

Limited English Proficiency (LEP) Plan

BCT has developed this Limited English Proficiency (LEP) plan to help identify reasonable steps to provide language assistance for LEP persons seeking access to public transportation services as required by Executive Order 13166. An LEP person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan will identify procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, notification to LEP persons that assistance is available, and information for future plan updates.

In developing its plan, BCT used the requisite “four-factor” analysis to determine the extent of its obligation to provide LEP services. The LEP four-factor analysis considers the following:

1. The number or proportion of LEP persons eligible in the public transportation system’s service area who may be served or are likely to encounter a public transportation program, activity, or service;
2. The frequency with which LEP persons come in contact with BCT’s services;
3. The nature and importance of the program, activity, or service provided by BCT to the community; and
4. The resources available to BCT and overall cost to provide LEP assistance.

Four-Factor Analysis

1. **The number or proportion of LEP persons eligible in the public transportation system’s service area who may be served or likely to encounter a public transportation program, activity, or service.**

BCT examined 2020 Census data and determined that approximately 5,113 people within the Battle Creek urbanized area spoke a language other than English. 1,934 indicated that they spoke English less than “very well”. These 1,934 persons, however, represented roughly 4% of the total urbanized area population five years and older.

The Spanish language comprised the largest non-English speaking language group in the Battle Creek urbanized area. There were 2,520 (5.3%) persons identified as speaking Spanish. Of this group, 828 persons indicated that they spoke English less than “very well”.

The second largest group of non-English speaking language was the Asian and Pacific Island languages. There were 1,485 (3.1%) identified in this category. Of this combined group, 808 (54.4%) persons indicated they spoke English less than “very well”.

2. The frequency with which LEP persons come in contact with BCT’s services.

BCT has not formally assessed the frequency with which LEP persons have or could possibly come in contact with a public transportation program, activity, or service. Rider surveys have been conducted periodically in the past, but have not included questions relating to a person’s ethnicity. Transportation staff (drivers and dispatchers) have reported very little contact with LEP persons in recent years. BCT estimates that less than five (5%) of the residents in the Battle Creek urbanized area use public transportation. It is unknown at this time how many LEP persons may be regular or infrequent users of public transportation in Battle Creek.

3. The nature and importance of the program, activity, or service provided by BCT to the community.

The fixed route and demand-response services provided by BCT are important to persons living in the Battle Creek Urbanized Area, including the limited LEP community. BCT provides vital mobility and independence to persons who cannot drive and/or cannot afford a personal automobile.

4. The resources available to BCT and the overall costs to provide LEP assistance.

BCT utilizes its available resources that could be used in providing LEP assistance. This includes identifying bilingual City staff that could assist with translation services, identifying which documents would be the most valuable to be translated when warranted by the need, inventorying organizations that BCT could partner with for outreach and translation services, and providing the appropriate level of staff training.

Department of Transportation (DOT) Guidelines

The four-factor analysis helps to determine the “mix” of LEP services required. There are two main ways to provide language services:

- (a) **Oral** (Interpretation) either in person or via telephone interpretation services; and

(b) **Written (Translation)**, ranging from translation of an entire document to translation of a short description of the document

Some language services should be made available on an expedited basis, while in others the LEP person may be referred to another office for language assistance. Regardless of the methods(s) chosen, quality and accuracy of any language service is critical.

Oral (Interpretation) is the act of listening to something in one language and orally translating it into another language. Interpreters should demonstrate proficiency in and the ability to communicate information accurately in both English and in the other language; have knowledge in both languages and of any specialized terms or concepts peculiar to the public transportation program.

Written (Translation) is the replacement of a written text from one language into an equivalent written text in another language. The extent of a recipient's obligation to provide written translations of documents is determined on a case-by-case basis, looking at the totality of the circumstance in light of the four-factor analysis.

Safe Harbor: To help ensure with greater certainty that recipients comply with their obligations to provide written translations in languages other than English, Paragraphs (a) and (b) below outline the circumstances that can provide a "safe harbor" for recipients. That means, when a recipient provides written translations under these circumstances, such action will be considered strong evidence of compliance with written-translation obligations under Title VI.

The following will be considered strong evidence of compliance with the recipient's written-translation obligations:

- (a) *The DOT recipient provides written translation of vital documents for each LEP language group that constitutes 5% or 1,000, whichever is less of the population of persons eligible to be served or likely to be effected or encountered. Translation of other documents, if needed, can be provided orally.*
- (b) *If there are fewer than 50 persons in a language group that reaches the 5% trigger in (a), the recipient does not translate vital written materials but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.*

The Safe Harbor provisions apply to the translation of written documents. Besides accounting for LEP population figures, a decision to provide written translation of materials must also be based on a cost/benefit analysis, taking into account the level of contact that a transit system has with LEP persons, as well as the potential costs associated with providing translated materials.

BCT LEP PLAN

Based upon the four-factor analysis above, and in consideration of the Department of Justice (DOJ) guidance, BCT has developed the following plan to improve the accessibility of public transportation services in the Battle Creek Urbanized Area to the Spanish-speaking community. BCT recognizes the significant growth of the Hispanic population that has taken place in the Battle Creek community in the past 10 years. As such, BCT believes that it is important to provide written transit service information to those LEP persons in the Hispanic community to better enable them to utilize public transportation services.

Identification of LEP Persons Needing Assistance

BCT recognizes that the most likely LEP group to be encountered in the Battle Creek urbanized area is the Spanish-speaking population. As such, BCT will undertake the following activities to help identify LEP persons needing language assistance:

- Work with community organizations that interact with Spanish-speaking LEP persons.
- Keep records of interactions with members of the public at Transit meetings. The language of any LEP person in attendance can be included as part of the record, helping to determine future LEP improvements.
- Have the Census Bureau's "I Speak Cards" at Transit public meetings and BCT's offices. While BCT staff may not be able to provide translation assistance, the cards are a tool to identify language needs at future meetings and staff interaction with customers.
- Encourage drivers, dispatchers, and other front line employees to inform supervisors of any difficulties or suggestions regarding their interaction(s) with LEP persons.

Language Assistance Measures

BCT will assess available resources that could be used for providing LEP assistance. This may include:

- Printing service and schedule information, i.e. bus schedules, rider's guide, in Spanish

- Identify community organizations that could partner with BCT for outreach and translation efforts
- Using “I Speak” cards at Transit public meetings and at BCT offices
- Utilizing bilingual staff when appropriate and available to assist with translation needs
- Providing service information in languages other than English on BCT’s website

Staff Training

BCT staff will be provided with the LEP Plan and educated on procedures to follow. This information will also be part of BCT’s staff orientation process for new employees. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities
- Language assistance services offered by BCT
- Documentation of language assistance requests
- Procedures for handling Title VI and/or LEP complaints

Providing Notice to LEP Persons

At this time, BCT does not have formal outreach strategies to inform LEP persons of available language assistance services. Census data indicates the primary LEP population to be Hispanic in the Battle Creek urbanized area. BCT may utilize the following for notifying Hispanic LEP persons:

- Signs will be posted in customer service areas and on buses
- Staff will contact community organizations that work with Spanish-speaking LEP persons to inform them of public transportation services
- Key printed materials, including bus schedules and maps, will be translated into Spanish and made available at the City’s Transportation Center, BCT’s offices, and on board buses
- Post a notice of language assistance services on BCT’s website
- Language assistance may be provided in other languages if warranted by the LEP population in the area and the costs of providing language assistance

Monitoring & Updating LEP Plan

This plan is designed to be flexible and one that can be easily updated as circumstances and the need by LEP persons for language assistance changes. Periodic monitoring of language assistance measures that could be implemented will help BCT to determine if assistance is being provided in the best manner. At a minimum, each LEP Plan update should examine components such as:

- How many LEP persons utilize public transit services?
- Were their transportation needs met?
- What is the LEP population in BCT's service area?
- Has there been a change in the types of languages where translation services are needed?
- Have BCT's available resources, such as technology, staff, and financial costs changed?

BCT will update the LEP Plan every three years as part of its overall Title VI Plan update requirements. An integral component of updating the LEP Plan will be consulting with community organizations representing Hispanic LEP persons. BCT will also obtain feedback from staff to assess their interactions with LEP persons and determine whether changes to the LEP Plan are warranted. This plan was last reviewed and updated in November, 2022 and will be updated in three years using the current year ACS data. BCT will reassess whether new documents, programs, services, or activities need to be made accessible for LEP persons, and provide notice of any changes.

Dissemination of BCT's LEP Plan

BCT's LEP Plan will be made available to the public in a number of ways.

- Posted on BCT's website
- On file at BCT's administrative offices
- Provided to community organizations that work with the Spanish-speaking community
- Provided to individuals upon request, including a translated version if needed

Any questions or comments regarding this plan should be directed to BCT's Title VI Coordinator:

Transit Director
Battle Creek Transit
339 West Michigan Avenue
Battle Creek, MI 49037

Our LEP and Title VI policy are also available on our website at
<http://www.battlecreekmi.gov/transit>

Transit-Related, Non-Elected Boards

Battle Creek has one transit-related, non-elected Local Advisory Council (LAC) and one transit-related, non-elected Local Coordination Committee (LCC). Members are

appointed by the Battle Creek City Commission. Memberships on both currently meet the minimum number of members as provided in the by-laws of both boards. If the membership of either committee drops below the established minimum number of members, BCT will encourage committee members to reach out within their community and other organizational affiliations for new membership seeking more racial diversity in new appointments. Additionally, BCT will reach out to the general public through various newspaper advertisements and correspondence with local minority churches and related groups.

Race	LAC	LCC
Caucasian	3	7
African American	1	1
Latino	0	0
Asian American	0	0

Sub-recipients

Battle Creek does not have any sub-recipients as it relates to Federal financial assistance.

Facility Improvements

BCT has not constructed any vehicle storage, maintenance, or operation center-type facilities since our last approved submission, however, should construction or improvements occur a Title VI Equity Analysis will be conducted.

System Wide Standards and Policies

BCT has adopted system-wide service standards for its fixed route and demand-response services. These standards – summarized below – were developed and implemented to better help BCT in its goal of achieving equity among all transit customers in service design and operations decisions.

1. Vehicle Load Standards

BCT does not currently operate additional transportation modes (express, B.R.T., van pool, etc.) aside from its hourly fixed-route and demand-response services.

Factors used to determine maximum load factors include the following:

- Current and expected fixed route ridership counts
- Expected standing time during the hourly fixed route headways
- The number of passengers entry/exit doors available per vehicle category
- Internal movement for boarding/alighting passengers, particularly with single-door vehicles

For BCT, the average of all loads during peak or off-peak operation should not exceed the vehicles' achievable capacities, which are: 33 passengers for two 30' Gillig Low Floor buses, 47 passengers for eight 35' Gillig Low Floor buses, 50 passengers for two 40' Gillig Low Floor buses.

This data is additionally expressed in tabular format below:

Fixed Route Vehicle Type	Seated	Standing	Total	Maximum Load Factor
30' Gillig, Low Floor, DD	23	10	33	1.43
35' Gillig, Low Floor, DD	32	10	47	1.46
40' Gillig, Low Floor, DD	40	10	50	1.25

Note: SD = Single Door DD = Double Door

2. Vehicle Headway Standards

For BCT, weekday service operates on eight (8) fixed routes. Three (3) of these routes operate every 60 minutes (50-55 minutes on-route, 5-10 minutes transfer time), and five (5) of these routes operate every 30 minutes (approximately 23-25 minutes on the route, 5-10 minutes transfer time). Weekday service begins at 5:15 a.m. and continues until 6:45 p.m. Saturday service operates on eight (8) fixed routes. Four (4) of these routes operate every 60 minutes (50-55 minutes on-route, 5-10 minutes transfer time), and four (4) of these routes operate every 30 minutes (approximately 23-25 minutes on the route, 5-10 minutes transfer time). Saturday service begins at 9:15 a.m. and continues until 5:15 p.m.

Fixed route planning and scheduling involves consideration of a number of factors, including but not limited to: transit/pedestrian friendly streets, density of transit-dependent population and activities, and the relationship to the BCT ridership study.

3. On-time Performance

In keeping with industry standards, BCT considers a fixed route vehicle on time if it arrives at a bus stop no more than one (1) minute early and departs no more than five (5) minutes late. The on-time performance definition for demand-response service is the arrival of the vehicle for pickup within the pre-arranged 30-minute window to time.

The on-time performance rate for BCT fixed routes is tracked by the number of complaints. We estimate during optimal driving conditions, fixed route on-time

performance is 90% or better. Scheduling software allows BCT to record, monitor, and tabulate on-time demand-response performance. BCT demand-response service is 90% or better.

4. Service Availability

BCT is the public transportation provider for the Battle Creek Urbanized Area. Its service area includes the cities of Battle Creek and Springfield, and the townships of Bedford, Emmett, and Pennfield. BCT's service area is approximately 75 square miles with a population of nearly 80,000 people. BCT operates eight (8) bus routes and complimentary ADA paratransit service as well as demand response service for senior citizens, persons with disabilities, and others.

Battle Creek is a relatively low-density community with an average of approximately 1,200 people per square mile. Transit service design standards have been established using population density as a criterion. This is not to suggest that these standards are set in stone. Consideration was also given to generators, employment concentrations, and other factors when designing transit services.

A review of Battle Creek demographics, major destinations, travel patterns and budget constraints indicate that a radial hub and spoke system is currently the most effective. This is due to 1) the geography of the community; 2) the relative low densities beyond the urban core; and, 3) the dispersed location of major generators. Future plans include transition to bidirectional routes on major corridors.

Service Policies – Vehicle Assignment & Transit Amenities

1. Transit Amenities

BCT utilizes the following criteria for placement or installation of transit amenities:

- Availability of funding from Federal, State, or local government, or through partnerships with the public
- Number of passengers using a bus stop, or expected to benefit from the enhancement
- Community input or suggestion
- Proximity to commercial, medical, or residential areas, or existing, accessible sidewalks
- Proximity to inbound/outbound portions of a route, or transfer points to other fixed routes

- Space or property availability for amenity construction—whether within the public right-of-way or through private property legal agreements
- The physical suitability of placement
- Overall safety and ease of accessibility

BCT believes the most successful public transit improvements are those that fulfill an important community need. Providing an amenity that is in demand by passengers can lead to successful implementation. It remains important as well to consider potential passengers and the amenities that are important to them. Additionally, in the planning and placement of transit amenities, careful consideration and review will always be followed to ensure that all citizens receive equal consideration and experience full participation and benefit without regard to minority and/or low income status.

2. Vehicle Assignment

BCT has guidelines in place regarding the assignment of buses to its fixed routes. As a small urban transit system, daily service-vehicle deployments are made from one centrally-located operations and bus storage facility. Therefore, the assignment and distribution of the vehicle fleet among dispersed locations is not warranted. All service vehicles provide similar passenger accommodations and amenities—including wheelchair ramps and air-conditioning. All of our fixed route fleet is low-floor buses, and all are double door buses. Vehicle assignments are based on route ridership. This philosophy is implemented as much as possible however due to our small fleet size and the required low spare ratio, all of our vehicles are rotated through all routes based on availability due to maintenance requirements.