



HONOLULU AUTHORITY for RAPID TRANSPORTATION

City and County of Honolulu
Honolulu Authority for Rapid Transportation
Language Access Plan

Office of Civil Rights
Title VI Program
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Limited English Proficiency

A Limited English Proficiency (LEP) individual is defined under Hawaii Law as: “an individual who, on account of national origin, does not speak English as the person’s primary language and self identifies as having a limited ability to read, write, speak or understand the English language” (HRS §321C-2).

The diversity of Hawaii’s population continues to grow. Statewide, 26 percent of households speak a language other than English at home.

The American Community Survey (ACS) conducted a survey of Honolulu County’s households. The purpose was to identify the language spoken at home by the ability to speak English for the population five years and over. The survey identified households where the ability to speak English was categorized as less than “very well”. At the Honolulu Authority for Rapid Transportation (HART), we believe these are the individuals that are most likely to encounter language difficulty upon using HART’s transportation services. In Honolulu County the primary groups identified as speaking English less than “very well” in descending order were those that spoke Tagalog, Native Hawaiian, Chinese, Japanese, Korean, Samoan, Vietnamese, Spanish, Laotian, Guamanian or Chamorro and Thai (See Attachment B for the actual estimates).

Language Access Plan

Language for individuals with LEP can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information.

HART’s Language Access Plan (LAP) reinforces HART’s policy of providing meaningful access to its services, programs, and activities for individuals with LEP by providing competent and timely oral language services as well as written translations of vital documents based on the four factor analysis outlined below.

Implementation of HART’s Language Access Plan will include the following processes:

- Assessing the to provide language services and taking reasonable steps to ensure meaningful access to HART’s services, programs, and activities by LEP persons;
- Providing oral language services in a timely and competent manner;
- Offering written translations of vital documents into the primary language of LEP persons who constitute 5% or 1,000 of the population eligible to be served or likely to be affected or encountered or notice of the right to receive oral interpretation of vital documents if said population is less than 50.

Authority and Guidance

Federal Law

Title VI of the Civil Rights Act of 1964.

Section 601 of the Title VI of the Civil Rights Act of 1964 (Title VI) provides that, “no person in the United States shall, on the 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 financial assistance.”

The national origin protected category under Title VI gives the statutory authority for nondiscrimination in the provision of services to individuals with LEP.

Executive Order 13166.

Presidential Executive Order (EO) 13166, *Improving Access to Services for Persons with Limited English Proficiency* directs recipients of federal funds to, “examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the [recipient].”

The United States Department of Justice Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.

The role of the U.S. DOJ under EO 13166 includes providing LEP guidance to other federal agencies and to ensure consistency among agency specific guidance.

The United States Department of Transportation Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons.

Guidance from the U.S. DOT places high priority on providing LEP persons with meaningful access and advocates a flexible approach in ensuring such access in order to fit the varying needs of its recipients.

State Law

Hawaii Revised Statutes (HRS) §321C Language Access (Now H.B. 2374)

The purpose of H.R.S. § 321C was retained in H.B. 2374, which administratively transferred the Office of Language Access from the Department of Labor and Industrial Relations to the Department of Health. The Office of Language Access (OLA) was created to affirmatively address, on account of national origin, the language access needs of LEP persons in Hawaii. In providing the delivery of

language accessible services, it is the intent of the Hawaii State legislature that those services be guided by EO 13166 and succeeding provisions of federal law, regulation, or guidance. This law applies to those entities that directly receive State funding.

Meaningful Access

Guidance from the U.S. DOJ, the U.S. DOT, and Hawaii State law directs recipients of federal and state funds to take reasonable steps to ensure meaningful access to its services, programs and activities by LEP persons. This flexible and fact dependent standard begins with an assessment that balances the following four factors:

1. The number or proportion of LEP persons served or encountered in the eligible service population;
2. The frequency with which limited English proficient persons come in contact with the services, programs, or activities;
3. The nature and importance of the services, programs, or activities; and
4. The resources available to HART or covered entity and costs.

The four factor analysis necessarily implicates the “mix” of LEP services required. Two main ways to provide language services are oral interpretation (either in person or via telephone interpretation service), and written translation. Oral interpretation can range from on-site interpreters to telephone interpretation services. Likewise, written translation can range from translation of an entire document to translation of a short description of the document.

The correct mix should be based on what is both necessary and reasonable in light of the four factor analysis. Recipients have substantial flexibility in determining the appropriate mix.

Identifying LEP Individuals Who Need Language Assistance

The U.S. DOT provides examples of populations likely to include LEP persons who are served or encountered by DOT recipients. These populations should be considered when planning language services:

- Public rail transportation passengers.
- Persons living in areas directly affected or potentially affected by rail transportation projects.
- Persons living in Honolulu County, Hawaii.

Oral Language Services

Procedure for providing Oral Interpretation Services

Providing LEP persons with oral language assistance at public service counters, when there is telephone contact, or at public meetings is appropriate. Such assistance may take the form of bilingual staff, contracting with a telephone interpreter service, or hiring an outside interpreter.

Multilingual posters shall be posted in public contact places asking LEP persons to identify the language they need (see Attachment 'A' for the OLA Multilingual poster to be posted in HART offices with public contact).

When interpretation is provided, it should be competent and timely in order to be effective. While quality and accuracy of language services are critical, they are nonetheless part of the appropriate mix of LEP services required.

Further, to be timely, language assistance should be provided at a time and place that avoids the effective denial of the service, benefit, or right at issue or the imposition of an undue burden or delay in important rights, benefits, or services to the LEP person.

HART may make use of voluntary bilingual personnel, telephone interpreter services, and contract interpreters, as may be necessary. The procedure for the provision of oral interpretation services are explained below.

Volunteer Bilingual Staff

HART has created a directory of volunteer bilingual staff in the event language assistance is needed in person at the office location of the volunteer bilingual staff.

Telephone Interpreter Service

To supplement the voluntary bilingual staff interpreters, HART has contracted and made available CTS LanguageLink telephone interpretation services for use department wide for staff to assist LEP persons. Staff may assist LEP persons needing telephone interpretation by:

1. Placing your LEP caller on hold.
2. Call CTS LanguageLink's toll-free number 1-877-650-8014 using the conference calling feature or 3-way calling feature on your telephone.
3. Enter Account Number 18363.
4. Select 1 to be connected to your Spanish interpreter, or
Select 2 to be connected to your Russian interpreter, or
Select 3 to be connected to your Vietnamese interpreter, or
Select 4 to be connected to your Somali interpreter, or

Select 9 for all other languages

*** If you require a 3rd party call, press 9 to reach a Customer Service Representative.**

Hiring an Interpreter

There may be instances when HART may hire an outside interpreter to provide meaningful language access. The following lists language interpretation and/or translation providers.

Name	Contact	Service
Academia Language School	http://www.academiaschool.com (808) 946-5599	Interpretation and American Sign Language interpretation and translation.
East-West Concepts, Inc.	http://www.eastwestconcepts.com 808-938-8410	Interpretation and translation.
Hawaii Interpreting Services	www.interpretinghawaii.com (808) 394-7706	Referral service for on-site and remote American Sign Language interpretation and captioning, and Computer Assisted Note taking services for persons who are Deaf, hard of hearing, and Deaf-Blind.
Helping Hands Hawaii Bilingual Access Line	http://helpinghandshawaii.org/bilingualaccessline (808) 526-9724	Interpretation and translation.
Isle Interpret	www.isleinterpret.com 808-475-3874	Referral service for on-site and remote American Sign Language interpretation and captioning, and Computer Assisted Note taking services for persons who are Deaf, hard of hearing, and Deaf-Blind.
LanguageLine Solutions	http://languageline.com (800) 752-6096	Telephone and remote

		interpretation and translation.
Language Services Hawaii, LLC	http://languageserviceshawaii.com (808) 393-7060	Interpretation and translation.
LifeLinks	http://www.lifelinks.net (888) 465-4325	Telephone and video interpretation services for American Sign Language and other languages.
Optimal Phone Interpreters	http://www.optimalphoneinterpreters.com (877) 746-4674	Telephone and remote interpretation.
Pacific Gateway Center-Hawaii Language Bank	http://www.pacificgatewaycenter.org/portal/services/tabid/56/default.aspx 808-857-7010	Oral Interpretation Written Translation.
Silver Bridges Translations International	http://www.silverbridges.com (808) 531-1073	Interpretation and translation.
Hawaii State Judiciary (list of Court Interpreters)	http://www.courts.state.hi.us/wp-content/uploads/2017/01/interpreters.pdf 808 539-4860	Oral Interpretation.
Hawaii Interpreters and Translators Association	www.hawaiiinterpreters.com Phone numbers for respective interpreters/translators listed in this directory are listed on the above website.	Oral Interpretation Written Translation.

Multilingual Signage Asking LEP Customers to Identify the Language They Need

LEP persons have the right to free language assistance in their spoken language. The Hawaii Office of Language Access (OLA) developed an “If You Need an Interpreter...” poster listing twenty-two (22) languages that are likely to be the primary languages spoken by LEP persons in Hawaii. The intent of the poster is for an LEP person to point to the poster indicating the language they understand. The languages included on the poster are: Burmese, Cambodian, Chamorro, Chuukese, Hawaiian, Ilokano, Japanese, Korean, Kosraen, Lao, Mandarin or Cantonese, Marshallese, Pohnpeian, Samoan, Spanish, Tagalog, Thai, Tongan, Vietnamese, Visayan (Cebuano), and Yapese. HART offices that have contact with the public may have the OLA’s multilingual signage posters prominently placed where LEP persons may indicate which language they understand.

HART List of Most Common Languages Encountered

The American Community Survey (ACS) conducted a survey of the Honolulu County households. The purpose was to identify the language spoken at home by the ability to speak English for the

population five years and over. The most current survey identified the households where the ability to speak English was categorized as less than “very well”. At HART we believe these are the individuals that are most likely to encounter language difficulties upon using HART’s transportation services. The top groups identified as speaking English less than “very well”, in Honolulu County, in descending order were those that spoke Tagalog, Native Hawaiian, Chinese, Japanese, Korean, Samoan, Vietnamese, Spanish, Laotian, Guamanian or Chamorro and Thai (See Attachment D C for the actual estimates).

Written Translations of Vital Documents

Procedures for Providing Written Translation Services

Vital documents are, “printed documents that provide important information necessary to participate in services, programs, and activities; and includes but is not limited to applications, outreach materials, and written notices of rights, denials, losses, or decreases in benefits or services.” HART currently does not have any vital documents.

Individual requests can be made and reviewed by HART personnel to determine eligibility for translation. A decision for translation will be based on 1) whether the document is vital based on the definition above; and 2) the assessment of the four factor analysis discussed above.

Safe Harbor

After determining which documents are vital, written translations of the vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the populations of persons eligible to be served or likely to be affected or encountered should be provided.

Language Access Plan Evaluation, Review and Revision

The HART’s Language Access Plan was approved by the Federal Transportation Administration (FTA) on January 26, 2015. HART’s Language Access Plan will be evaluated and revised, if needed every three years.

Public Contact Position Staff Training

Staff in public contact positions will be trained on the department’s Language Access Plan. The primary purpose of the training is to impart the necessary background and understanding to implement the objectives of the Language Access Plan. The training will cover 1) the Language Access Plan; 2) HART’s language access policy and procedure; and 3) how to use the data collection form.

Language Access Coordinator

Hart's Civil Rights Officer, Charles L. Bayne is the Language Access Coordinator for HART. He may be contacted via email at cbayne@honolulu.gov , by telephone at 808 768-6223, or by fax at 808 768-1360.

The Civil Rights Officer is responsible for the following:

- Compliance, monitoring and oversight of HART's language access responsibilities.
- Providing technical assistance and guidance to HART's Divisions and Programs.
- Coordinating the overall implementation of the Language Access Plan.
- Providing training on the implementation of the Language Access Plan.

ATTACHMENT A



Please point here if you need an interpreter in this language (at no cost to you).



Hawai'ian:	E kuhikahi mai 'oe i 'ane'i ke pono ka mahole'olelo ('a' ohe kāki).
日本語 (Japanese):	日本語の通訳が必要な方は、ここを指差してください。(通訳費用はかかりません。)
한국어 (Korean):	통역을 필요로 하시면 다음 약속일 전에 반듯이 통역이 필요하다고 말씀하셔야합니다. 비용은 부담않하셔도됩니다.
普通话(华语/普通话) (Mandarin):	如果您需要讲普通话的免费翻译, 请指这里。(如果您需要讲普通话的免费翻译, 请指这里。)
廣東話 (Cantonese):	如果您需要講廣東話的免費翻譯, 請指這裡。
Ilokano:	No massapulmo ti paraipatarus iti Ilokano nga awan bayadna, pakitudom ditoy.
Tagalog:	Kung kailangan mo ng libreng tagasalin sa Tagalog, pakituro lamang dito.
Cebuano (Visayan):	Kung kinahanglan nimo ug libre nga tighubad sa Binisaya, itudlo lang diri.
Tiếng Việt (Vietnamese):	Xin chỉ vào đây nếu bạn cần thông dịch viên cho ngôn ngữ này (bạn sẽ được cung cấp thông dịch viên miễn phí).
မြန်မာ (Myanmar):	သင့်အားလွတ်စားစကားနှင့် တဘက်ပြန်ဆိုလိုပါက ယခုနေရာသို့ညွှန်ပြပါ။ အခက်ပါက အတွက်အခက်တစ်ခုခုပေးပါရန်လိုက်ကူပါရန်ပါပဲ။
ภาษาไทย (Thai):	กรุณาชี้ไปที่ข้อความนี้ ถ้าคุณต้องการล่ามภาษาไทย (โดยที่คุณไม่ต้องเสียค่าใช้จ่ายใดๆ)
ភាសាខ្មែរ (Khmer):	សូមបង្ហាញនៅកន្លែងនេះមក បើសិនជាអ្នកត្រូវការអ្នកបកប្រែភាសាខ្មែរ (អ្នកមិនត្រូវការចំណាយអ្វីទាំងអស់)។
ອັກສອນລາວ (Lao):	ກະ ມາຊິ ຈື່ງ ໃສ່ 'ບ' ອັນ ຈື່ງ ທີ່ ມາດ ອາກາດ ນັ້ນ ລາວ ລາວ (ໃດ ມາດ ທີ່ ມາດ ຕໍ່ ອາດ ຕໍ່ ອາດ ຈື່ງ ຈື່ງ ຈື່ງ ຈື່ງ ຈື່ງ)
Marshallese:	Jouj im jitiŋŋe ijŋin elaiŋe kwoj sikujŋi juŋŋin am ri-ukok ilo kajin in (ejjelok wōnŋān ŋian yuk).
Chuukese:	Itini awenewenan ikcei ika pwūn kopwe nēnūnū emēn chōn chiakū nōn fōsun eei fēnū (kosap wisenmēnū noum eei chōn chiakū).
Chamorro:	Matka pat apunta este yangen un nesisita intetpiti gi fino Chamorro (dibadi este na siŋbesio).
Pohnpeian:	Menlau idih wasa ma ke anahne soun kawehwo (sohte isais).
Kosraean:	Nunak munas srisrŋingac acn se nge fwin kom enemu met in top nukē kahs lom an sifaŋa (kom ac tia moli).
Yapese:	Fa'anra bet'uf bae' ninge syweg nem nge abweg e thin rom (ni dabmu pli'pulwon) meere mog arny.
Yapese (Outer Island):	Gobe sor gare go tipeli bwo semal yebe gematfa kepatal menel ie yetwai yor pahuwal ngalug.
Samoa:	Fa'amolemole tusi lou lima i 'T pe 'ā 'e mana'omia se fa'amatala'upu i le gagana lea (e te lē fotogiina se tupe).
Tongan:	Tuhu ki heni kapau 'o fiema'u ha taha ke fakatonulea 'oku ta'etotongi.
Русский (Russian):	Если вам нужен бесплатный переводчик русского языка, пожалуйста укажите пальцем на это предложение.
Español (Spanish):	Por favor señale aquí con el dedo si necesita un intérprete (sin ningún costo para usted).

For more information, please contact _____.



NEIL ABERCROMBIE
Governor
State of Hawai'i

Attachment B

2009-2013 American Community 5-Year Estimates

Minority individuals living in Honolulu County where the language spoken at home is categorized as less than "very well".

Group	Estimated Number of Individuals	Percentage of Total Honolulu Population	Ranking
Tagalog	23,282	2.58	1
Native Hawaiian	21,860	2.42	2
Chinese	19,142	2.12	3
Japanese	18,937	2.10	4
Korean	10,877	1.21	5
Samoan	7,787	0.86	6
Vietnamese	6,359	0.71	7
Spanish	4,607	0.51	8
Laotian	1,453	0.16	9
Guamanian or Chamorro	1,072	0.12	10
Thai	854	0.10	11