Title VI Program

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TITLE VI PROGRAM QUESTIONNAIRE

The Federal Transit Administration (FTA) requires all grantees of FTA financial assistance to develop a Title VI program. In the past, the Wyoming Department of Transportation (WYDOT) – Transit Division Title VI program covered the State and its grantees. Now, each grantee must have its own program; this requirement applies to both Section 5310 and 5311 grantees.

To help the grantee develop a Title VI program, WYDOT has developed this questionnaire, which will, once reviewed and accepted by WYDOT, become the agency’s Title VI program. Once accepted by WYDOT, submit the completed questionnaire to the agency’s Board or council for approval and then provide evidence of the approval to WYDOT.

NOTICE TO THE PUBLIC

FTA requires that each grantee notify the public of its rights under Title VI and include the notice and where it is posted in the Title VI program. The notice must include the following:

- A statement that the agency operates programs without regard to race, color, and national origin
- A description of the procedures that members of the public should follow in order to request additional information on the grantee’s nondiscrimination obligations
- A description of the procedures that members of the public should follow in order to file a discrimination complaint against the grantee
- A statement that the agency’s Title VI obligations and complaint procedures will be translated into other languages as needed

The notice can be a separate document, such as a posted sign, a statement that is in another document, or a stand-alone document, such as a Title VI brochure.

Attachment A presents two notices developed by WYDOT, a longer “stand-alone” statement and a shorter statement that can be included in another document, such as a bus schedule or as a placard in the bus. Both are provided in English and Spanish. Grantee can use these notices or develop its own. If grantee has developed its own notice, it must include the four items discussed above and be approved by WYDOT prior to posting.

At a minimum, a grantee must post a Title VI notice on its website and in the reception area and public meeting spaces of its offices, as well as all vehicles used for public transit. FTA recommends that each agency place the notice in other locations, such as on bus shelters, on schedules or other printed materials, and at stations.

WYDOT recommends placing the longer notice on the agency’s website and in the required office areas in an inexpensive frame.
1. Is the grantee using either of WYDOT’s notice(s) in Attachment A? If yes, which one(s)? If no, please provide a copy of your Title VI notice(s).

2. Where are the notices posted?

3. At a minimum, has the agency posted a Title VI notice on the agency’s website, in the reception area of your office, and in the public meeting spaces of agency’s office?

COMPLAINT INSTRUCTIONS AND FORM

FTA requires each grantee to have instructions for the public to follow and a form for the public to use for filing a Title VI complaint. Attachment B presents a form and instructions for filing a Title VI complaint in English and Spanish developed by WYDOT. Grantee can use the WYDOT form and instructions or use your own.

4. Has the grantee adopted the WYDOT-developed form and instructions for filing a Title VI complaint? If no, please attach a copy of the form and instructions that is used.

TITLE VI COMPLAINTS, INVESTIGATIONS AND LAWSUITS

FTA requires that the Title VI program include a list of transit-related Title VI complaints, investigations, and lawsuits. WYDOT must be informed whenever there is a Title VI complaint. Please note that Equal Employment Opportunity (EEO) and Americans with Disabilities Act (ADA) complaints are not Title VI complaints so do not list them. If the agency is a part of a city, county, or human service agency, only list Title VI complaints, investigations, or lawsuits related to transit service.

5. Since submitting the last grant application to WYDOT, has the agency had any Title VI complaints, investigations, or lawsuits related to your transit program? If yes, please complete the following table.

<table>
<thead>
<tr>
<th>Type</th>
<th>Date</th>
<th>Summary</th>
<th>Status</th>
<th>Action(s) Taken</th>
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<tbody>
<tr>
<td>Complaints</td>
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<td>Investigations</td>
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<td>Lawsuits</td>
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PUBLIC PARTICIPATION ELEMENT

FTA requires that the Title VI program include a public participation plan that includes an outreach plan to engage minority and Limited English Proficient (LEP) populations. The plan may include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others. Applicants to WYDOT for FTA assistance are required to comply with several requirements that help meet this Title VI requirement. These requirements include the published notice of intent to apply to WYDOT for FTA assistance and participation in the public transit-human services transportation coordinated plan development. Other public participation methods include open Board/council meetings, council meetings of cities and counties that provide local funding, transit/client advisory committees, public involvement efforts for Transit Development Plans (TDPs), passenger surveys, marketing efforts, such as booths at fairs, and presentations to service and other organizations.

6. Are Board/council meetings open to the public?

7. How does grantee publicize the dates, times, and locations of Board/council meetings?

8. Where are Board/council meetings held?

9. Is the location accessible to persons with disabilities?

10. Is transit service available to the location and during the hours of the Board/council meetings? If yes, please describe. If not, does grantee offer transportation to the meetings upon request?

11. What other efforts has the agency made to ensure that transit riders or clients can attend Board/council meetings?

12. Does grantee rely on any counties or cities for funding? If yes, please describe how interested parties can comment on your budget and services at city and town council meetings.
13. Discuss any other outreach efforts, including transit advisory committees, procedures for soliciting comments for fare increases and service changes, passenger surveys, public involvement for transit development plans, presentations, etc.

LIMITED ENGLISH PROFICIENCY (LEP) ELEMENT

FTA requires that the Title VI program include a plan for providing language assistance to LEP persons. An LEP person is someone “who speaks English less than very well,” as per US Census Bureau designation. To document what languages are spoken by LEP persons and to help determine what language assistance efforts the grantee should undertake, FTA requires that the grantee analyze the following four factors:

- the number and proportion of LEP persons served or encountered in your service area
- the frequency with which LEP individuals come into contact with your transit service
- the nature and importance of your transit service
- the language assistance resources potentially available to assist LEP persons

By completing this questionnaire, the grantee will have completed the required four-factor analysis.

The primary source data on LEP populations is the U.S. Census. We have provided a table for each grantee to fill with Census data. To look up the 2010 Census data:

- Go to US Census Fact Finder
- Search each county or city in the service area
- Select 2014 American Community Survey, and click on Selected Social Characteristics (Household and Family Type, Disability, Citizenship, Ancestry, Language, ...
- Scroll down to “language spoken at home”

Please add columns, if needed.

<table>
<thead>
<tr>
<th>Table 1</th>
<th>2010 Census Numbers for LEP Persons Residing within the Service Area</th>
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</thead>
<tbody>
<tr>
<td>Population 5 Years and Over by Language Spoken at Home and Ability to Speak English</td>
<td>City/County 1</td>
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<tr>
<td>Population 5 Years and Over</td>
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</table>

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Table 1
2010 Census Numbers for LEP Persons Residing within the Service Area

<table>
<thead>
<tr>
<th>Population 5 Years and Over by Language Spoken at Home and Ability to Speak English</th>
<th>City/County 1</th>
<th>City/County 2</th>
<th>City/County 3</th>
<th>Total</th>
<th>Percentage of Population 5 Years and Older</th>
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<tr>
<td>Speak English less than “very well”</td>
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<tr>
<td>Other Indo-European</td>
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<td>Speak English less than “very well”</td>
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<td>Asian and Pacific Island</td>
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<td>All Other</td>
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<td>Speak English less than “very well”</td>
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</tbody>
</table>

Survey staff members, including bus drivers, reservationists/dispatchers, customer service agents, and office personnel, to determine the frequency of contact with LEP persons, what languages are spoken by these persons, and the languages they speak and/or understand. Attachment C presents a sample survey form. After conducting the survey, please complete the following table. (All 5311 providers need to complete the survey. 5310 providers not conducting the survey should not complete the table and answer question 14.)

Table 2
Frequency of Contact with LEP Persons

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Languages Spoken by LEP Persons</th>
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<tbody>
<tr>
<td>Daily</td>
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<td>Weekly</td>
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<td>Monthly</td>
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<tr>
<td>Less frequently than monthly</td>
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</tbody>
</table>
14. If grantee has not completed Table 2, discuss the frequency of contact with LEP persons and the languages spoken by these persons. (5310 only)

15. Provide a description of your service (type, days and hours) and list the major activity centers served (communities, employers, park and ride lots, government and human service agencies, medical facilities, shopping centers, and recreational facilities).

16. Discuss trip purpose from passenger surveys or transit development plans, if conducted.

17. Does staff speak languages other than English? If so, what languages? What percentage of staff speaks another language? Does grantee utilize staff to translate?

18. Has grantee translated documents into Spanish or another language? If yes, please list the documents and the languages they are translated into.

19. Does the agency use Google Translate for your web site? If yes, what languages?

20. What other language assistance efforts is the agency undertaking?

21. Has the agency made arrangements with other organizations to provide language assistance efforts? If yes, what organizations and what services?

22. How are LEP persons notified of language assistance services?

23. Discuss outreach programs, such as travel training, school presentations, and community presentations and if these efforts potentially reach LEP persons.
24. Describe how language assistance efforts are monitored, evaluated, and updated.

25. Describe how employees are trained in language assistance efforts.

26. Please provide an estimate of what language assistance efforts cost the agency annually.

**PLANNING AND ADVISORY BOARDS**

*FTA requires that the Title VI program present the racial make-up of all transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, and a description of the efforts to encourage the participation of minorities on such committees.*

27. List all transit-related advisory boards and committees and the purpose of each.

28. How are members selected?

29. What is the racial makeup of each board and committee?

30. What efforts are undertaken to encourage participation of minorities on these committees?

**SUBGRANTEES**

*FTA requires the Title VI program to include procedures for monitoring subgrantees for compliance with Title VI.*

31. Does grantee provide any FTA funds to any other transit-related agency? If yes, this is a subgrantee. Please list them. How does the agency monitor subgrantees for compliance with Title VI?
FACILITY LOCATION EQUITY ANALYSIS

FTA requires the Title VI program to include procedures for ensuring an equity analysis of facility locations is conducted during the planning for a construction of a new facility. The WYDOT Transit Division ensures compliance with this requirement when providing FTA funding for a new facility.

FIXED-ROUTE SYSTEMWIDE SERVICE STANDARDS

The remaining questions only apply to operators of fixed-route service. Grantees that only provide demand-response service can stop here. Please note that all 5310-provided service and route deviation service are considered demand-response service for the purposes of Title VI.

FTA requires operators of fixed-route service to set system wide service standards for each fixed-route mode of service provided and include the standards in the Title VI program. The service standards must address vehicle loads, headways, on-time performance, and service availability.

32. What types of fixed-route bus service does grantee provide (local, express, commuter)?

Vehicle Load (Capacity) Standards

33. Has grantee adopted vehicle capacity standards? If yes, what are they?

34. Does grantee allow standees on buses for each type of service provided? If no, please explain.

35. Does grantee allow standees on buses for at all times of the day (peak and off-peak)?

36. Has grantee adopted the manufacturers’ capacity standards for seated and standing passengers?

37. Does grantee regularly have standees on buses? If yes, does grantee have plans to increase the amount of service to reduce the number of standees?
**Vehicle Headway Standards**

38. Has grantee adopted vehicle headway standards? If yes, what are they?

39. What are the headways for each type of fixed-route service?

40. Are the headways the same for peak and off-peak hours? If no, discuss the differences.

41. What are the headways for evening service?

42. What are the headways for Saturday and Sunday service?

43. How has grantee set the headways?

**On-time Performance Standards**

44. What is the on-time performance standard(s)?

45. Has grantee set a system wide goal for on-time performance? If yes, what is the goal?

46. Does grantee have problems with on-time performance?

**Service Availability Standards**

47. What criteria are used to decide where to locate local fixed-route service?
48. Does grantee provide general public demand responsive service in areas service by fixed routes? If no, how far from the fixed-routes does grantee provide general public demand-response service?

49. Discuss spacing of bus stops, if used.

50. Discuss grantee policy regarding activity centers served (employers, shopping centers, hospitals, clinics, senior housing centers, Rail Runner stations, city halls, etc.)

**FIXED-ROUTE SYSTEM-WIDE POLICIES**

*FTA requires operators of fixed-route service to set system wide policies for each fixed-route mode of service provided and include the policies in the Title VI program. The policies must address distribution of service amenities, such as passenger shelters, and the assignment of buses to garages and routes.*

51. Describe the passenger amenities, such as passenger shelters, benches, and waste receptacles and where are they located?

52. How does grantee determine where to place each type of passenger amenity?

53. How does grantee distribute route and schedule information?

54. What kind of route and schedule information, if any, is provided at bus stops?

55. Discuss implementation or plans for electronic/passenger information for bus departures and arrivals, if any.

56. Discuss the number of bus garages/storage locations, how buses are allocated to the different locations? If only one location, respond “N/A”.

57. How are buses assigned to routes?
Long Title VI Notice in English and Spanish

Notifying the Public of Rights under Title VI - English

• The Wyoming Department of Transportation operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with The Wyoming Department of Transportation.

• For more information on the Wyoming Department of Transportation’s civil rights program, and the procedures to file a complaint, please call (307) 777-4457, email: lisa.fresquez@wyo.gov; or visit our administrative offices at 5300 Bishop Blvd. Cheyenne, WY 82009. For more information, visit http://www.dot.state.wy.us/home/business_with_wydot/civil_rights.html.

• A complainant may file a complaint directly with the Federal Transit Administration (FTA), Office of Civil Rights, Attention: FTA Region VIII Title VI Program Coordinator, The Byron Building, 1961 Stout St, Suite 13301 Denver, CO 80294; Telephone: (303) 362-2393.

Notificación al Público de los Derechos Garantizados por Título VI - Español

• El Departamento de Transporte del estado de Wyoming opera sus programas y servicios, sin distinción de raza, color y origen nacional, según el Título VI de la Ley de Derechos Civiles. Cualquier persona que cree o que ha sido perjudicada por una práctica discriminatoria ilegal bajo el Título VI, puede presentar una queja con el Departamento de Transporte de Wyoming.

• Para obtener más información sobre el programa de derechos civiles del Departamento de Transporte de Wyoming o para obtener más información sobre los procedimientos para presentar una queja, llame al 1-307-777-4457, email: lisa.fresquez@wyo.gov; o visite nuestras oficinas administrativas en 5300 Bishop Blvd. Cheyenne, WY 82009. Para obtener más información, visite http://www.dot.state.wy.us/home/business_with_wydot/civil_rights.html.

• Un demandante puede presentar una queja directamente a la Administración Federal de Tránsito (FTA), Oficina de Derechos Civiles, Atención: FTA Region VIII Title VI Program Coordinator, The Byron Building, 1961 Stout St, Suite 13301 Denver, CO 80294. Teléfono: (303) 362-2393.
Short Title VI Notice in English and Spanish

WYDOT operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the 1964 Civil Rights Act. To find out more about our nondiscrimination obligations, to file a complaint, or to request this information in another language, please contact us at WYDOT Title VI Coordinator, 5300 Bishop Blvd. Cheyenne, WY 82009; (307) 777-4457; or email: lisa.fresquez@wyo.gov.

El Departamento de Transporte del estado de Wyoming opera sus programas y servicios, sin distinción de raza, color y origen nacional, según el Título VI de la Ley de Derechos Civiles. Para obtener más información sobre el programa de derechos civiles del Departamento de Transporte de Wyoming o para obtener más información sobre los procedimientos para presentar una queja, llame al WYDOT Title VI Coordinator, 5300 Bishop Blvd. Cheyenne, WY 82009; (307) 777-4457; or email: lisa.fresquez@wyo.gov.
Title VI Complaint Procedures

The complaint procedures cover the following:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

Any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any WYDOT service, program or activity (whether Federally funded or not) due to that person's race, color, national origin, gender, age, disability, economic status, or limited English proficiency has the right to file a complaint.

Title VI Complaint Reporting

An individual, group of individuals or entity may file a formal Title VI complaint with WYDOT. Complaints shall be submitted to the WYDOT Title VI Coordinator in writing, signed and dated, within 180 days of the alleged discriminatory act (or latest occurrence). The complaint should be submitted to the following address:

Attn: Title VI Coordinator
Office of Civil Rights
5300 Bishop Blvd.
Cheyenne, WY 82009

The complaint should include the name, address, phone number and signature of complainant. The formal complaint should describe the alleged discriminatory act that violates Title VI in detail.

Title VI complaints may also be filed directly with the United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), within the 180 day period of the alleged discriminatory act (or latest occurrence).

The Title VI Coordinator will be responsible for notifying the respondent(s) of the complaint within five working days of receipt. A copy of the complaint will also be forwarded to the alleged discriminatory sub-contractor official. The Title VI Coordinator's name and telephone number shall be included.
Title VI Complaint Investigations

An investigation by the Title VI Coordinator or an otherwise qualified investigator will be initiated within 15 working days of receipt of the complaint.

The complainant should submit any documentation he/she perceives as relevant to proving his/her complaint.

The respondent will be given the opportunity to respond to all aspects of the complainant’s allegations.

The Title VI Coordinator or qualified investigator will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.

Once the investigation is completed, a final report will be provided to the respondent, the complainant and the appropriate USDOT agency. The final report will include the following:

- The written complaint containing the allegations, basis, and date of filing;
- Summarized statements taken from witnesses;
- Findings of fact;
- Conclusions (based on all evidence in the record) that the complaint is substantiated or unsubstantiated;
- Action(s) the respondent must take to correct deficiencies and to ensure Title VI compliance (if applicable);
- If corrective action(s) is required the respondent will be given thirty calendar days to inform the Title VI Officer of the actions taken for compliance;
- The respondent may implement corrective actions after the initial thirty calendar days with projected time period(s) in which those actions are scheduled to be completed. All corrective actions must be implemented within sixty calendar days;
- If the corrective action(s) have not been completed within the initial thirty day time period allowed, the respondent will be found to be in noncompliance with Title VI and implementing rules and regulations, and a referral will be made to WYDOT for further action in regards to noncompliance.

The complainant and respondent shall be notified of all appeal rights pursuant to 49 CFR 21.

Title VI Complaints Log

The WYDOT Title VI Coordinator shall maintain a log of Title VI complaints received. The log shall include the date the complaint was filed, a summary of the allegations, the status of the complaint, and actions taken in response to the complaint.
# Wyoming Department of Transportation
## Title VI Compliant Form

**Section I**

| Name: |  |
| Address: |  |
| Telephone (Home/Cell): | Telephone (Work): |
| Email Address: |  |

**Section II**

Are you filing this complaint on your own behalf:  
- Yes ☐  
- No ☐  

*If you answered “yes” to this question, go to Section III.

If you answered “no” please enter the name and relationship of the person you are filing the complaint against:

| Name: | Relationship: |

If you are filing a complaint as a third party, please explain why in the space below:

Have you have obtained permission of the aggrieved party if you are filing on behalf of a third party:  
- Yes ☐  
- No ☐  

**Section III**

I believe the discrimination I experienced was based on (check all that apply):

- Race ☐  
- Color ☐  
- National Origin ☐  

| Date of Alleged Discrimination (Month, Day, Year): | Date: |

Explain, as clearly as possible, that happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as the names and contact information of any witnesses. If more space is needed please attach...
Section IV
Have you previously filed a Title VI complaint with the Wyoming Department of Transportation (WYDOT)?  Yes ☐  No ☐

Section V
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?  Yes ☐  No ☐

If yes, please check and name all that apply:

☐ Federal Agency:________________________

☐ Federal Court: _______________________

☐ State Agency:__________________________

☐ State Court:___________________________
Local Agency: __________________________

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: ___________________________________

Title: ___________________________________

Agency: ___________________________________

Address: ___________________________________

Telephone: _________________________________

Section VI

Name of agency complaint is against:
Contact person:
Title:
Telephone number:

Signature: ___________________________________

Date: __________________

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

Lisa Fresquez, WYDOT Title VI Coordinator
5300 Bishop Blvd.
Cheyenne, WY 82009
## Title VI Complaint Form and Instructions

<table>
<thead>
<tr>
<th>Investigations</th>
<th>Date (Month, Day, Year)</th>
<th>Summary (Include basis of complaint: race, color, or national origin)</th>
<th>Status</th>
<th>Actions(s) Taken</th>
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<th>Lawsuits</th>
<th>Date (Month, Day, Year)</th>
<th>Summary (Include basis of complaint: race, color, or national origin)</th>
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<th>Actions(s) Taken</th>
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<tr>
<th>Complaints</th>
<th>Date (Month, Day, Year)</th>
<th>Summary (Include basis of complaint: race, color, or national origin)</th>
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STAFF LEP SURVEY

[Agency] is studying the language assistance needs of its riders so that we can better communicate with them and increase ridership. Please complete the following survey and return it to [Name of Program Manager by date].

How often do you come into contact with passengers who do not speak English or have trouble understanding you when you speak English to them? (Circle one)

| Daily | Weekly | Monthly | Less frequently than monthly |

What languages do these passengers speak? Please list.

What languages other than English do you understand or speak?

Would you be willing to serve as a translator when needed?