divisions and local agencies who have little contact with LEP individuals compared to an entity who serves a large LEP population and whose core business is to provide projects, products, and services to the general public.
- Assess the <u>nature and importance of the program</u>, activity, or service provided by the agency or organization to the LEP community; the more important the activity, information, service or program, or the greater the possible consequences of the contact to the LEP individuals, the more likely language services will be needed.
- 4. Consider the <u>available resources and costs</u>. "Reasonable steps" may cease to be reasonable where available resources and the costs imposed substantially exceed the benefits in light of the factors outlined in the U.S. Department of Justice (DOJ), LEP Guidance.

#### **Number or Proportion of People**

Analysis of 2010 U.S. Census data and the American Community Survey 2008-2010 for the State of Oregon identifies those areas within the state that have proportionally higher numbers of individuals that are categorized as LEP. Not surprisingly, these geographies fall within several of the State's larger urban centers. Analysis was conducted using data obtained at the county level. Current American Community Survey data shows that



Oregon statewide has an estimated 6.1% of the population that is considered as LEP. Oregon is comprised of 36 counties of which the most populace (population over 100,000) are:

730,140
532,620
381,775
348,550
320,640
207,745
172,050
111,355
105,240

Following is data extracted from the 2008-2010 American Community Survey showing those Oregon counties that have the highest concentrations (exceeding 5%) of individuals 5 years and over that reported that they speak English "less than very well." These 6 counties represent 43.9% of the states population. They are:

Marion	11.6%
Washington	9.8%
Multnomah	9.4%
Umatilla	8.3%
Yamhill	6.8%
Polk	5.2%

There are 6 Oregon counties with populations over 100,000 with estimated LEP populations less than 5%. They are:

Clackamas	4.4%
Lane	3.2%
Jackson	3.0%
Deschutes	2.5%
Linn	2.6%
Douglas	0.9%

Based on American Community Survey 2008-2010 data, Oregon has 30 counties with LEP populations of less than 5%.



ODOT and those agencies and organizations that are federal aid subrecipients of ODOT, are required to analyze data to determine the needed actions to respond to those LEP populations within their service area or jurisdiction. The number and proportion of LEP individuals within these geographies should be used to determine the level of required response to ensure access to programs, services, and activities by these vulnerable populations. Further analysis of census track and detailed identification of specific community language data needs to be conducted to more accurately determine where LEP populations exist at the community level to aid in comprehensive transportation planning and design of services and projects inclusive of the needs of those that are language challenged.

#### Frequency of Contact

Oregon LEP populations are concentrated in the northwest area of the state. This is not surprising since language diversity is common in a major population center, as is the case with the Portland metropolitan area. The metro Portland area includes a 3 county region of Multnomah, Washington, and Clackamas counties

South of the Portland metro area is Marion County that includes the City of Salem and the State Capitol. Marion County has the highest percentage of LEP population at 11.6%. The Portland metro 3 county region, Marion County along with Polk and Yamhill adjoining to the west represent 5 of the 6 counties that have LEP populations in excess of 5%. This 5 county region represents 40.1% of the total State population. Umatilla County in Eastern Oregon is the sixth county with an LEP population of 8.3%. Umatilla County has a strong agriculture economic base and represents 1.8% of the total state population.

It is statistically more likely that ODOT programs and organizations, delivering services and other related transportation resources in the Portland Metro area and the Marion, Polk, and Yamhill County region, would encounter a need to provide LEP translation or interpretation services. It is estimated that 66.1% of the State's LEP population reside in this adjoining 5 county region. This represents an estimated 155,077 LEP individuals that are over 5 years of age and that speak English "less than very well." This is not to say that those cities, counties, and agencies that serve other portion of the State have any less responsibility to serve the needs of the LEP populations that they encounter. This particular analysis only addresses the potential frequency of LEP contact based on where these individuals reside and what language is their primary dialect.



ODOT divisions, regions, programs, and project teams, as well as ODOT sub recipient business units, have a responsibility to analyze the demographic data of each specific geographic area that a program maintains operations or in which a project may have an impact. Frequency of contact is going to vary based on a specific geographic area or region. The design of LEP services should be based on this analysis. Some regions, communities, or neighborhoods may not have significant levels of LEP populations, while other geographical areas may have a high number of LEP individuals. Language diversity is another consideration – In certain high density urban areas it is possible that language assistance to multiple languages may be needed. By understanding where the LEP populations reside and what languages are spoken, a concise plan can be developed to establish the necessary language assistance. Whether the language assistance need is interpretation services or translation services, or both, these services can be applied with more accuracy if basic analysis has been conducted. In some instances assistance could be in the form of both services, as well as the potential for multiple languages, to effectively provide access to LEP individuals.

#### Nature and Importance of the Program

In addition to assessing the demographics related to LEP populations and the frequency of contact, it is also necessary to examine the nature and importance of the programs, activities and services that you provide to that population. As a general rule, the more important the activity, information, service or program, or the greater the possible consequences of the contact to the LEP individuals, the more likely services will be needed. If the denial or delay of access to services or information could have serious implications for the LEP individual, procedures should be in place to provide language assistance to LEP persons as part of standard business practices.

There are two main ways to provide language services: 1) oral interpretation either in person or via telephone interpretation services; 2) written translation services. Oral interpretation can range from on-site interpreters for critical services provided to a high volume of LEP persons, to access through commercially available telephonic interpretation services. Written translation can range from translation of an entire document to translation of a short description of the document. In some cases, language services should be made available on an expedited basis while in other cases, the LEP individuals may be referred to another office of the Agency for language assistance. The correct mix of interpretation and translation services should be based on what is both necessary and reasonable in light of the four factor analysis.



Transportation programs, activities and services touch the lives of a broad cross-section of the public including those that are LEP. ODOT provides a vital link for LEP individuals to transportation services ranging from roadway planning and improvement projects, to motor vehicle licensing, public transportation, and public safety programs. Each area of ODOT's transportation system will have a different importance and affect on LEP individuals. From each region, division or project prospective, the importance of the activity, or the likelihood of consequences to LEP people, has to be reviewed and balanced against the other three factors.

For example, an LEP person's inability because of language barriers to effectively utilize public transportation may adversely affect their ability to obtain health care, education, or access to employment. It is necessary for each ODOT program to identify activities and services which would have serious consequences to individuals if language barriers prevented access to information or the benefits of those programs. For example, an ODOT program, or sub-recipient of ODOT's, may be responsible for providing emergency evacuation instructions in its facilities, stations and vehicles or may provide information to the public on security awareness or emergency preparedness. If this information is not accessible to the people with limited English proficiency, or if language services in these areas are delayed, the consequences to these individuals could be life threatening.

An assessment of what programs, activities and services are most critical should include contact with community organizations that serve LEP persons, as well as contact with LEP persons themselves to obtain information on the importance of the modes or the types of services that are provided to the LEP populations. Each ODOT program that has contact with LEP populations should seek this input as they identify these needs and as they make decisions on what are the appropriate actions necessary to ensure access.

#### Available Resources and Cost

A larger organization or business line with extensive resources may have to take greater steps than a smaller entity with limited resources. Providing translators on the premises may be appropriate in some circumstances however, written translation, access to centralized interpreter language lines, or mobilizing staff to provide services may be appropriate in other situations. "Reasonable steps" may cease to be reasonable where



available resources and the costs imposed substantially exceed the benefits in light of the factors outlined in the U.S. Department of Justice (DOJ), LEP Guidance.

It is necessary to identify the resources available to ensure that an organization will be able to provide language assistance to LEP persons participating in programs or activities. The particular demographics, and frequency and importance of contacts, will dictate the level of services that should be committed. Some language services can be provided at little or no cost, such as using community volunteers or bilingual staff as interpreters. Using a telephone language line is less expensive that hiring an interpreter. An organization should carefully explore the most cost-effective means of delivering competent and accurate language services before deciding to limit services due to resource concerns.

Along with all State agencies, ODOT has its external internet site available on the State of Oregon site. The State internet allows a user to access agency web content in 26 different languages. This represents an excellent example of a readily available resource that has relatively little associated cost. Web-based LEP solutions can provide LEP individuals access to vital information and also provide a resource to access contacts or other resources within an agency.

The availability of web-based language services provides only a portion of the language accessibility needs of the LEP public. Each Division, Region, program, and organization is required to apply the four factor analysis, and based on the outcome of the analysis, be prepared to design appropriate responses to ensure program accessibility. In general, any vital communication that is made available to the general public has to be made accessible to those that are language challenged. Providing translation of documents on a "by request" basis is one approach that is reasonable. Including a statement in the document informing people that the document is available for translation "by request" can provide sufficient notice and access to LEP persons. Also, providing only summaries of large documents can help minimize strain on resources and contain costs.

It is important to develop a strategy and ultimately decide what resources are made available for front-line staff when, and if, they need to respond to an LEP person that is making direct contact by phone or in person. Using bi-lingual staff to interpret and translate is widely-used and has minimal cost impact. There is a caution with using staff or other "uncertified" translation services or interpreters. If the importance of the information that needs to be translated or interpreted is high and there is a need for



absolute accuracy then a certified translator or interpreter should be used. An example of this would be a real estate transaction within right-of-way business lines or when a there is a potential for the LEP person's rights to be compromised.

As a result of conducting the four factor analysis it may become evident that it is necessary to provide LEP services at a public involvement event. It can be a challenge and often requires additional coordination and expense to include both translation of documents and interpretation services at the event. Using volunteers from a stakeholder group or from the community to act as interpreters is a viable approach to fill part of this need.

Various translation and interpretation businesses that are language services providers are available on ORPIN, the state procurement website. These resources for language assistance are under contract (price agreements) to provide on-demand services to state agencies and local governments without having to establish a competitive bid process or enter into a complex contract. Because there is a broad diversity of available services and service providers on ORPIN, an organization is capability to design an LEP solution specific to a programs needs and in this way potentially help to contain costs. See the attachment to this plan that lists those language services providers available under price agreement (**Appendix A**). This list of providers can change, so always confirm that the listed provider is still under contract.

#### The State of Oregon ORPIN website is at:

http://orpin.oregon.gov

If resources are not available to an organization or if the costs impacts are too great to provide services to LEP individuals it is necessary to be able exhibit how this determination was made. One way to accomplish this would be to create a record that clearly establishes that the 4 factor analysis (including demographic data analysis) was applied. It is recommended that a program or organization be prepared to present a rationale that explains why the availability of resources limited the ability to provide services. This may be simply that the proportion of LEP persons in a services area was very small, the information, products, or services provided were of low importance, or that the frequency of contact made it unreasonable to take action. This rationale could also be a cost/benefit analysis.

There are some factors that need serious consideration if a program or organization limits LEP services. First, always consider if there is a potential for an LEP persons to



be adversely impacted, be excluded from use or benefits of a program, or even to be injured if LEP services are not provided. Secondly, consider that valid concern may be raised if a program fails to respond to the needs of the LEP public, particularly if the number of LEP persons that need language services is high, and/or the frequency of use is high, and/or the importance of the need is high. An attempt to exhibit that a lack of available resources or funding has limited the ability of the organization to provide adequate language services may cause the program, and ultimately the Agency, to come under regulatory or legal scrutiny. It is always good business practice to make every attempt, within reason, to provide full, comprehensive, LEP services and to ensure that these individuals are provided meaningful access to the benefits of our transportation programs.

#### **LANGUAGE ASSISTANCE MEASURES**

Executive Order (EO) 13166 directs recipients of Federal financial assistance to take reasonable steps to provide LEP individuals with meaningful access to their programs, activities, and services.

Because the needs of LEP populations vary throughout Oregon, the definition of meaningful access to ODOT services is also varied. As such, each division within ODOT or recipient of federal funds through ODOT will determine the extent of obligation a project or federal funding recipients has to LEP people by using this plan as a guide.

The following chart, although not exhaustive, illustrates ODOT Division and Program activities and responsibilities relative to LEP services.

A	ctivity	Division/	Title VI
		Program	Program
•	Assessing and addressing the needs of eligible persons	Χ	
•	Taking reasonable steps or ensuring that responsible steps are taken to ensure meaningful access		
•	Developing and implementing monitoring control mechanisms to ensure ongoing compliance	Х	
•	Compliance, monitoring and oversight		Х
•	Providing technical assistance and guidance		X



The key to providing meaningful access for LEP persons is to ensure effective communication exists between ODOT, each effected division/program, and the LEP person(s). To accomplish effective communication the following actions and discussions are considered appropriate at the divisional and program level:

- 1. Perform a needs assessment
- 2. Provide for oral language assistance
- 3. Notify LEP customers of the availability of language assistance services
- 4. Translate vital documents in languages other than English
- 5. Train staff
- 6. Develop written procedures
- 7. Monitor and evaluate access to language assistance
- 8. Responding to a complaint

#### 1. Needs Assessment

Each Division and Program is to continuously assess language assistance needs of the population to be served by identifying the following:

- Languages likely to be encountered and number of LEP persons in the eligible population likely to be directly affected by its program
- Public contact where languages assistance is needed
- Resources needed to provide effective language assistance, including location, availability and arrangements necessary for timely use

#### 2. Oral Language Assistance

Providing LEP persons with oral language assistance at public service counters or when telephone contact is appropriate. Such assistance may take the form of bilingual staff, contracting with an outside interpreter service or the use of voluntary community interpreters who are skilled and competent in interpreting. Employment of bilingual staff in divisions and programs is recommended, when feasible, where the percentage of LEP customers or potential customers is statistically significant, or where the frequency of contact with such persons will provide for efficient and effective communication. A decision to employ bilingual staff should be based on a needs assessment with due consideration given to budget constraints and in accordance with department policy. ODOT Human Resources can provide additional information on bilingual staff recruitment, bilingual pay procedures, departmental positions requiring bilingual skills,



and names and locations of staff that speak an alternative language and language spoken.

ODOT Headquarters' main telephone lines are housed in the Director's office. The "Ask ODOT" toll free line is highly published and receives a high volume of phone calls. The main receptionist in the Director's office also receives a fair amount of calls based on the publication of this number as an alternative to the toll free "ask ODOT" line. A phone triage for language assistance is being established to respond to LEP callers. The system will be implemented to provide an option for the ODOT staff member answering these telephone lines to forward a caller to a voicemail resource that will provide the caller with language appropriate instructions on how to leave a message, to explain their reason for calling, and to obtain a response if requested. ODOT is looking at several language services providers that are capable of providing these services and that have price agreements with the State of Oregon. Currently, ODOT staff that are assigned to answer calls say that calls received in languages other than English are rare.

#### 3. Notification of Availability of Language Assistance Services

LEP persons have the right to free language assistance in their spoken language. Divisions and Programs are responsible for informing the public of this right. Language identification cards or posting signs in public areas are methods that can used to provide notice (see the printable "I Speak Card" attached in Appendix B).

Published and distributed notices of public involvement activities and events should have information available on how LEP individuals can obtain translated material or how they can request an interpreter at the event. This should always be applied if LEP analysis shows that LEP populations are stakeholders in the subject mater that will be presented.

A notice in Spanish regarding Title VI, ADA, and LEP policy and information on how to access services is available in **Appendix C**. It is recommended that this notice English and Spanish be posted in main lobby or other areas of ODOT facilities that have accessible to the public, and which, based on the 4 factor analysis, are likely to have LEP traffic.

A resource is provided in **Appendix D** for suggested language to use for Title VI and ADA notices in publications and communications. This notice language is available in English and Spanish.

#### 4. Translation of Written Materials



It is appropriate to have written materials that are routinely provided in English to applicants, customers, and the general public translated into languages that are regularly encountered. The translation of vital documents into languages other than English is particularly important where a significant number or percentage of the customers served or eligible to be served have limited English proficiency. Written materials include electronic documents and web-sites. "Vital Documents" are documents that convey information that critically affects the ability of the recipient/customer to make decisions about his/or her participation in the program. Examples of vital documents include but are not limited to: applications, public notices, consent forms, letters containing important information regarding participation in a program, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, notices advising of the availability of language assistance, and outreach and community education materials. It is recommended that programs develop criteria for deciding which documents are vital thereby subject to translation.

Translating documents to a fourth (4th) grade literacy level ensures the targeted audience understands the information. Community based organizations or focus groups can assist with testing translations for language and literacy level appropriateness.

#### 5. Training

Training staff on policies and procedures of language assistance and how to determine whether a customer needs language assistance services is essential to bridging the gap between policies and actual practices. Training should include how to obtain language assistance services and communication with interpreters and translators. Because LEP persons can file a complaint on the basis of national origin, staff should be trained on how to properly handle a Title VI complaint. Refer to Office of Civil Rights Title VI website for the Title VI Complaint Process for reference.

#### 6. Development of Written Procedures

To implement a successful language assistance program, provide guidance to employees through written procedures that address the following:

- Identifying and assessing language needs
- Oral language assistance; including vendor charges for services, procedures on how to access and to request Department translation assistance
- Written translation of materials and publications
- Oral and written notification of the availability of language assistance



- Staff training on language service provision
- Monitoring access to language assistance

#### 7. Monitoring and Evaluation

Monitoring and evaluating accessibility and quality of language assistance needs of LEP persons ensures that LEP persons can meaningfully access programs and activities and is the responsibility of the divisions. One mechanism for monitoring is to seek feedback from customers and advocates. At a minimum, divisions should conduct an annual assessment to determine:

- 1. Current LEP composition of its service area;
- 2. Current communication needs of LEP persons;
- 3. Whether existing assistance meets LEP needs;
- 4. Whether staff is knowledgeable about policies and procedures and how to implement them;
- 5. Whether sources of and arrangements for assistance are still current and viable.

Data collection and record keeping are key elements to an effective monitoring and compliance system. Analysis of data collected provides an overview of how services are provided. Data collection mechanisms include the following, however keep in mind that when collecting data on race or ethnicity, this information is voluntary and should not include personal information such as name, address or phone number:

- ⇒ race of LEP person
- ⇒ ethnicity of LEP person
- ⇒ primary language of the population in the program service area
- ⇒ primary language of customers served
- ⇒ data upon which the division based language needs assessment
- ⇒ number of LEP persons, by language group, who received language services
- ⇒ names and categories of staff who received training and training dates

#### 8. Responding to a Complaint

It is always necessary to notify the appropriate senior manager if an issue over LEP services has occurred. The senior manager's first responsibility is to attempt to provide the need services in the most expedient manner. ODOT's Title VI Program manager shall be apprised of the issue as soon as possible and consulted with to determine the effectiveness of the response and what potential next steps need to be taken.



A formal Title VI complaint involves a well-defined complaint process that needs to be adhered to and requires the involvement of the Office of Civil Rights. The ODOT Title VI Complaint Process is posted on the OCR website at http://www.oregon.gov/ODOT/CS/CIVILRIGHTS/titlevi/title\_vi.shtml. If the complaint meets the criteria and definition what is national origin discrimination under the law then the complaint needs to be forwarded to the appropriate federal agency for investigation as required by regulation.

#### STATUS OF LEP EFFORTS

The highest potential frequency of LEP contact with ODOT is likely going to occur with the Department of Motor Vehicles (DMV). DMV serves 2.9 million Oregon residents each year in 62 field offices spread throughout the State. DMV has established a policy in its field office to have bi-lingual personnel on staff in those locations that have high LEP contact. DMV utilizes targeted recruitments specifying bi-lingual position description requirements to fill these specialized jobs. In addition, DMV headquarters utilizes bi-lingual staff assigned to their call centers. DMV has developed policy and procedures to provide guidance for front line staff as they encounter and respond to LEP customers. DMV core program documents, such as the driver instruction manual, are provided in Spanish and made available in other languages as requested. Licensing testing is available in Spanish as well as other languages.

ODOT Office of Civil Rights and DMV will continue to seek out ways to better serve those LEP populations that rely on the wide variety of services that they provide. This can be accomplished by maintaining quality LEP demographic data, by always applying the latest technological solutions and by seeking out public comment from members of the public that have a vested interested the effectiveness of DMV's LEP resources. One way in which DMV has stepped forward to help fill this need has been the establishment of a Latino Task Force that meets regularly with the Administrator and key staff to provide comments, discuss issues, and advise the Division as they develop and revise policy, procedures, and processes.

A high frequency of contact with LEP individuals is also very likely in the area of public transportation. ODOT and its transportation partners are meeting the requirements of EO 13166 through a variety of accommodations for the LEP public.



The largest provider of public transportation in the State of Oregon is TriMet. TriMet serves a population base in a tri-county region that covers 570 square miles and serves approximately 1.5 million people or close to 40% of the state's population.

In a December 2009 publication from the National Cooperative Highway Research Program titled, "Research Results Digest - State DOT Best Practices for Title VI," TriMet's LEP program is highlighted as an example of a LEP program that represents best practice.

The research document says:

"TriMet in Portland, Oregon, is another large urban system with a thoroughly developed LEP program that states could look to for guidance in developing a more comprehensive state plan. In 2006, TriMet developed a Language Implementation Plan that was phased in over 4 years. The list of goals is broken into six categories:

- Capital Projects and Facilities,
- Legal/Human Resources,
- Marketing and Customer Service,
- Operations,
- Diversity and Transit Equity, and
- Additional Services.

States can take a look at the items covered in TriMet's Language Implementation Plan for their own LEP plans on the FTA website as well as in Appendix G (5). Again, these items can be phased in, but regardless of how a plan is implemented, the process should be documented."

In 2006 TriMet received a grant from the Federal Transit Administration's Civil Rights Division to create and implement a Limited English Proficiency (LEP) Plan to better serve communities with primary languages other than English. Four percent of TriMet's riders meet the U.S. Department of Transportation definition of Limited English Proficiency, meaning they do not speak English well or at all. For sixty-five percent of this group Spanish is their primary language. Russian, Chinese, Vietnamese and Korean are the other largest LEP populations in the region.



As a demonstration project, TriMet launched a targeted outreach campaign and developed new culturally appropriate rider information to assist Spanish-speaking LEP riders.

TriMet has outlined a program that would assist all LEP populations by:

- Translating vital documents and replacing text with universal icons whenever possible;
- Notifying populations of the availability to have non-vital documents translated;
- Establishing guidelines for interpretive services to aid LEP populations;
- Developing an employee training curriculum so employees are better equipped to serve the unique needs of LEP customers;
- Expanding community partnerships that serve LEP populations.

Making the system accessible and easy has been made an agency priority. To aid riders who have limited English proficiency, TriMet produces customer information in Spanish, Chinese, Vietnamese, Korean and Russian, and provides interpreters for the agency's customer service call center, 503-238-RIDE. The automatic stop announcements on all bus and MAX vehicles are provided in English and Spanish.

Serving the urban communities of Marion County is the Salem-Keizer Transit (SKATS) which provides transit and para-transit service to the Salem-Keizer area and Marion and Polk counties. All Salem-Keizer Transit services operate Monday through Friday. Cherriots provides fixed route bus service within Salem and Keizer with connections to Wilsonville and Grand Ronde. Chemeketa Area Regional Transportation System (CARTS) provides service to rural communities in Marion and Polk counties including Woodburn, Silverton, the Santiam Canyon, Dallas and more. Other Salem-Keizer Transit services include CherryLift ADA service, travel training and rideshare information including carpool and vanpool matching. In fiscal year 2010 SKATS provided service for over 4.2 million passengers.

SKATS has bi-lingual audio stop notification on all fixed route stops and provides bus schedules, service announcements, and other vital communication in Spanish. Their internet website is provided in full in Spanish.

#### **COMPLIANCE AND ENFORCEMENT**



ODOT Directors, Program Managers, and Region and Area Managers are responsible for ensuring that meaningful services to LEP persons are provided in their respective divisions, programs and regions. Additionally, designated Title VI Program Title VI Liaisons will be identified to continuously monitor their respective divisions, programs, and regions to ensure LEP requirements are fulfilled and report annual accomplishments and upcoming goals relating to LEP activities to the Civil Rights Title VI Program. Within each region the assigned Civil Rights Specialist will monitor compliance and provide guidance on LEP requirements.

In determining whether LEP compliance is met, the Title VI Program will assess whether the division's procedures allow LEP persons to overcome language barriers and participate in a meaningful way in the division's programs, activities and services. The division's appropriate use of methods and options detailed in this LEP Guidance document including analysis and documentation will be viewed as evidence of intent to comply with LEP requirements and Title VI of Civil Rights Act of 1964.

#### **GUIDANCE/RESOURCES**

The following guidance documents and resources are provided to assist ODOT Divisions and Programs with implementing LEP requirements and may be used in conjunction with this LEP Guidance Document.

The U.S. Department of Transportation Guidance to Recipients on Special Language Services to Limited English Proficient Beneficiaries, Federal Register/Vol. 66, No. 14/Monday, January 22, 2001 (Civil Rights Title VI Program Resource Directory, Tab 29).

The U.S. DOJ Policy Guidance, Enforcement of Title VI of the Civil Rights Act of 1964-National Origin Discrimination Against Persons With Limited English Proficiency, Federal Register/Vol. 65, No. 159/Wednesday, August 16, 2000.

http://www.usdoj.gov/crt/cor

U.S. Department of Justice Clarifying Memorandum, dated October 26, 2001

http://www.usdoj.gov/crt/cor/lep/Oct26BackgroundQ&A.htm

State Personnel Board, Bilingual Services Program (916) 651-9017



United States Census 2000 Language Identification Flashcard (attached)

#### **Technical Assistance**

The ODOT Office Civil Rights, Title VI Program is responsible for providing ODOT Divisions and Programs with technical assistance. This includes advising divisions and programs of LEP requirements and its implementation, and assistance in developing individual division and program plans.

# **APPENDIX A**

ORPIN Language Providers List

Statewide Contract Search Page 1 of 7

## Statewide Contract Search

By Keyword

Generated By: Azure, Gregory

Generated On: 02/07/2012 1:34 PM (mm/dd/yyyy h:mm AM/PM)

Keywords: translation

In Items: Yes In Title: Yes In Comments: Yes

El Legend

GI! View Contract View Summary **M** View Statewide Contract ,{). Create Work Order

E2J Available for Use

Contract# Organization Supplier

1 mfil PS-NON-IT2179-5

State Procurement Office Language Line Services, Inc. One Lower Ragsdale Drive, Bldg. 2

Monterey CA 93940

Written Translations of Various Languages

Contract Type **Purchasing Agent** Effective Date **Expiration Date** Personal Services (PSK) Denna Coleman 11/21/2005 11/19/2012

Non-IT

Use Minimum Order Other Charges Lead Time Information

Mandatory N/A \$0.00 Various time

periods

Contract# Organization Supplier

 $_2$   $^{\rm m}$  PS-NON-IT2177-5

State Procurement Office TSIGIE HAILEGNAW AND DANIEL

> SHAMEBO SABORE 34726 31st CT SW Federal Way WA 98023

Written Translations of Various Languages

Contract Type **Purchasing Agent** Effective Date **Expiration Date** Personal Services (PSK) 11/19/2005 11/19/2012 Denna Coleman

Non-IT

Use Minimum Order Other Charges Lead Time Information

Mandatory N/A \$0.00 Various time periods

Contract# Organization Supplier

3 mm\_ PS-NON-State Procurement Office **IRCO** IT2176-5

10301 NE Glisan St. Portland OR 97220

Written Translations of Various Languages

Contract Type Effective Date **Purchasing Agent Expiration Date** Personal Services (PSK) Denna Coleman 11/19/2005 11/19/2012

Non-IT

Use Minimum Order Lead Time Information Other Charges

Mandatory N/A \$0.00 Various time periods

Contract# 4 Jtm. PS-NON-IT2175-5

Organization

State Procurement Office

Supplier

Transcend Translations 2043 ANDERSON RD STE C

**DAVIS CA 95616** 

Written Translations of Various Languages

Contract Type Personal Services (PSK) **Purchasing Agent** Denna Coleman

Effective Date 11/19/2005

**Expiration Date** 11/19/2012

Non-IT

Use

Minimum Order

Other Charges

**Lead Time** 

Information

Mandatory

N/A

\$0.00

Various time

periods

Contract#

IT2173-5

mill, PS-NON-

Organization State Procurement Office Supplier

Northwest Interpreters, Inc.

PO Box 65024

Vancouver WA 98665

Written Translations of Various Languages

Contract Type Personal Services (PSK) **Purchasing Agent** Denna Coleman

Effective Date

**Expiration Date** 11/19/2012

Use

Non-IT

11/19/2005

Minimum Order

Other Charges

**Lead Time** 

Information

Mandatory

N/A

\$0.00

Various time

periods

Contract#

!!ifil ps-NON-IT2172-5

Organization

Supplier

CTS Language Link 911 Main St., Suite 10

Vancouver WA 98660

Written Translations of Various Languages

Contract Type

**Purchasing Agent** Personal Services (PSK) Denna Coleman

State Procurement Office

Effective Date 11/19/2005

**Expiration Date** 11/19/2012

Information

Non-IT

Use Mandatory Minimum Order

Other Charges

\$0.00

**Lead Time** 

Various time

periods

Contract#

Organization

N/A

Jtm. PS-NON-IT2171-5

State Procurement Office

Supplier

Nguyen Technology and Consulting

3112 172nd Ave.

Vancouver WA 98683

Written Translations of Various Languages

Contract Type

**Purchasing Agent** Denna Coleman Personal Services (PSK)

State Procurement Office

Effective Date 11/19/2005

**Expiration Date** 11/19/2012

Non-IT

Use

Minimum Order

Other Charges

Lead Time

Information

Mandatory

N/A

\$0.00

Various time

periods

Contract# 8 Mfil PS-NON-

IT2170-5

Organization

Supplier

TRANSLATION SOLUTIONS

**CORPORATION** 

121 SW SALMON ST STE 1100 ONE

WORLD TRADE CENTER Portland OR 97204-2921

Written Translations of Various Languages

https://01-pin.oregon.gov/open.dll/showContractSearchByKeyword?sessionID=4485336&keywords=transla 2	1712012

State	ewide Contract S	earcn				
	Contract Type	Purchasing Agent			Effective Date	Expiration Date
	Personal Services (	(PSK)	Denna Co	oleman	11/19/2005	11/19/2012
	Use	Minimum	Order	Other Charges	Lead Time	Information
	Mandatory	N/A		\$0.00	Various time periods	
	Contract#	Organiza	ation		Supplier	
9	M PS-NON- Office IT2169-5				Translation Avenue PO Box 3315 Ashland OR 97520	
		Written	Translatio	ons of Various L	anguages	
	Contract Type		Purchasii	ng Agent	Effective Date	Expiration Date
	Personal Services (PSK) Non-IT		Denna Coleman		11/19/2005	11/19/2012
	Use	Minimum	Order	Other Charges	Lead Time	Information
	Mandatory	N/A		\$0.00	Various time periods	
	Contract#	Organiza	tion		Supplier	
10			ocurement Office		Spanish Communications PO Box 3157 Ashland OR 97520	
	Written Translations of Various Languages					
	Contract Type		Purchasir	na Aaent	Effective Date	Expiration Date
	Personal Services (I	PSK)	Denna Co		11/19/2005	11/19/2012
	Non-IT				,,	
	Use	Minimum	Order	Other Charges	Lead Time	Information
	Mandatory	N/A		\$0.00	Various time periods	
	Contract#	ontract# Organization			Supplier	
11	11 J1ilK PS-NON- State Pro IT2165-5		ocurement Office		viaLanguage, Inc. 700 SW TAYLOR ST STE 310 Portland OR 97205-3016	
	Written Translations of Various Languages					
	Contract Type Personal Services (PSK) Non-IT		Purchasir	ng Agent	Effective Date	Expiration Date
			Denna Coleman		11/19/2005	11/19/2012
	Use	Minimum	Order	Other Charges	LeadTime	Information
	Mandatory	N/A		\$0.00	Various time periods	
	Contract# Organization			Supplier		
	12 @!.PS-NON- IT2164-5		State Procurement Office		Lazar & Associates 1516 South Bundy Drive Ste # 311 Los Angeles CA 90025	
	Written Translations of Various Lang				_	
	Contract Type	ontract Type Purchasing Agent			Effective Date	Expiration Date
	Personal Services (PSK) Non-IT		Denna Coleman		11/19/2005	11/19/2012
	Use	Minimum	Order	Other Charges	Lead Time	Information
	Mandatory	N/A		\$0.00	Various time periods	



2/7/2012

Contract#

Organization

Supplier

13 mill. 9972

State Procurement Office

Language Line Services, Inc.

One Lower Ragsdale Drive, Bldg. 2

Monterey CA 93940

Telephone Based Interpreter Services

**Purchasing Agent** 

Agreement to Agree Gail Carter Effective Date

**Expiration Date** 

Contract Type

07/14/2009

02/15/2013

Use

Minimum Order

**Lead Time** 

Information

Mandatory

N/A

\$0.00

See Participating Addendum

Contract#

Organization

Supplier

14 mill. 9971

State Procurement Office

Corporate Translation Services, Inc.

911 Main Street Suite 10 Vancouver WA 98660

Telephone Based Interpreter Services (WSCA)

Other Charges

Contract Type

**Purchasing Agent** 

Effective Date

**Expiration Date** 

Agreement to Agree

Gail Carter

07/14/2009 Lead Time

02/15/2013 Information

Mandatory

Use

N/A

Minimum Order

Other Charges \$0.00

See Participating

Addendum

Contract#

4124

15

Organization

Supplier

AT&T

6600 SW 92nd Avenue Portland OR 97223

TELECOMMUNICATIONS LONG DISTANCE SERVICES

Contract Type Price Agreement

**Purchasing Agent Toby Giddings** 

State Procurement Office

Effective Date

**Expiration Date** 07/18/2013

Use

Minimum Order

Other Charges

07/19/2004

Lead Time

Information

Mandatory

N/A

\$0.00

N/A

Contract# 16 MM, 0422

Organization

Supplier

State Procurement Office

DTINW LLC 8196 SW DURHAM RD

Tigard OR 97224

Digital Audio Recording Systems, equipment & Maintenance

Contract Type Price Agreement **Purchasing Agent** Debra L. Scott

Effective Date 05/24/2010

**Expiration Date** 05/23/2013

Use

Minimum Order

Other Charges Lead Time Information

Mandatory

one

\$0.00

Must be specified

by Authorized

Contract#

Organization

Supplier

Purchaser

17 MM, 0421 State Procurement Office Reliant Communications Inc.

1410 Madison St.

Salem OR 97303

Digital Audio Recording Systems, equipment & Maintenance

Contract Type Price Agreement

Use

Minimum Order

Debra L. Scott Other Charges

**Purchasing Agent** 

Effective Date 05/12/2010 Lead Time

**Expiration Date** 05/11/2013 Information

https://orpin.oregon.gov/open.dll/showContractSearchBy Keyword?sessionID=4485336&keywords=transla	21712012

Statewide Contract Search Mandatory \$0.00 one Must be specified by Authorized Purchaser Supplier Contract# Organization 1s **M.**0420 State Procurement Office Advanced Translations Technology, Inc. 5146 Douglas Fir Road Suite 100 Calabasas CA 91302 Digital Audio Recording Systems, equipment & Maintenance Contract Type Purchasing Agent Effective Date **Expiration Date** 05/04/2010 05/03/2013 Price Agreement Debra L. Scott Use Minimum Order Other Charges Lead Time Information Mandatory not applicable to \$0.00 Must be specified this Price by Authorized Purchaser Agreement Contract# Organization Supplier 19 mm. 0419 State Procurement Office Electronic Business Systems Inc. 12113 Industriplex Blvd Baton Rouge LA 70809 Digital Audio Recording Systems, equipment & Maintenance Contract Type Purchasing Agent Effective Date **Expiration Date** Price Agreement Debra L. Scott 04/26/2010 04/25/2013 Minimum Order Other Charges Use Lead Time Information FZJ Mandatory not applicable to \$0.00 Must be specified this Price by Authorized Purchaser Agreement Supplier Contract# Organization 20 **M**.0418 State Procurement Office **Exhibitone Corporation** 14601 S. 50th Street Suite 120 Phoenix AZ 85044 Digital Audio Recording Systems, equipment & Maintenance Contract Type Purchasing Agent Effective Date **Expiration Date** Price Agreement 04/26/2010 04/25/2013 Debra L. Scott Minimum Order Other Charges Lead Time Information Use Mandatory No applicable to \$0.00 Must be specified this Price by Authorized Purchaser Agreement Contract# Supplier Organization 21mm.0417 State Procurement Office Veri-Core. LLC 2700 Business Center Blvd Melbourne FL 32940 Digital Audio Recording Systems, equipment & Maintenance Contract Type Purchasing Agent Effective Date **Expiration Date** 05/25/2013 Price Agreement 05/26/2010 Debra L. Scott Other Charges Lead Time Information Minimum Order Use Mandatory Not applicable to \$0.00 Must be specified la this Price by Authorized Purchaser Agreemetn

Supplier

Precise Digital

Contract#

22 mm. 0416

Organization

State Procurement Office

24 **m** 0414

28807 Stormcloud Pass Wesley Chapel FL 33543-6427

	Digital Audia Bar	aarding Cyatama	auinment & Meinte	
	Digital Audio Rec	Cording Systems, e	equipment & Mainte	enance
Contract Type	Purchasi	ng Agent	Effective Date	Expiration Date
Price Agreement	Debra L.	Scott	05/25/2010	05/24/2013
Use	Minimum Order	Other Charges	Lead Time	Information
Mandatory	one	\$0.00	Must be specified by Authorized Purchaser	
Contract#	Organization		Supplier	
23 <b>MM.</b> 0415	State Procurement	Office	Dictation Sales & Se 18311 W Ten Mile F Southfield MI 4807	Rd. Suite 200
	Digital Audio Red	cording Systems, e	equipment & Mainte	enance
Contract Type	Purchasi	ng Agent	Effective Date	Expiration Date
Price Agreement	Debra L.	Scott	05/05/2010	05/04/2013
Use	Minimum Order	Other Charges	Lead Time	Information
Mandatory	not applicable to this price agreement	\$0.00	Must be specified by Authorized Purchaser	
Contract#	Organization		Supplier	

State Procurement Office

JCG Technologies, Inc 9941 E Mission Lane Scottsdale AZ 85258

Digital Audio Recording Systems, equipment & Maintenance

Contract Type	Purchasi	ng Agent	Effective Date	Expiration Date
Price Agreement	Debra L.	Scott	05/11/2010	05/10/2013
Use	Minimum Order	Other Charges	Lead Time	Information
Mandatory	one	\$0.00	Must be specified by Authorized Purchaser	!ID f21

Organization Supplier 2s **199**ntract#

State Procurement Office phoenix dictating machine co. inc

6700 woodlands parkway 230-330 The Woodlands TX 77382

Digital Audio Recording Systems, equipment & Maintenance

Contract Type	Purchasi	ng Agent	Effective Date	Expiration Date
Price Agreement	Debra L. Scott		04/26/2010	04/25/2013
Use	Minimum Order	Other Charges	Lead Time	Information
Mandatory	Not applicable	\$0.00	Must be specified by Authorized	121

Contract # Organization Supplier

26 Gll 102-1942-11 MOLANO MULTICULTURAL State Procurement Office COMMUNICATIONS LLC

4 Touchstone Dr. Suite 81 Lake Oswego OR 97035

Purchaser

Written Translations of Various Languages

Contract Type **Purchasing Agent** Effective Date **Expiration Date** Personal Services (PSK) Denna Coleman 11/19/2005 11/19/2012

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Statewide Contract Search Page 7 of7

Non-IT

UseMinimum OrderOther ChargesLead TimeInformationMandatoryN/A\$0.00Various time periods

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### **APPENDIX B**

I Speak Card

LEP Guidelines 26

#### LANGUAGE IDENTIFICATION FLASHCARD

	1
.á«Hô©dGçóëàJhCGCGô≤JâæcGPEG™HôŸGGòg ~ áeÓY™°V	1. Arabic
	•
Խնդրում ենջ նչում կատարեջ այս ջառակուսում, եթե խոսում կամ կարդում եջ Հայերեն:	2. Armenian
যদি আপনি বাংলা পড়েন বা বলেন তা ছলে এই বাব্দে দাগ দিন।	3. Bengali
QUmbJÇak'kñ"g®b/b'enH ebI/ñk/an niXaXPasa e‡oµe .	4. Cambodian
Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	5. Chamorro
如果你能读中文或讲中文,请选择此框。	6. Simplified Chinese
如果你能讀中文或講中文,請選擇此框。	7. Traditional Chinese
Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8.Croatian
Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
—Mark this box if you read or speak English. ————————————————————————————————————	11.English 12. Farsi

Cocher ici si vous lisez ou parlez le français.	13. French
Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	19. Hungarian
Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
Marchi questa casella se legge o parla italiano.	21. Italian
日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
ໃຫ້ໝາຍໃສ່ຍຸ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	24. Laotian
Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani	językiem polskim.

Cocher ici si vous lisez ou parlez le français.	13. French
25. Polish  Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	
ໃຫ້ໝາຍໃສ່ຂຸ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	

Assinale este quadrado se você lê ou fala português.	26. Portuguese
Însemnați această căsuță dacă citiți sau vorbiți românește.	27. Romanian
ilометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
Обележите овај квадратић уколико читате или говорите српски језик.	29. Serbian
Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak
Marque esta casilla si lee o habla español.	31. Spanish
Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
ให้กาแค่รื่องหมายลงในช่องถ้าท่านอ่านหรือพูคภาษาไทย.	33.Thai
Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
Відмітьте цю клітинку, якщо ви читаєте або говорите українською мовою.	35. Ukranian
اگرآپار دوپڑھتے یا بولتے ہیں تواس خانے میں نشان لگا ئیں۔	36. Urdu
באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish

	]
Assinale este quadrado se você lê ou fala português.	26. Portuguese
Xin ñaùnh daáu vago oâ nagy neáu quyù vò bieát ñoïc vag noùi ñöôïc Vieät Ngöõ.	37.Vietnamese
Însemnați această căsuță dacă citiți sau vorbiți românește.	27. Romanian
iloметьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian

اگرآپاردوپڑھتے یا بولتے ہیں تواس خانے میں نشان لگا کیں۔
באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.

38. Yiddish



### **APPENDIX C**

Title VI, ADA, and LEP policy

LEP Guidelines 27

# YOUR RIGHTS UNDER TITLE VI OF THE CIVIL RIGHTS ACT

The Oregon Department of Transportation (ODOT) complies with Title VI and the other federal nondiscrimination statutes which prohibit discrimination based on race, color, national origin, age, disability, or gender in ODOT's programs, activities, services, operations, delivery of benefits, or opportunities to participate.

In an effort to provide equitable access, ODOT provides accessibility aids, translation, and interpretation services for all public events and vital documents free of charge upon request. These services can be obtained by providing reasonable advance notice.

- Need assistance or information?
- Require translation of another ODOT publication?
- Require interpretation for an ODOT event or activity?
- Requesting an aid to improve accessibility to a public event?
- Believe you've been discriminated against?

Please contact the ODOT Office of Civil Rights:

ODOT Office of Civil Rights Title VI Program ODOT.TITLEVI@odot.state.or.us
Toll Free (855) 540-6655
TTY 711
Internet Polavi http://www.sprintip.com

Internet Relay: http;//www.sprintip.com FAX (503) 986-6382

### SUS DERECHOS SEGÚN EL TÍTULO VI DE LA LEY DE DERECHOS CIVILES

El Departamento de Transporte de Oregón (ODOT) cumple con el Título VI y las demás leyes federales que prohíben la discriminación por razones de raza, color, nacionalidad de origen, edad, discapacidad o sexo en los programas de ODOT y en sus actividades, servicios, operaciones, entregas de beneficios u oportunidades de participar.

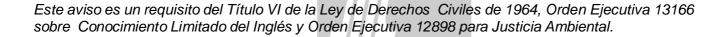
Para brindar acceso equitativo, ODOT ofrece ayudas de accesibilidad y servicios de traducción e interpretación sin cargo para todos los actos públicos y documentos vitales a quienes lo soliciten. Estos servicios se pueden obtener siempre que se soliciten con antelación razonable.

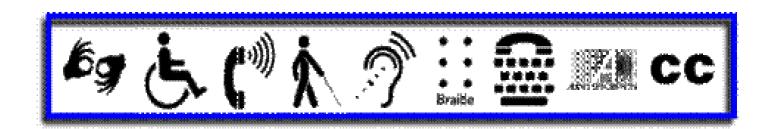
- ¿Necesita asistencia o información?
- ¿Requiere la traducción de otra publicación de ODOT?
- ¿Requiere interpretación para un evento o actividad de ODOT?
- ¿Solicita una ayuda para acceder mejor a un evento público?
- ¿Piensa que fue víctima de discriminación?

Comuníquese con la Oficina de Derechos Civiles de ODOT:

ODOT Office of Civil Rights Title VI Program ODOT.TITLEVI@odot.state.or.us Llame sin cargo al (855) 540-6655 TTY 711 Internet Relay: http://www.sprintip.com

FAX (503) 986-6382





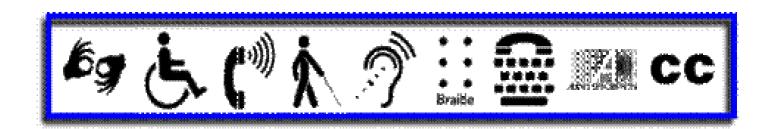
The Oregon Department of Transportation (ODOT) does not discriminate on the basis of disability in admission and access to programs, information, services, benefits, events, outreach, or activities.

In an effort to ensure equitable access, ODOT provides accessibility aids or accommodations for people with disabilities upon request.

- Need assistance or information?
- Would like to request an accommodation?
- Want a copy of this notice or another ODOT publication in an alternative format?
- Believe you've been discriminated against?

#### Please contact:

ODOT Office of Civil Rights Title VI Program ODOT.TITLEVI@odot.state.or.us
Toll Free (855) 540-6655
TTY 711
Internet Relay: http;//www.sprintip.com
FAX (503) 986-6382



El Departamento de Transporte de Oregón (ODOT) no discrimina por razones de discapacidad en la admisión y el acceso a programas, información, servicios, beneficios, eventos, promoción, o actividades.

Para garantizar el acceso equitativo, ODOT ofrece ayudas de accesibilidad o adaptaciones para las personas con discapacidades que las soliciten.

- ¿Necesita ayuda o información?
- ¿Quiere solicitar una adaptación?
- ¿Quiere una copia de este aviso o de otra publicación de ODOT en diferente formato?
- ¿Piensa que fue víctima de discriminación?

### Póngase en contacto con:

ODOT Office of Civil Rights Title VI Program ODOT.TITLEVI@odot.state.or.us Llame sin cargo al (855) 540-6655 TTY 711 Internet Relay: http://www.sprintip.com FAX (503) 986-6382



### **APPENDIX D**

# Title VI and ADA Notice for Publications

LEP Guidelines 28



# Title VI and ADA Language for Publications, Communications, and Public Involvement

#### **English and Spanish Versions**

#### TITLE VI STATEMENT LONG VERSION

#### **English**

#### **Title VI Notice to Public**

It is the Oregon Department of Transportation's (ODOT's) policy to assure that no person shall, on the grounds of race, color, national origin, disability, or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes their Title VI protection has been violated, may file a complaint with ODOT'S Office of Civil Rights (OCR). For Title VI complaint forms and advice, please contact OCR's Title VI Coordinator at (503) 986-3169.

#### **Spanish**

#### Aviso al Público sobre el Título VI

Es el departamento de Oregon de Transportation' la política de s (ODOT) a asegurar que ninguna persona, sobre la base de color de la raza, origen nacional, la discapacidad, o sexo, en la manera prevista por Title VI del acto de las derechas civiles de 1964, ser excluido de la participación adentro, se niegue las ventajas de, o se discrimine de otra manera contra inferior de sus programas y actividades federal financiados. Han violado, puede archivar a cualquier persona que crea su protección del título VI una queja con la oficina de ODOT de las derechas civiles (OCR). Para las formas y el consejo de la queja del título VI, entre en contacto con por favor OCR' coordinador del título VI de s en (503) 986-3169.



#### **TITLE VI STATEMENT SHORT VERSION**

#### **English**

#### **Title VI Statement to Public**

ODOT ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, disability, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding ODOT's Title VI Program, you may contact the Department's Title VI Coordinator at (503) 986-3169.

#### **Spanish**

#### Declaración al Público sobre el Título VI

ODOT asegura conformidad completa con el título VI del acto de las derechas civiles de 1964 prohibiendo la discriminación contra cualquier persona en base de la raza, del color, del origen nacional, la discapacidad, o del sexo en la disposición de ventajas y de servicios resultando de sus programas y actividades federal asistidos. Para las preguntas con respecto a ODOT' programa del título VI de s, usted puede entrar en contacto con el Department' coordinador del título VI de s en (503) 986-3355.



#### <u>AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION</u>

#### For <u>public meeting</u> notices with <u>limited</u> print space (newspaper ads, etc.):

#### **English**

#### Americans with Disabilities Act (ADA) Information

The meeting site is accessible to persons with disabilities. Accommodations for people with disabilities can be arranged with advance notice by calling (enter the name of the event sponsor and phone number).

#### **Spanish**

### Información sobre el Acta (ADA) para estadounidenses con discapacidades

El lugar de la reunión es accesible para las personas con discapacidades. Se puede hacer arreglos de acomodación razonable para las personas con discapacidades, con aviso anticipado, llamando al (indique el nombre y número de teléfono del patrocinador del evento).

#### Full description for <u>public meeting</u> notices:

#### **English**

#### Americans 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 the event sponsor (enter name of event sponsor and phone number), by (insert date-usually two weeks advance notice). Persons who are deaf or hard of hearing may contact the event sponsor through the Oregon's Relay Service at 7-1-1.



#### **Spanish**

### Información del Acta (ADA) para estadounidenses con discapacidades

Los individuos que requieren comodidades razonables pueden pedir los materiales escritos en formatos alternos, intérpretes de la lengua de muestra, comodidades físicas de la accesibilidad, u otras comodidades razonables entrando en contacto con al patrocinador del acontecimiento (incorpore el nombre del número del patrocinador y de teléfono del acontecimiento), cerca (fechageneralmente del parte movible la comunicación previa de dos semanas). Las personas que son sordas o duras de la audiencia pueden entrar en contacto con al patrocinador del acontecimiento con el servicio del relais del Oregon en 7-1-1.

For <u>publications</u> distributed through ODOT that are administrative and engineering publications for the <u>general public</u>:

#### Americans with Disabilities Act (ADA) Information

Materials can be provided in alternative formats: large print, Braille, cassette tape, or on computer disk for people with disabilities by calling the Office of Civil Rights (OCR) at (503) 986-3169. Persons who are deaf or hard of hearing may contact OCR through the Oregon Relay Service at 7-1-1.

#### For publications for **ODOT** staff only:

#### Americans with Disabilities Act (ADA) Information

Persons with disabilities may request this information be prepared and supplied in alternate formats by calling (insert document contact name and number or the Office of Civil Rights (OCR) at (503) 986-3169.



### **APPENDIX E**

## Title VI and Environmental Justice Brochures in Spanish

LEP Guidelines

#### Titulo VI Cobertura Ampliada

#### Justicia Ambiental

En 1994, el Presidente Clinton firmo el Decreto Ejecutivo No. 12898: "Accion federal referente a la Justicia Ambiental en poblaciones minoritarias y poblaciones de bajos ingresos". Este decreto estipulaba que "cada agencia debe hacer que la justicia ambiental sea parte de su mision identificando y tratando, de manera adecuada, los efectos adversos y desproporcionadamente altos de sus programas, políticas y actividades sobre la salud humana o el medio ambiente en poblaciones minoritarias o de bajos ingresos". Los efectos adversos pueden ser:

- La denegacion o la reduccion en programas de transporte, o la demora significativa en la recepcion de beneficios de programas, políticas o actividades del Departamento de Transporte (ODOT)
- Discapacidad ffsica, dolencia, enfermedad, o fallecimiento;
- Contaminacion aerea, acustica o del agua;
- Contaminación del suelo;
- Destruccion o alteracion de recursos artificiales o naturales;
- Destruccion o alteracion de establecimientos y servicios publicos y privados;
- Vibracion:
- Desplazamiento de personas, negocios, granjas, u organizaciones sin fines de lucro;
   o
- Mayor congestion de transito, aislamiento, exclusion o separacion de minorfas o individuos de bajos ingresos dentro de una determinada comunidad o de la comunidad mas amplia.

#### Capacidad limitada en ingles

os receptores de fondos federales deben tomar las medidas necesarias para asegurar que las personas con Capacidad Limitada en ingles (LEP) tengan acceso significativo a programas, servicios y actividades. Las personas que no hablan ingles como idioma principal y que tienen habilidad limitada para leer, hablar, escribir o entender el ingles se pueden considerar

de capacidad limitada en ingles o LEP. Estas personas pueden tener derecho a recibir ayuda lingi.ifstica para un determinado tipo de servicio, beneficio o encuentro. El Departamento de Transporte de los EE. UU. ha desarrollado una herramienta de evaluacion denominada "Analisis de cuatro factores" para ayudar a determinar si se requieren esfuerzos especiales:

- Demograffa: ;\_Cual es el numero o la proporcion de personas LEP que reciben servicios y los idiomas que se hablan en un area de ser:vicio?
- 2. Frecuencia: ;\_Cual es la frecuencia de contacto con servicios o programas?
- 3. Importancia: ;\_Cual es la naturaleza e importancia del programa/servicio para la vida de las personas (transporte)?
- 4. ;\_Cuales son los recursos y costos?

Una organizacion puede descubrir que debe realizar adaptaciones especiales si el analisis de los cuatro factores revela una necesidad importante.

# IComo puedo saber mas sobre este tema?

lamenos al (503) 986-4350 o visite el sitio Web odotsmallbusinesssupport.org. Podemos ayudarlo si necesita asistencia para personas con discapacidades o con Capacidad Limitada en ingles (LEP). jSera un placer atenderlo!

Oficina de Derechos Civiles 355 Capitol Street NE, Room 504 Salem, OR 97301-3871 Tel.: 503-986-4350 Fax: 503-986-6382

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Form 731-06068 10/2009





### IQue es el Titulo VI?

a frase "titulo seis" se refiere a una seccion de la Ley de Derechos Civiles de 1964 (el Titulo VI) que prohibe la discriminacion par raza, color, nacionalidad, sexo, edad, discapacidad o nivel socioeconomico en cualquier programa o servicio que recibe fondos federales. En el Departamento de Transporte de Oregon trabajamos para asegurar que todos comprendan y cumplan con las disposiciones del *Ti*tulo VI, y brindamos asistencia tecnica, recursos, orientacion e informacion para ayudar a hacerlo.

### l Quien necesita saber sobre el Titulo VI?

Toda organizacion que reciba fondos federales debe comprender y cumplir las requisitos del Titulo VI en todos sus niveles: administracion, personal y receptores indirectos. Los receptores indirectos son las personas o entidades que indirectamente reciben fondos federales para llevar a cabo un programa o actividad, y pueden ser localidades, asesores, contratistas, instituciones de educacion terciaria, universidades, organizaciones de planeamiento metropolitano (MPOs), proveedores, y otros. El Titulo VI tambien se aplica a las subcontratistas y subasesores.





#### IQue cubre el Titulo VI?

Existen muchas formas de discriminacion ilegal par raza, color, nacionalidad, sexo, edad, ingresos y discapacidad que limitan la oportunidad de las personas de participar en programas y actividades. Un programa que recibe fondos federales no puede, ni directa ni indirectamente:

- Rechazar servicios, ayuda o beneficios de programas.
- 2. Brindar diferentes servicios, ayuda y beneficios o brindarlos de una manera distinta a la que se hace con otras personas.
- Segregar a ciertos individuos o tratarlos par separado en cualquier asunto relacionado con la recepcion de las servicios, ayuda o beneficios.

#### IQue requiere el Titulo VI?

Todas las organizaciones que reciben fondos federales deben implementar un sistema de procedimientos, acciones y sanciones que prohiba la discriminacion. La Division de Derechos Civiles de ODOT puede ayudar a determinar lo que una organizacion necesita y la forma de desarrollarlo.



La meta principal del Programa del Título VI del Departamento de Transporte de Oregón es asegurar que la administración, el personal, los receptores indirectos y los beneficiarios de servicios conozcan las cláusulas y las responsabilidades del Título VI y de la Ley de Derechos Civiles de 1964.

S; Ud. cree que fue vfctima de discriminadon por su raza, color, nadonalidad, sexo, edad, discapaddad o nivel sodoeconomko, puede presentar una demanda ante la Ofidna de Derechos CivUes de ODOT. La informadon de contacto se encuentra al dorso.



#### Como la jastkia-ambiental le afecta a usted y a su comunidad

Dreocupaci6n por la justicia ambiental deben I integrarse en todas las decisiones de transporte:

de un plan de transporte a las operaciones de posterior a la construcci6n y mantenimiento. El documento del departamento de transportaci6n de los estados unidos, "Order to Address Environmental Justice in Minority and Low-Income Populations," se aplica a todas las politicas, programas y otras actividades que se llevan a cabo, financiado o aprobados por la administraci6n federal de carreteras, la administraci6n federal de transito o otros componentes de los departamentos de los estados unidos, incluso:

- Las decisiones de politica
- Sistemas de planificaci6n
- Planificaci6n metropolitana y en todo el estado
- Proyecto de desarrollo y de revision ambiental de la NEPA
- Disef\o preliminar
- Ingenieria de disef\o final
- El derecho de paso
- Construcci6n
- Operaci6n y Mantenimiento

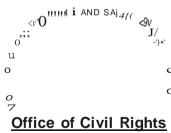
*¡Participa!* Para obtener mas informaci6n sobre los recursos, asistencia tecnica. publicaciones, o si le gustaria participar, expresar una preocupaci6n o idea, visita a la oficina de los derechos civiles de ODOT pagina de web: www.oregon.gov/ODOT/CS/ CIVILRIGHTS/titlevi/title vi.shtml.

#### ¡Su voz es muy importante!

as agendas de transporte no pueden entender las necesidades de la comunidad sin sus miembros de la comunidad. asociaciones, organizaciones, empresas e instituciones academicas ser activas e informadas de como involucrarse y participar en el pwceso de desarrollo de transporte.

Para mas informaci6n: ODOT Office of Civil Rights www.oregon.gov/ODOT/CS/civilrights Title VI Program Manager (503) 986-4350 ODOT.TITLEVI@odot.state.or .us

Federal Highway Administration Office of Human Environment 400 Seventh St., SW, HEPH-40 Washington, DC 20590 (202) 366-0106 www.fhwa.dot.gov/environment/index.htm



Resources for Equity and Opportunity

ODOT es un empleador de oportunidad para empleo igual y acci6n afirmativa y no discrimina por motivos de discapacidad en la admisi6n o acceso a sus programas, servicios, actividades, contrataci6n en un empleo o practicas. Si tiene preguntas, comentarios o para solicitar este documento o otras publicaciones de ODOT en formatos alternativos, p6ngase en contacto con los derechos civiles de ODOT (503) 986-4350 o ODOT.TITLEVI@odot.state .or.us

Mejorando los decisiones de transportación

Justicia

Ambiental:

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### Entendiendo Justicia Ambiental

a toma de decisiones efectivas de transportación depende en conocimiento de las necesidades (micas para los grupos diferentes-socioeconomicos as las que se refieren, y eso ocurre cuando la agencia tiene un programa de justicia ambiental que reacciona bien. El departamento de transportación se ase responsable de integrar cada programa y proyecto.

Porque nosotros recibimos fondos federales para los proyectos de transportaciones, el departamento de transportación esta obligado a revisar como nuestros proyectos tienen impacto en las comunidades, ambos positivo y negativo. La meta es para asegurar una distribución que equivale el desarrollo de proyectos positivos, asi como un esfuerzo para mantenerlo minima y mitigar cualquier desproporción efectos alto y adverso a cualquier individual o grupos de gente en la comunidad. La justicia ambiental se centra en como los proyectos de transportación afectan a las minorias, a mayores de edad, discapacitados y miembros de bajos ingresos de la comunidad.

#### Refiriendo justicia ambiental

Justicia ambiental tiene tres principios fundamentales:

- Evitar, minimizar o mitigar desproporcionadamente altos y adversos efectos ambientales y salud humana. Incluyendo efectos sociales y econ6micos, en populaciones de minorias y bajos ingresos.
- 2. Asegurar la participación plena y equitativa de todas las comunidades potencialmente afectadas en el proceso de a hacer decisiones de transportación.
- Evitar la negaci6n de, reducci6n o retraso significativo en la recepci6n de beneficios por minorias y populaciones de bajos ingresos.



#### Los resultados de justicia ambiental

Justicia ambiental es mas que una componente de obligaciones reglamentarias y legales. Implementados correctamente, los principales y procedimientos de justicia ambiental mejoran todos los niveles de las decisiones de transportaci6n. Este enfoca:

- Hace mejores decisiones sobre el transporte para satisfacer las necesidades de todas las personas.
- Diseile facilidades de transportación que se ajusten mas armónica en las comunidades.
- Mejora el proceso de participación publica, fortalecer las asociaciones comunitaria. Proporcionar las minorias y de bajos ingresos con oportunidades de aprender sobre la calidad y utilidades de transportación en sus vidas.
- Mejora la recogida de datos, monitoreo y herramientas de analisis que evalua las necesidades, y analizar las posibles repercusiones en, las poblaciones minoritarias y de bajos ingresos.
- Se asocia con otros programas publicos y privados para aprovechar los recursos de la agencia de transportación para lograr una vision comun para las comunidades.
- Evitar los impactos desproporcionadamente altos y adversos en las poblaciones minoritarias y de bajos ingresos.
- Minimizar y/o mitigar los impactos inevitables mediante la identificaci6n de problemas en la fase inicial de planificaci6n. Ofrecer iniciativas de compensaci6n y medidas de mejorar para beneficiar a las comunidades afectadas y las vecindades.



En 1994, una orden

ejecutiva presidencial dirigido todas las agencias

federales para hacer justicia ambiental como parte de su misión por identificar y abordar los efectos de todos los programas,

políticas y actividades en poblaciones minoritarias y de bajos ingresos.

ODOT esta comprometida con el enfoque integral, inclusivo requerido por la justicia ambiental como planificar y ofrecer nuestros productos de transporte.