



City & County of Honolulu
Department of Transportation Services
Language Access Plan

12/28/2007

CITY & COUNTY OF HONOLULU
DEPARTMENT OF TRANSPORTATION SERVICES (DTS)
LANGUAGE ACCESS PLAN (LAP)

INTRODUCTION

Act 290, Session Laws of Hawaii 2006 (Chapter 371 -Part II, Hawaii Revised Statutes) requires every state agency, or any organization receiving state funding that provides services to the public on behalf of the state to take reasonable steps to ensure meaningful access to programs, activities, or services by limited English proficient persons. The purpose of the Language Access Plan (LAP) is to take reasonable steps to ensure that persons with Limited English Proficiency (LEP) gain meaningful access to the Department of Transportation (DTS) services and programs.

DEFINITION OF LIMITED ENGLISH PROFICIENT PERSONS

For purposes of this language access plan, LEP persons shall mean individuals who on account of national origin do not speak English as their primary language and who identify themselves as having a limited ability to read, write, speak, or understand English. Such persons may be eligible to receive language assistance with respect to a particular service or request.

DEPARTMENT OVERVIEW

The Department of Transportation Services, City & County of Honolulu is headed by a Director. The department is responsible for the efficient, safe, and expeditious movement of traffic on City streets and roadways and for planning and coordinating public mass transportation systems and facilities. The Department periodically applies for and receives State funding in the form of grants to supplement eligible projects and programs that fall within the scope of DTS's duties and responsibilities. The department is comprised of five divisions and one administrative office. The five divisions are:

Traffic Engineering

Conducts studies and analysis to: determine and ensure the safe, efficient, and effective operation of the city's streets, roadways, and appurtenant facilities; coordinates and implements engineering programs and projects to improve traffic flow and safety; prepares and processes legal schedules in accordance with the Traffic Code; administers the city's bikeway, pedestrian safety and traffic safety and education programs, and administers the School Traffic Safety Committee.

Transportation Planning

Performs overall citywide transportation planning and programming work required under federal, state, and local laws; administers and manages transportation planning functions and the capital improvement program budget; conducts various transportation planning studies, environmental studies and project planning studies; applies for, programs, and administers federal funding for city highway and transit projects; monitors transportation compliance with federal laws, rules, regulations and grant program requirements, including the city's Disadvantaged Business Enterprise (DBE) Program.

Traffic Signals & Technology

Develops, implements, operates, and maintains the safe and efficient operations of state and city traffic signals on Oahu; administers, inspects, and establishes roadway traffic controls for construction activities, parades, block parties, and 1st amendment events that occur on city streets; responsible for the Honolulu's high tech Traffic Management Center and implementation of Intelligent Transportation Systems (ITS); installs, operates, and maintains the emergency pre-emption systems; installs, operates and maintains the traffic-monitoring cameras.

Public Transit

Responsible for oversight of the contractor that manages and operates the City's public transit system, including both the fixed route system (TheBus) and the paratransit system (TheHandi-Van); monitors transit performance; identifies service problems; resolves customer complaints; institutes corrective actions; monitors budget execution; financial and internal control audits, and contracts.

Rapid Transit

Established on July 1, 2007 upon enactment of the City's Fiscal Year 2008 Executive Operating Budget; responsible for the Honolulu High Capacity Fixed Guideway Project development, management, and implementation; responsible for preparing all project-related documents required by the Federal Transit Administration (FTA); apply for and administer project-related FTA New Starts grants; coordinate directly with FTA staff on Project-related matters; responsible for the Final Design phase and construction of the Fixed Guideway Project.

Administrative Office

Initiates, prepares and executive annual operating budgets;
reviews, controls and processes all departmental expenditures;
provides personnel services to employees of the department.

RELEVANT FACTORS

Hawaii's Language Access Law In HRS § 371-33(a)(1)-(4) provides that DTS shall take reasonable steps to ensure meaningful access to its programs, activities, or services by LEP persons, which will be determined by a totality of circumstance, including the following factors:

1. The number or proportion of LEP persons served or encountered by the program;
2. The frequency with which LEP persons come into contact with the program;
3. The nature and importance of the program, activity, or service; and
4. The resources available to the program and the costs of providing interpretation/translation services.

LANGUAGE ACCESS PLAN

This LAP is comprised of six (6) components which are explained on the following pages:

1. Development of a reporting system designed to obtain key information about the LEP population who use DTS services;
2. Compilation of comprehensive multi-lingual listing of DTS employees;
3. Notice of interpretation/translation services to qualified LEP customers.
4. Providing Interpretation/translation services for qualified LEP customers;
5. Designation of a LAP Coordinator; and Coordination with DTS staff on the implementation of this plan;
6. Coordination with and training of key DTS staff members on the implementation of this plan.

LAP COMPONENT DETAILS

1. Development of a Reporting System to Obtain Key Information about the LEP Customers Who Use DTS Services

In order to provide meaningful access to customers, DTS will first seek to gather information about what languages they speak, what DTS services they use, and the frequency in which they use these services.

The "Language Access Survey" form (attached) was designed to collect the information necessary to enable DTS to provide meaningful access to LEP customers who use DTS services. The report will collect: (1) The kinds of

languages that LEP customers need translated; (2) The kinds of DTS services that are used by LEP customers; (3) The frequency in which LEP customers use certain DTS services, and (4) The number and nature of complaints, if any, and how complaints were resolved. The Language Access Survey form will be updated by all DTS divisions on a yearly basis and will be provided to the LA Coordinator. The "Limited English Proficiency Questionnaire" (attached) will also be used to gather information concerning the LEP population that DTS services.

2. Compilation of Comprehensive Multi-Lingual Listing of DTS Employees

To effectively service LEP customers, DTS must ascertain what language skills and resources they may already have available through its employees. DTS will gather information on languages that employees can speak and/or read, the degree of fluency in those identified languages, and contact information for those employees. Participation in this survey will be conducted on a voluntary basis. An employee on this list may be contacted if practicable, when a LEP customer of DTS needs language assistance. The multi-lingual survey will be updated by all DTS divisions on a yearly basis and will be provided to the LA Coordinator. Although an employee may not be fluent in a particular language, depending on the circumstances, that employee's language skills may facilitate a certain comfort level that may contribute significantly to meeting a LEP customer's needs.

3. Notification of Interpretation/Translation Services to LEP customers

A. OFFICE NOTICE

Pursuant to HRS Section 371 -36, a multilingual sign in the more frequently encountered languages in the State, and other languages as needed, shall be posted in public contact areas informing LEP customers of their rights under Hawaii's Language Access law.

B. NOTICE FOR REQUESTING WRITTEN TRANSLATION

At the discretion of the LA Coordinator, a written notice will be incorporated in or attached to documents that each division believes are important, based on experiences of the division. If applicable, and after an analysis of the relevant factors, a notice will be translated into the languages identified and will invite a person who needs translation of a DTS document to contact the LA Coordinator.

4. PROVIDING INTERPRETATION/TRANSLATION SERVICES FOR LEP CUSTOMERS

A. ORAL INTERPRETATION

In the course of serving our LEP customers, situations may arise where they are unable to negotiate through DTS programs without the assistance of interpreters in their preferred language. To ensure that the inability to communicate in English does not deprive the public of rights and privileges, DTS will provide an interpreter, at no cost to LEP customers, pursuant to the following procedures, and provided that a determination has been made by the LA Coordinator that said situation's relevant factors have been reasonably assessed and that the totality of the circumstances justify language services:

(1) In Person

If a customer approaches a DTS employee and appears to be asking for help, but has difficulty communicating what he or she needs, the DTS employee should attempt to determine what language that person speaks. If the language cannot be readily determined, the DTS employee will use the language poster to help find out what language the customer speaks.

After the customer points to a language on the poster, the DTS employee will refer to the multi-lingual listing of all DTS employees and contact a volunteer interpreter. If no one is available to interpret within that office, then the DTS employee will contact an interpreter in the proximity of his or her office by floors. If no one is available within the building, the employee will contact the DTS LA Coordinator for assistance. The LA Coordinator will then contract with an appropriate language service provider to assist the customer and employee.

The practice of contacting the LA Coordinator for assistance in the event that a DTS employee is unavailable will be initially utilized to facilitate the LA Coordinator's assessment of the department's language access needs and centrally procure language services. The LA Coordinator will develop procedures instructing DTS employees on the process of obtaining language services without the assistance of the LA Coordinator. These procedures will be detailed in subsequent revisions to this language access plan.

(2) Telephone Calls

If a DTS employee receives a telephone call from a LEP customer needing oral translation, the DTS employee should attempt to determine what language that person speaks and contact an available interpreter in the DTS employee's own office. If no one is available to interpret within that office, then the DTS employee will contact an interpreter in the proximity of his or her office.

In the event a bilingual employee is unavailable, the employee will contact the LA Coordinator for assistance. The LA Coordinator will then find an appropriate language service provider to assist the customer and employee.

If in-person assistance is necessary, the DTS employee, through the bilingual employee or contract language service provider, should encourage the LEP customer to come to the employee's office so that oral interpretation services may be arranged as set forth above.

B. WRITTEN TRANSLATION

When a request for a written translation is received by the LA Coordinator, the LA Coordinator shall notify the division that sent the document that such a request was made. The LA Coordinator and the administrator of that division shall decide whether or not the request should be granted using the four-factor analysis discussed in the "Relevant Factors" section. It is at the discretion of the LA Coordinator and the administrator to select a qualified translator.

Furthermore, based on the data collected under the LEP Report, DTS will conduct a needs assessment to determine whether there are any vital documents that need to be translated. Written translation of vital documents will be subject to the four-factor analysis discussed in the "Relevant Factors" section. Vital documents will also be translated for LEP Groups that constitute 5% or 1,000 persons, whichever is less, of the persons served or encountered, subject to the "Relevant Factors". The needs assessment will be conducted every two (2) years.

5. DESIGNATION OF LA COORDINATOR

The DTS Departmental Administrative Services Officer (ASO) shall serve as the LA Coordinator initially. The LA Coordinator will be responsible for:

- A. Establishing and implementing the LA Plan;
- B. Responding to any inquiries or comments/complaints regarding the LA Plan and its implementation;
- C. Making revisions and modifications to the LA Plan as necessary;
- D. Informing DTS staff of the LA Plan;
- E. Serving as the primary contact for LEP customers who may need written translation of important DTS documents; and
- F. Coordinating efforts to implement, monitor, and evaluate the Plan.

6. COORDINATION WITH DTS STAFF

The LA Coordinator will be responsible for the training of DTS staff through the coordination of the distribution of information and materials on the LA Plan. The primary purpose is to impart the necessary background and understanding. Implement the objective, principles, and procedures of the Plan. The LA Coordinator shall, as a part of the coordination, either directly review or supervise the review and dissemination of current information, the coordination of the yearly updating of the LEP Report form of the language needs of LEP customers, and the yearly updating of the Multi-Lingual listing of DTS employees.

SUMMARY

All DTS divisions shall be required to comply with the department's LEP Plan in accordance with Presidential Executive Order 13166, Title VI of the Civil Rights Act of 1964, U.S.C. § 2000d, and Act 290 (2006 Legislative Session, State of Hawaii).

The LEP Plan Coordinator shall review this Plan every two years for appropriateness and recommend revisions to the appropriate authority. The LEP Plan Coordinator shall ensure that the revised Plan is appropriately disseminated throughout the department.

LANGUAGE ACCESS SURVEY

Name _____ Division _____

This survey is being done to determine the frequency of interactions with people of Limited English Proficiency. Please complete the survey below which will be used to establish baseline information. Please return it to the DTS ASO.

1. Does your work involve interaction with the public to provide services or answer any questions?

_____ Yes _____ No

2. If you answered "yes" to Question 1, on average, how often do you encounter a member of the public who does not speak English as their primary language and who identifies themselves as having a limited ability to read, write, speak or understand the English language?

_____ Never	_____ 2 times per month
_____ 1 to 6 times per year	_____ 1 time per week
_____ 1 time per month	_____ More than 1 time per week

3. If you answered "yes" to Question 1 and you encounter limited English proficient persons as part of your work, please list the types of languages you are encountering (Also note if you encountered an LEP person and could not determine his/her primary language.):

4. Of the LEP persons you have encountered, list the types of information the LEP persons wanted to access or assistance you provided these persons:

5. We anticipate creating a department directory in the event language assistance is needed. Do you speak, read or write a non-English language? If so, and you are willing to provide language assistance when needed by the Department, please provide the language spoken:

LIMITED ENGLISH PROFICIENCY QUESTIONNAIRE

This questionnaire is to be completed by Staff providing services to an individual who is limited English proficiency (LEP).

A LEP person is someone who does not speak English as their primary language and who self-identifies as having the limited ability to read, write, speak or understand the English language.

Please complete the questionnaire for each LEP individual served and promptly turn it in to the ASO.

Staff Name: _____ Date: _____

Name of LEP Individual (if known): _____

1. What is the primary language spoken by the LEP person?
2. List the type of services requested by this person:
3. What was the outcome? How did you assist the person?
4. Was an interpreter used? If yes, who provided the interpreter service? (e.g. bilingual staff, contracted interpreter, telephone service, or community volunteer?)
5. Was the LEP person satisfied with your assistance? If no, please explain.
6. Any additional comments or recommendations?

Thank you for your assistance!!