

City of Winona
Winona Transit System



Language Assistance Plan

**Title VI
Civil Rights Act**

**Ensuring Meaningful Access for Limited English
Proficient Individuals**

Effective:
October 18, 2022

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Purpose

The purpose of this Language Assistance Plan (hereinafter "LAP") is to meet Federal Transit Administration's (FTA's) requirements to comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin.

"No person shall, on grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance." - Civil Rights Act of 1964

As a subrecipient of FTA funds, Winona Transit Service transit system resolves to take reasonable steps to provide meaningful access to its public transit services for persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. The FTA refers to these persons as Limited English Proficient (LEP) persons. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.

The completion of this LAP for persons with Limited English Proficiency conforms to the requirements of the FTA Circular 4702.1B Title VI Requirements and Guidelines for Federal Transit Administration Recipients.

The U.S. DOT's FTA Office of Civil Rights' publication "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons – A Handbook for Public Transportation Providers," dated April 13, 2007, was used in the preparation of this plan.

The LAP provides guidance to Winona Transit Service staff who may interact directly with LEP individuals or whose work involves providing information or services to the public. The plan provides protocols for identifying LEP individuals, language assistance measures, and staff responsibilities and training related to ensuring meaningful access for LEP individuals.

The DOT LEP Guidance recommends that all recipients, especially those that serve large LEP populations, should develop an implementation plan to address the needs of the LEP populations they serve. The DOT LEP Guidance provides that to provide for effective implementation plans would typically include the following five elements:

1. Identifying LEP individuals who need language assistance (Four Factor Analysis)
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP individuals
5. Monitoring, evaluating, and updating the plan

For further questions regarding this plan, please contact:

Monica Hennessy Mohan
City Clerk
City of Winona
507-457-8200

Definitions

Disproportionate Burden: Refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

Four Factor Analysis: The assessment provided by federal regulation to help the Transit system determine the level of language assistance required for a program or activity.

Interpretation: The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Language Assistance Guide: Provides an itemized list of non-English languages and can be used as a tool to help an LEP individual identify their preferred language to the Transit system staff.

Language Assistance: Oral and written language services needed to help LEP individuals communicate effectively with staff and ensure meaningful access to, and equal opportunity to fully participate in, the programs and activities provided by the Transit system.

Limited English Proficient (LEP): Individuals whose primary language is not English and who have a limited ability to read, speak, write, or understand English. Individuals may be proficient in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing).

Meaningful Access: Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.

Public Engagement: Any process that (1) involves the public in identifying and solving challenges and problems and uses public input to make sustainable decisions, (2) educates or informs the public about a topic or issue, or (3) seeks to build meaningful connections and trust with the public through communication and interaction.

Timely: Language assistance provided at a time and place that avoids the effective denial of the service, benefit, or right at issue or the imposition of undue burden on or delay in important rights, benefits, or services to LEP individuals.

Translation: The replacement of a word, phrase, or text in one language (source language) with an equivalent-meaning word, phrase, or text in another language (target language).

Vital Documents: Paper or electronic written material containing information that is (1) critical for accessing programs, services, benefits, or activities, (2) directly and substantially related to public safety, or (3) required by law.

Identification of LEP Individuals – the Four-Factor Analysis

Title VI and its regulations require subrecipients to take reasonable steps to ensure meaningful access to the transportation system's information and services. What constitutes reasonable steps to ensure meaningful access is contingent on a four-factor analysis established by the U.S. Department of Justice.¹ The four-factor analysis is an individualized assessment that should be applied to all transportation system programs and activities to determine what reasonable steps must be taken to ensure meaningful access for LEP individuals.

Winona Transit Service has completed the four-factor analysis attached as **Appendix A**. The Analysis is intended to assist in ensuring compliance with federal limited English proficiency guidance and Title VI of the Civil Rights Act of 1964. This analysis does not cover every situation, and compliance determinations are made on a case-by-case basis.

Safe Harbor for Written Translations

U.S. DOT LEP Guidance provides a “safe harbor” to help ensure greater clarity regarding whether a subrecipient is meeting its obligation to provide written translations. These provisions only apply to the translation of written documents and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language assistance services are needed and reasonable.

¹ Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons with Limited English Proficiency, effective August 11, 2000. Available here: <https://www.justice.gov/sites/default/files/crt/legacy/2010/12/14/eolep.pdf>

A. Language Assistance Measures

Various language assistance services or protocols are necessary to ensure meaningful access to LEP individuals. Winona Transit Service has identified available language assistance services and operational measures where language assistance measures are needed based on the first two factors in the four-factor analysis.

Based on our analysis, Winona Transit Service has determined the importance of language assistance to our service as:

- A. Low level (little to no LEP population)
- B. Mid-Level (some LEP population)
- C. High Level (significant LEP population)

Winona Transit Service has reviewed at options to communicate with LEP populations about transit services and information. Due to the low number of LEP persons in our service area, referrals are made to agencies that provide language interpretation services. These are listed **Appendix C**

Recording Use of Language Assistance Services

Winona Transit Service has the responsibility to document all interpretation and translation services provided proactively or upon request. A written log documenting all language assistance services provided must be maintained. The Language Service / Public Participation Log is attached as **Appendix E**.

Winona Transit Service provides language assistance services that would fulfill requests for interpretation and translation services in a timely manner. The following outlines how each of these services would be provided for:

Translation (written): Translation is the replacement of a word, phrase, or text in one language (source language) with an equivalent meaning word, phrase, or text in another language (target language). Requests may be submitted to either the Transit dispatcher or directly to the City of Winona. If a fee is charged to the City for this service, the requestor would be required to pay a portion of the cost.

Interpretation (oral): Interpretation is the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning. Requests may be submitted to either the Transit dispatcher or directly to the City of Winona. If a fee is charged to the City for this service, the requestor would be required to pay a portion of the cost.

Public Engagement/Participation

Winona Transit Service has incorporated Title VI and LEP considerations into an established public participation plan. The Public Participation Plan which outlines the steps our agency follows is attached as **Appendix D**. The attached plan provides a clear process for engaging and involving the public, including minority and LEP populations. Consideration of LEP communities is documented by first using the results of the four-factor analysis that determines the level and type of language assistance necessary for a particular public engagement plan or activity.

The plan aims to seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. Winona Transit Service's public participation strategy offers adequate notice of public participation activities, as well as early and continuous opportunities for public review and comments at key decision points to identify social, economic, and environmental impacts of proposed transportation decisions. The plan describes the proactive strategies, procedures, and projected outcomes that align with the public participation activities throughout the year(s). Every effort is made to involve minority and LEP populations in effective participation in our decision-making process. The following practices include, but are not limited to:

- Scheduling meeting at times and locations that are convenient and accessible for minority and LEP communities
- Employing different meeting sizes and formats
- Coordinating with community- and faith-based organizations, educations institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities
- Considering radio, television, newspaper, social media ads on stations, outlets, and in publications that serve LEP populations.

- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- Preparing for public engagement activities by determining ways to provide language assistance when no interpreter is present or whether needed or not, providing written documents in other languages, if requested, including ethnic media, schools, and religious or community organizations to assist in providing information.

All language assistance services provided during public engagement or community outreach will be recorded on the Language Service / Public Participation Log, which is attached as **Appendix E**.

B. Staff Training

To ensure transit staff, and/or appropriate overall agency staff, understand the obligations to provide meaningful access to information and services for LEP individuals, all employees in public contact positions will be properly trained. This plan outlines the training provided on an annual, on-going and/or on-demand basis to implement the following:

- Staff have been trained and understand meaningful LEP policies and procedures
- New staff will have appropriate training as part of the orientation for new employees
- Staff who have contact with the public is trained to work effectively with telephone interpreters
- Management staff, even if they do not interact regularly with LEP individuals, will be fully aware of and understand the plan to reinforce the importance of the program and ensure it is implemented accordingly by/to staff

Winona Transit Service has developed standard presentations, resource connections and other language assistance trainings that provide for cost-effective and flexible opportunities for staff and management to understand the LAP Plan, the Public Participation Plan and responsibilities. Existing employees, especially managers and those who work with the public, will be included in annual training sessions to keep up to date on their responsibilities to LEP individuals. The following outlines the information incorporated within the training provided annually:

- Standard presentation provided to all employees on the responsibility to LEP populations.
 - Consistent information will be included on transit agency's responsibilities to LEP populations
 - Summary of Language Assistance Plan
 - Demographic data about local LEP population
 - Frequency of contacts between LEP populations and the transit system's services, programs, and activities
 - The importance of community outreach and inclusion of activities for LEP populations
 - Description of the type of language assistance currently providing and instructions on how staff can access these products and services
- Printed LEP resources: understanding the information, how to use information and method in presenting information to LEP populations
- Resources and methods in response to verbal requests for transit service in a foreign language
- Responsibility to notify transit manager about any LEP persons' unmet needs

Staff Training Program and Training Log

An outline of the training program, which includes the training title, type of resource (video, presentation, written documents, etc.) and training log (identifies training and training schedule (annually, orientation, on-going, and/or on-demand) is attached as Staff Training Program and Training Log in **Appendix F**.

Resources:

- “Breaking Down the Language Barrier: Translating Limited English Proficiency into Practice.” This video, which is available as a streaming video link on www.lep.gov, explains the language access requirements of Title VI and Executive Order 13166 through vignettes that expose the problems resulting from the absence of language assistance. The video goes on to show how these same situations could have been handled more appropriately if the service provider took reasonable steps to provide meaningful access
- “How to Engage Low-Literacy and Limited English Proficient Populations in Transportation Decision making,” available at https://www.fhwa.dot.gov/planning/publications/low_limited/index.cfm This report documents “best practices” in identifying and engaging low-literacy and LEP populations in transportation decision making. These “best practices” were collected during telephone interviews with individuals in 30 States.
- “Guidelines for Developing Traffic Safety Educational Materials for Spanish-Speaking Audiences,” a manual developed by the Education in Traffic Safety project, Education Development Center, Inc., with funding from the National Highway Traffic Safety Administration. The manual is organized into three sections: research and planning, creating materials, and dissemination and evaluation. Available at http://www.casaferoutestoschool.org/wp-content/uploads/2011/05/TSEM_Guidelines.pdf

C. Notice to LEP individuals

Based on the four-factor analysis, Winona Transit Service has determined that language services will be provided for the LEP populations identified as having a need. As of 2022, there were no LEP populations identified over the safe harbor guidance. For those languages that meet the translation need for written documents threshold based on Safe Harbor guidance, notices will be in the language the LEP individual would understand. For languages that do not meet the written document requirement, based on the Safe Harbor guidance, Winona Transit Service will provide meaningful access to LEP individuals through competent oral interpreters where oral language assistance services are needed and reasonable. All notifications will provide that identified services are available free of charge to LEP individuals.

Examples of notification considered include:

- Signs on buses
- Brochures or Pamphlets
- Posters at transit shelters
- Information provided to local organizations that work with LEP individuals
- Local ads (print, radio, TV, social media, billboards)
- Website notices
- Information tables/booths at local events, community businesses, schools, and churches

All facilities where Winona Transit Service interacts with the public in-person will have a Public Notice of Rights Under Title VI posted clearly and conspicuously, including non-English versions of the notice, if deemed necessary after conducting a four-factor analysis. The notice in English is attached as **Appendix G**. Staff will use, when necessary, a language guide tool or similar process to interact with LEP individuals. All interactions with LEP individuals will be recorded on the Language Service / Public Participation Log as **Appendix E**.

This Language Assistance Plan and the Notice are available on the City website at <https://www.cityofwinona.com/175/Winona-Transit-Service>.

D. Monitoring, Evaluating and Updating Plan

Winona Transit Service has developed a process for determining whether new documents, programs, services, and activities need to be made accessible for LEP individuals and will provide notice of any changes in services to the LEP public and to staff. The process includes an annual review to consider changes in demographics, types of services, or other needs that may require an annual reevaluation. Winona Transit Service will also seek feedback from LEP populations and community outreach programs with follow-up meetings, focus groups and/or with surveys.

The Language Assistance Plan considers the following five elements:

1. Identifying LEP individuals who need language assistance (Four Factor Analysis)
2. Providing language assistance measures
3. Training staff
4. Providing notice to LEP individuals
5. Monitoring, evaluating, and updating the plan

In addition to the five elements, the plan sets clear goals, management accountability, and opportunities for staff and community input and planning throughout the process. Areas of consideration when monitoring, evaluating and updating include:

- Current LEP populations in the service area or population affected or encountered.
- Frequency of encounters with LEP language groups.
- Nature and importance of activities to LEP persons.
- Availability of resources, including technological advances and sources of additional resources, and the costs imposed.
- Whether existing assistance is meeting the needs of LEP persons.
- Whether staff knows and understands the LEP plan and how to implement it.
- Whether identified sources for assistance are still available and viable.
- Whether staff training is sufficient.
- Review any complaints from LEP individuals received during the past year.

The Winona Transit Service is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, or national origin by the Winona Transit Service, providing programs and services in the cities of Winona and Goodview. Persons who allege that a violation to the Title VI requirements has been made may file a Title VI complaint by completing and submitting the Title VI Complaint Form to Winona Transit Service and/or to MnDOT Office of Transit and Active Transportation Attn: Compliance Coordinator Winona Transit Service and/or MnDOT, will investigate complaints received no more than 180 days after the

alleged incident. All complaints that are complete will be processed and responded to based on the Title VI Complaint Procedures attached as **Appendix H**.

Winona Transit Service has created and made available a Title VI Complaint Form for use by customers who wish to file a Title VI complaint. The complaint form is available on Winona Transit Service's website at <https://www.cityofwinona.com/175/Winona-Transit-Service>. The Title VI Complaint Form specifies the three classes protected by Title VI—race, color, and national origin—and allows the complainant to select one or more of those protected classes as the basis/bases for discrimination. The Title VI Complaint Form is a vital document. If a Limited English Proficient (LEP) populations in the Winona Transit Service area meets the Safe Harbor threshold, then the procedure is provided in English and in any other language(s) spoken by LEP populations that meet the Safe Harbor Threshold. Attached as **Appendix I** is the Title VI Complaint Form.

E. Contact Information

Based on the feedback received from agency staff, community members, LEP populations, and other key stakeholders; incremental changes may be needed for the type of written and oral language assistance provided, along with any staff training and community outreach efforts.

This Language Assistance Plan will be reviewed by our transit system every other year, with any revisions being approved by the Winona City Council. The next review will occur in September 2024.

Questions or comments about this plan may be submitted to:

Monica Hennessy Mohan
City Clerk
City of Winona
507-457-8200

All elements of this Plan are in compliance with FTA Circular 4702.1B Title VI, FTA "A Handbook for Public Transportation Providers, and Minnesota State DOT - Office of Transit and Active Transportation Title VI Program: FTA

Appendix A

Winona Transit Service

Limited English Proficiency Four-Factor Analysis

Date: October 2022

Completed by Monica Hennessy Mohan, City Clerk

Briefly describe the program or activity subject to analysis:

Title VI and its regulations require subrecipients to take reasonable steps to ensure meaningful access to the transportation system's information and services. The four-factor analysis is an individualized assessment that should be applied to all transportation system programs and activities to determine what reasonable steps must be taken to ensure meaningful access for LEP individuals. This population will be program-specific and includes people who are in the Transit system's geographic area.

Winona Transit provides both route deviation and demand response services throughout the City of Winona, and these services subject to the four-factor analysis.

Factor #1: The number or proportion of LEP persons eligible to be served or likely to be encountered through the program or activity

The greater the number or proportion of LEP individuals from a particular language group served or encountered in the eligible service population, the more likely language assistance services are necessary. Ordinarily, "individuals eligible to be served or likely to be encountered" by a program or activity are those who are in fact, served or encountered in the eligible service population. This population will be program-specific and includes people who are in the Transit system's geographic area.

Winona Transit Service first examined prior experiences with LEP individuals and determined the number and proportion of LEP persons served or encountered within the service area. Winona Transit Service also included LEP populations that are eligible to be served or likely to be affected or encountered.

To support the efforts of conducting the four-factor analyses, Winona Transit Service referred to the data compiled from the [MnDOT's LEP Data Tool](#) for the City of Winona, and attached as **Appendix B**.

Primary Languages for Transit System County Programs or Information

The data provided in **Appendix B** identified Other Asian/Pacific Island, Other Indo-Euro, and Chinese languages as the top three LEP groups in the jurisdiction providing service.

The number of LEP Persons identified by language as follows:

Language	Number of persons	Percent of population
Other Asian	54	0.21%
Other Indo-Euro	52	0.20%
Chinese	48	0.19%
Spanish	35	0.1%
Korean	31	0.12%
Unspecified	30	0.12%
Russian/Polish/Slavic	15	0.06%
German	12	0.05%

All of these results are well below the Safe Harbor standards of 1,000 people or 5% of population.

1. City served: Winona
2. Total city population: 27,700
3. The total number of LEP individuals in our service area is: 277
4. The total eligible population in our service area is: 27,700
5. The proportion (percentage) of LEP population to the total eligible service population is: 1%

Reliable External Data Sources for Identifying LEP Groups

Winona Transit Service used reliable external data sources to determine the number or proportion of individuals eligible to be served or likely to be affected or encountered based on the expected geographic area served (ie. city, county, regional area, etc.) Reliable external data sources included:

- [MnDOT's LEP Data Tool](#): Allows subrecipients to identify LEP language groups by county city, and school district.
- [American Community Survey](#): An annual survey conducted by the U.S. Census Bureau providing vital demographic information and is widely considered the most reliable source of detailed information about the United States population.
- [Minnesota Compass](#): A Wilder Research project providing Minnesotans with credible, user-friendly data about their communities.
- [EJSCREEN](#): A mapping tool created by the U.S. Environmental Protection Agency based on nationally consistent data and an approach that combines environmental and demographic indicators in maps and reports. The functions include automated demographic reporting for a geographic area around an identified project area.
- [MN State Demographic Center](#): Provides data and reporting on various topics, including language and immigration.

Safe Harbor for Written Translations

U.S. DOT LEP Guidance provides a “safe harbor” to help ensure greater clarity regarding whether Winona Transit Service is meeting its obligation to provide written translations. These provisions only apply to the translation of written documents and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language assistance services are needed and reasonable.

The following actions by Winona Transit Service are considered as meeting the compliance with the written-translation obligations:

- (a) Providing written translations of vital documents for each eligible LEP language group that constitutes **5% or 1,000 people**, whichever is less, of the population of individuals eligible to be served or likely to be affected or encountered. Translation of non-vital documents, if needed, can be provided orally; or
- (b) If there are fewer than 50 individuals in a language group that reaches the 5% trigger in (a), the vital written materials are not translated, but written notice of the right to receive free,

competent oral interpretation of those vital written materials in the primary language of the LEP language group of is provided.

Failure to meet the actions provided does not mean there is noncompliance, but rather provide a resource to obtain greater certainty of compliance with a fact-intensive, four-factor analysis. Generally, it would not be necessary to translate vital documents when it would be so burdensome as to defeat the legitimate objectives of a program. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

The findings from the graphs within Appendix B did not indicate any LEP language groups meet the safe harbor threshold. At this time, Winona Transit Service will not translate written documents. However, efforts will be made to reasonably accommodate any language access requests that may arise.

Factor #2: The expected frequency with which LEP individuals will interact with the program, activity, or service?

Winona Transit Service conducts an assessment process, as accurately as possible, to obtain updated information on the frequency with which the Transit system would have or should have contact with LEP individuals from different language groups seeking assistance. The assessment is completed on an annual basis, and includes outreach efforts to Winona County social service agencies and Project FINE. In determining the needs, emphasis is placed on populations that will have frequent contacts for services, while less frequent or unpredictable service contact needs will require less intensified solutions. Less intensified solutions could be as simple as being prepared to use telephone interpretation services for immediate interpreter services or the use of staff person who can translate for the parties. At all times, Winona Transit Service will look for opportunities to increase their outreach efforts to all LEP language groups.

Winona Transit did not have requests from LEP persons in the past two years nor do we have a count on the number of interactions with these persons; however since the transit routes serve most of the office locations of Winona County social service agencies, the hospital and clinics, it is likely that we are providing transportation services to LEP persons. Project FINE, a local agency that works with new immigrants in the community, assists LEP persons in learning how to use the transit services today.

LEP persons may interact in several ways other than for public transit trip opportunities, with Winona Transit Service, including but not limited to:

- Public meetings
- Community events
- Project-specific meetings, events, and discussions
- Online engagement
- Walk-in requests for information
- Phone communications
- Customer service interactions
- Surveys for information

The conclusions drawn from examining this information about LEP persons seeking transit services are: In conducting our most recent review in October 2022, Winona Transit Service has not had requests from any LEP language groups in the past 3 years; it is possible that individual LEP persons have utilized our services but did not communicate with the drivers.

Winona Transit Service will document over the next 3-year period, the frequency in which LEP individuals from different language groups come into contact with Winona Transit Service programs, activities, or services.

Factor #3: The nature and importance of the program, activity, or service provided by the program to the people's lives?

The obligations to communicate rights to LEP individuals who need access to services or information is a priority in meaningful transportation. Winona Transit Service has identified programs or activities that would have serious consequences to individuals if language barriers would prevent a person from benefiting from the service, such as emergency evacuation instructions in transit buses.

Our transit system considers transit to be an important and essential service for many people living in our service area. Winona Transit Service works with the community organizations, such as Project FINE and Winona County Community Services to provide opportunities for access and information to public transit services. LEP persons use our transit service to travel to work, school, and medical appointments.

In 2021, Winona Transit provided over 73,000 rides. Key destinations are the East End Industrial Park and retail area, including Walmart, Target, and Winona Health (hospital and clinic); Winona State University, St. Mary's University, and Minnesota State College – Southeast Technical school; Gundersen Health, and the Airport Industrial Park on the west side of town.

Within our analysis, Winona Transit Service will identify necessary language assistance measures, including the translation of vital documents into an identified LEP population that seeks services or information on a regular basis and is likely to be affected. Vital documents are paper or electronic written material that contains information that is 1) critical in accessing programs, services, benefits, or activities, 2) directly related to public safety, or 3) required by law. Determining whether a document or the information is "vital" may depend on the importance of the information or service involved and the consequences to the LEP individual if the information is neither accurate nor timely.

Examples of vital documents in the U.S. DOT LEP Guidance include:

- Emergency transportation information
- Notices advising LEP individuals of free language assistance
- Instructions on how to participate in a program or activity or receive service

Because no languages were identified as meeting the safe harbor threshold for translating vital written materials, Winona Transit Service is not at this time providing a list of documents considered vital. Should future analysis indicate an LEP group meeting the safe harbor threshold, Winona Transit Service will evaluate its vital documents and provide translations in accordance with the analysis and federal guidance.

Factor #4: The resources available to the public for LEP outreach, as well as the costs associated with providing meaningful language access.

Winona Transit Service has weighed the demand for language assistance against the agency's current and projected financial and personnel resources. In our analysis we have determined if the language services, or lack of language services, currently provided is cost effective and to plan for future investments that will provide the most needed assistance to the greatest number of LEP individuals

within our service jurisdiction. Winona Transit Service will determine on a case-by-case basis whether language assistance costs outweigh the benefits.

Our current annual budget for marketing to or communicating with LEP individuals or populations in their language about transit services that are available to them is \$200 per year. This may include funding for translation services. The amount and efforts our agency have provided over the years has remained the same and include written records of efforts and resources provided for the past three years. Records indicate that the number of staff and percentage of staff time that is associated with providing language assistance within our agency has remained the same over the past three years. . This number and percentage is estimated to remain the same over the next three years.

Winona Transit Service has taken into consideration that “reasonable steps” may cease to be reasonable when the costs imposed substantially exceeds the benefits, and we have carefully explored the most cost-effective means of delivering competent and accurate language services before limiting services due to the resource concerns. Our efforts to be resourceful have considered the impact in utilizing technology advances, such as telephone interpretation services; translating vital documents posted on our website, and contact with advocacy groups that work with the affected populations. In all cases, however, Winona Transit Service will proactively identify how to provide language assistance services efficiently and cost-effectively while ensuring meaningful access to LEP individuals.

Based on our analysis of demographic data and contact with community organizations and LEP individuals, we have determined that we have consistently addressed the needs of the LEP populations and our efforts in determining information that needs to be translated into additional languages or additional oral or written language service are being met.

Findings: What language assistance measures will you need to employ to ensure meaningful access to LEP individuals:

Based on the analysis above, how important will language assistance be to this program or activity?

- Not Important (little to no LEP population)
- Important (some LEP population)
- Very Important (significant LEP population)

What non-English languages are most prevalent in your service area? What are the numbers and percentages for each, based on total populations?

Language	Number of persons	Percent of population
Other Asian	54	0.21%
Other Indo-Euro	52	0.20%
Chinese	48	0.19%
Spanish	35	0.1%

Based on the findings of most prevalent non-English languages, will you need to translate documents for any or all of the identified populations?

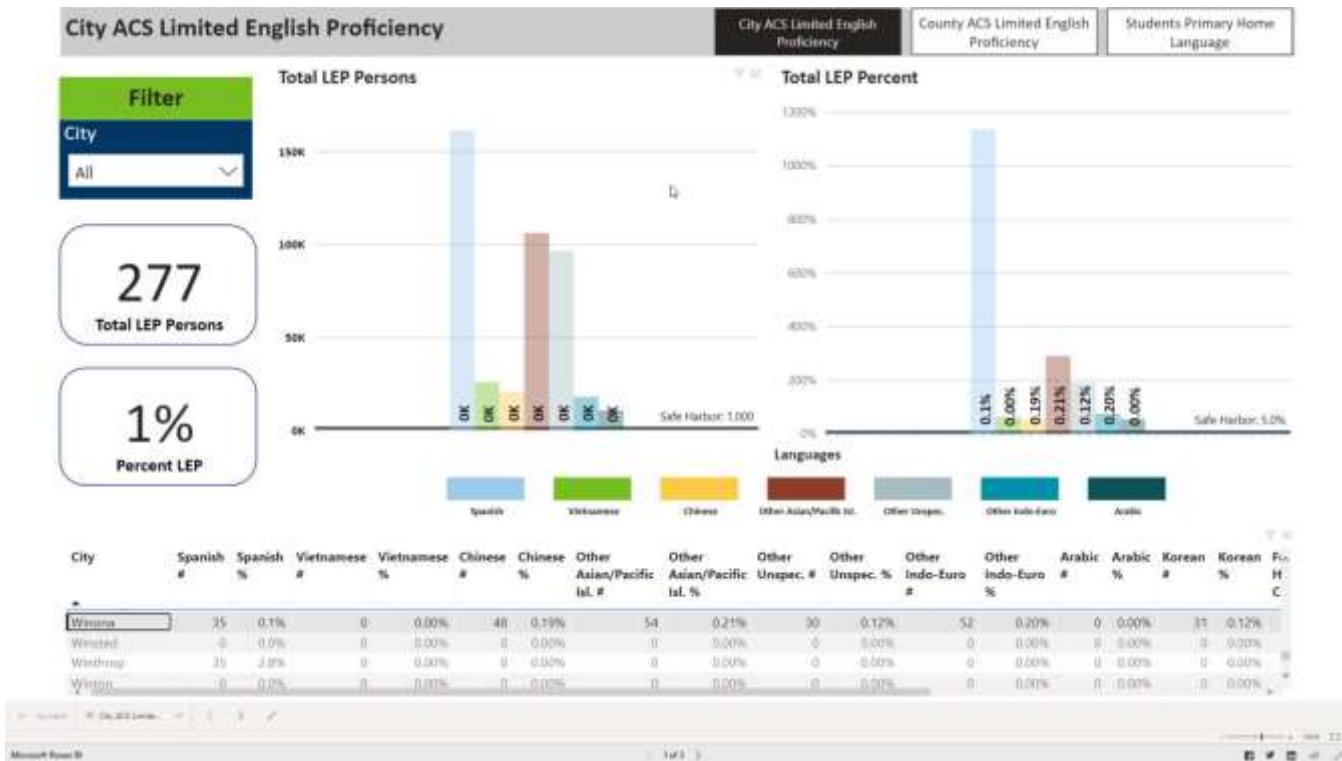
No

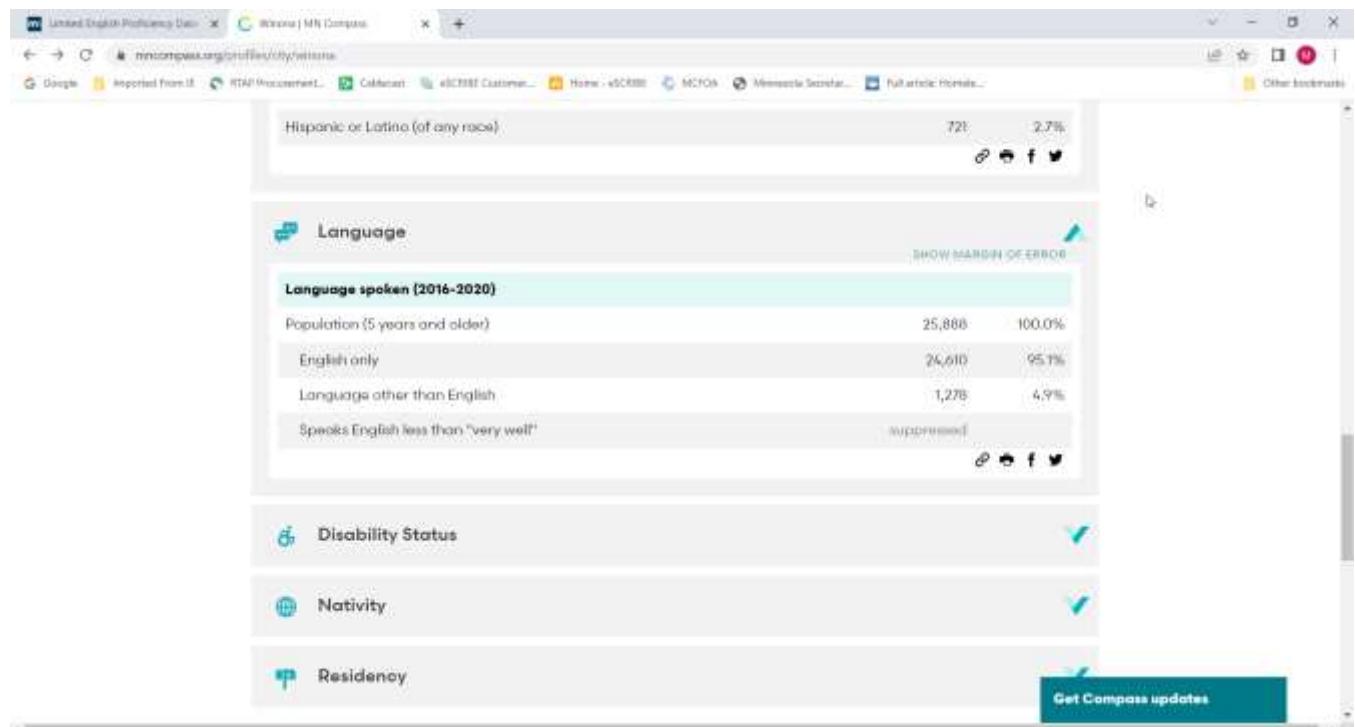
Will you need to provide interpreters for any public outreach or similar event(s)?

Not likely

Limited English Proficiency (LEP) Data

American Community Survey (5-Year Estimate 2015-2019, Table ID C16001)





Language Identification

One way to determine the language of communication is to use language identification cards (or ``I speak cards''), which invite LEP persons to identify their language needs to staff. Such cards, for instance, might say, ``I speak Spanish'' in both Spanish and English, or ``I speak Vietnamese'' in both English and Vietnamese

Language Identification Cards

Side 1 of 2

Instructions: Place a check by the language spoken.

<input type="checkbox"/> Mark this box if you read or speak English.	English
<input type="checkbox"/> ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	Arabic
<input type="checkbox"/> Խոդքական ենք նշում՝ կատարեք այս քառակուսում՝, եթե խոսում կամ կարդում եք հայերեն:	Armenian
<input type="checkbox"/> যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	Bengali
<input type="checkbox"/> ឃើមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន បុន្តីយាយភាសា នេះ ។	Cambodian
<input type="checkbox"/> Motka i kahhon ya yangin ūntūngnu' manaitai pat ūntūngnu' kumentos Chamorro.	Chamorro
<input type="checkbox"/> 如果你能读中文或讲中文, 请选择此框。	Simplified Chinese
<input type="checkbox"/> 如果你能讀中文或講中文, 請選擇此框。	Traditional Chinese
<input type="checkbox"/> Označite ovaj kvadratič ako čitate ili govorite hrvatski jezik.	Croatian
<input type="checkbox"/> Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	Czech
<input type="checkbox"/> Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	Dutch
<input type="checkbox"/> اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.	Farsi

Public Participation Plan

Plan Adopted: August 2019
Plan Revisions: 10/17/2022

Purpose

To integrate consideration of the viewpoints of minority, low-income, and limited English proficiency (LEP) populations into the Transit System's community outreach activities. The public participation strategy offers early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions.

Strategies

Winona Transit Service considers the LEP populations and key stakeholders in proactive strategies, procedures, and projected outcomes that align with the public participation activities throughout the year. Winona Transit Service offers adequate notice of public participation activities in the planning stages and throughout the process. When appropriate, notice of free language assistance will be posted in areas that the public and staff have access to during all public activities. All language assistance services provided during public engagement or community outreach will be recorded on the Language Service / Public Participation Log is attached as **Appendix E**.

Strategies to involve minority and LEP populations in effective participation in our decision-making process and to serve on appropriate committees, groups, boards, etc. have been implemented. Winona Transit monitors the involvement and percentage of transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, and their membership of which is selected by the system, and provides annually an updated table with the following areas shown as in the attached **Appendix K**.

Surveys to the public and current ridership

Surveys are an opportunity to gain public input and obtain insight on opinions of and feedback on the usage or lack of use of the public transit system, services, and information. All surveys provided will be accessible to LEP individuals based on the four-factor analysis that identifies the targeted populations. Surveys were conducted in 2019 and in 2022. The next survey is planned for 2024, and will be available on the buses as well as the transit website. The survey will ask riders for improvements in our services, including routes and hours of service.

Website and Online Documents

Based on the four-factor analysis, no languages were identified as requiring written language translation:

In-Person

All facilities that have interaction with the public in-person will display the Public Notice of Rights Under Title VI in a location that accessible to the public. The notices is attached as **Appendix G**. Staff will used language guides, if necessary, will be used if bilingual staff are not available to assist. Language guide resources are available in **Appendix C**.

Phone

Planned resources will be identified and utilized when bilingual staff are not available to assist.

Email or Other Written Communication

Provide the method in which written communication that is identified as needed will be provided.

Outreach practices:

The nature of language assistance provided will be based in part on the number and proportion of LEP individuals served, the frequency of contact between Winona Transit and the LEP population, and the importance of the service provided to the LEP population. Winona Transit will assess the needs of the populations frequently encountered or affected by their program or activity to determine whether translation of outreach materials is needed. Every effort will be made to coordinate with community organizations to assist in determining outreach materials that would be helpful to translate, find opportunities to align with other outreach activities in the area, and utilize ethnic media, schools, and religious or community organizations to help spread the message.

The following outlines the practices that Winona Transit takes in community outreach:

Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities:

Public notices regarding meetings placed on buses and at three transit hubs

Efforts made to ensure meeting times and locations are in convenient and accessible locations: public meetings held at two public housing locations in city

Efforts to involve minority and LEP populations in public involvement activities include: inviting people to participate in TAC and getting input from riders through surveys

Adequate notice of public participation activities in the planning stages and throughout the process and early and continuous opportunities for participation:

Notices are posted on buses and transit hubs regarding route and/or fare changes

Surveys solicited on buses as well as through website and social service agencies

Implementing adjustable/innovative meeting strategies, locations, and group sizes to gain viewpoints of minority, low-income, and limited English proficiency participation:

Coordinating with community- and faith-based organizations, educations institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities:

Specific organizations, institutions, or other organizations are: Project FINE, Winona Housing and Redevelopment Authority

Efforts include: outreach to their clients to educate them on the services that we provide and how to access them

Targeted radio, television, newspaper, social media ads on stations, outlets, and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts:

- Preparing for public engagement activities by determining ways to provide language assistance, when no interpreter is present or may or may not be needed, providing written documents in other languages, if requested, including ethnic media, schools, and religious or community organizations to assist in providing information:**
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments:**

Involvement of minority, low-income and limited English proficiency (LEP) populations as Transportation Advisory Committee (TAC) members:

Special Interest Group(s) serving on TAC: The TAC has 12 members:

- 4 representing social service/educational agencies
- 4 from local businesses and chambers
- 4 are citizens and bus riders

When an opening occurs, we put flyers on the buses and also ask service agencies to invite their clients to apply for membership.

TAC meeting schedule: Quarterly on the third Tuesday of January, April, July, and October.

Role and Purpose of TAC: Provide input on transit services, including route changes and service improvements

Providing public involvement meeting(s) on a scheduled basis:

- Type of Meetings:
- Meeting schedules:
- Meeting formats:
- Meeting notice method:
- Outreach efforts to involve special interest groups:

Other:

Appendix E

Language Service / Public Participation Log

Winona Transit Service staff should make an effort to track all language services requested or proactively provided throughout the year. Winona Transit has designated the transit dispatch officer to be primarily responsible for ensuring the log is consistently utilized.

Date of Service: This is the date the translation or interpretation service was available to the public. For instance, the date of service for a translated service brochure would be the date of its first distribution to the public. If the same brochure is used multiple times, that can be noted in the Additional Comments column.

Request or Proactive: Select "Proactive" if Winona Transit proactively determined the language services was necessary. Select "Request" if a member of the public requested the language service be provided.

Translation or Interpretation: Translation refers to converting written materials from one language to another and interpretation refers to converting spoken word from one language to another.

Description of Service Provided: The description should include an associated public engagement reference or product title and brief details explaining the service provided (i.e. what was translated, what event/meeting, particular audience, etc.)

Vital Document: A "vital document" is a paper or electronic written material that contains information that is critical for accessing programs, services, benefits, or activities; directly and substantially related to public safety; or required by law. It is at the designated staff discretion to determine whether a document is deemed a vital document.

Service Provider: The name of the qualified language services provider that completed the request through service provider or in-house.

Type of Service Provider: Note whether you used specified staff person, a collaborative partner, or an outreach consultant to complete the language services request. Use the "other" option was used or for unique situations (i.e. bilingual staff providing assistance) and make a note explaining further in the Additional Comments column.

Language Service / Public Participation Log

Staff Training Log

Title VI/Diversity Training Record

Date of Training	Type of Training	Target Audience	Number Attending
08/18/2022	Civil Rights, LAP	Drivers & Dispatchers	24

Public Notice of Rights under Title VI

NOTICE TO THE PUBLIC: YOUR RIGHTS UNDER TITLE VI OF THE CIVIL RIGHTS ACT Winona Transit Service

The Winona Transit Service is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, or national origin under any program or activity receiving Federal financial assistance without regard to whether specific projects or services are federal funded. Transit programs and services are distributed in accordance with Title VI of the Civil Rights Act and related nondiscrimination authorities. Additionally, Winona Transit Service is committed to ensuring that its programs incorporate access for people with limited English proficiency.

Any person who believes that they, individually, or as a member of any specific class of persons, have been subjected to discrimination on the basis of race, color, or national origin may file a discrimination complaint with Winona Transit Service using the complaint form located on Winona Transit Service's website. Winona Transit Service website is:

<https://www.cityofwinona.com/175/Winona-Transit-Service>.

Complaints can be submitted directly to Winona Transit Service and/or to the Minnesota Department of Transportation (MnDOT), Office of Civil Rights, MS 170, Attention: Title VI Program, 395 John Ireland Blvd, St. Paul, MN 55155

Alternatively, a complaint may be directly filed with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590

If you need information translated into another language, or require information in an alternative format, please contact the Winona City Clerk, 207 Lafayette Street, Winona, MN 55987.

For more information about Winona Transit Service Title VI Program, and the procedures to file a complaint, please reference the *Language Assistance Plan, and Appendix H: Title VI Complaint Procedure* located on <https://www.cityofwinona.com/175/Winona-Transit-Service> website, under <https://www.cityofwinona.com/175/Winona-Transit-Service>; by phone 507-457-8200; email Cityclerk@ci.winona.mn.us or visit our administrative office at 207 Lafayette Street, Winona, MN 55987.

Date: October 18, 2022

Monica Hennessy Mohan, City Clerk
Winona Transit Service

Title VI Complaint Procedure

The Winona Transit Service is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, or national origin by the Winona Transit Service, providing programs and services in the following cities: City of Winona and City of Goodview. (hereinafter referred to as “(Winona Transit Service,”) may file a Title VI complaint by completing and submitting Winona Transit Service Title VI Complaint Form. Winona Transit Service investigates complaints received no more than 180 days after the alleged incident. The Winona Transit Service, will process complaints that are complete.

Once the complaint is received, the Winona Transit Service will review it to determine if our office has jurisdiction or if the compliant will be handled by MnDOT OTAT Compliance Coordinator and/or MnDOT Office of Civil Rights Title VI Coordinator. The complainant will receive written acknowledgement informing her/him that the complaint has been received and who will be handling.

Winona Transit Service and/or MnDOT, has 30 days to investigate the complaint. If more information is needed to resolve the case, Winona Transit Service and/or MnDOT, may contact the complainant. The complainant has 15 business days from the date of the written notification to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, Winona Transit Service and/or MnDOT can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two written documentations to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 15 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with MnDOT, Office of Transit and Active Transportation, ATTN: Compliance Coordinator at 395 John Ireland Blvd., MS 430, St. Paul, MN 55155-1899 or email complaint form to jean.meyer@state.mn.us. As an alternate, a person may file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

Title VI Complaint Form

Winona Transit - Title VI Civil Rights Discrimination Complaint Form

Part IV: What is Your Desired Outcome?

Briefly explain how you would like to have this matter addressed.

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

Part V: Verification and Signature

In signing this complaint, I verify that, to the best of my knowledge, everything that I have stated in this form is true and accurate.

Signature

Date

Please submit this form in person at the address below, or mail this form to:

Winona City Clerk's Office
207 Lafayette Street
PO Box 378
Winona, MN 55987

Title VI Reporting
List of Investigations, Complaints, and Lawsuits
Winona Transit
2020 through 2022

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations	None			
1.				
2.				
Lawsuits	None			
1.				
2.				
Complaints	None			
1.				
2.				

Title VI Non-elected Decision Makers

System Name: Winona Transit

Last Updated: October 2022

	Caucasian	Latino	African American	Asian American	Native American	Two + Races
Population Distribution of Service Area	91.6%	2%	1.9%	2.4%	1%	1%
Transit Advisory Committee	100%	0%	0%	0%	0%	0%

Language Assistance Plan Resolution

RESOLUTION Endorsing the City of Winona's Title VI Program for Public Transit

WHEREAS, the City of Winona under the Title VI and the Civil Rights Act of 1964, is committed to a Title VI Program that prohibit discrimination by/from the Winona Transit Service based on race, color, or national origin.

WHEREAS, the City of Winona must establish a Title VI Program that meets Federal Transit Administration (FTA) guidelines (Circular 4702), as stated and provided in the Winona Transit Service MnDOT data management system, known as BlackCat, requires the following compliance elements:

- Notification to the public of their rights under Title VI of the Civil Rights Act;
- A complaint process, procedures and complaint form;
- A list of the transit-related Title VI investigations, complaints, and lawsuits;
- A public participation program;
- A language assistance plan to ensure reasonable access to information for those with limited English proficiency;
- A chart of the minority status of members of any non-elected decision-making board and/or committees;
- Title VI training program for staff; and
- City Resolution adopting Title VI Program Plan.

NOW THEREFORE, BE IT RESOLVED that the City of Winona will follow the Title VI Program Plan compliance elements to ensure all passengers and staff are treated equally.

BE IT FURTHER RESOLVED that the City of Winona shall review and adopt or update all Title VI Program requirements every three (3) years. Said adoption or updates will include a public comment period for input in program plan.

BE IT FURTHER RESOLVED that the City of Winona authorizes the City Manager and/or the City Clerk to implement and oversee compliance of the City of Winona's Public Transit Title VI Program.

Dated this _____ day of _____, 2022.

Scott D. Sherman
Mayor

Attest:

Monica Hennessy Mohan
City Clerk