ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

LITTLE ROCK, ARKANSAS

MEMORANDUM

August 18, 2009

TO:

HISPANIC COMMUNITY LEADERS

SUBJECT: LIMITED ENGLISH PROFICIENCY (LEP) PROGRAM PLAN

The Department is requesting a meeting with community leaders of Northwest Arkansas on September 9, 2009, at 6:00 p.m. at the Rogers-Lowell Area Chamber of Commerce. The purpose of the meeting is to discuss the Department's Limited English Proficiency (LEP) Plan and to determine what documents should be translated to Spanish based on the four factor analysis that may be found on page two of the LEP pamphlet.

LEP refers to individuals who do not speak English as their primary language, who have a limited ability to read, write, speak or understand English and, therefore, are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit or encounter. The plan also complies with Executive Order 13166 that is designed to improve access to services for persons with LEP.

To obtain a copy of the pamphlet contact me at (501) 569-2298 or visit the Department's web site at www.ArkansasHighways.com.

Should you have questions or need additional information, contact me at the above telephone number.

James B. Moore, Jr. Section Head – EEO/DBE

ADA/504/Title VI Coordinator

c: Director

Deputy Director and Chief Engineer
Assistant to the Director
Assistant Chief Engineers
Division Head of Human Resources
Kay Crutchfield, Assistant Division Head, Right of Way
Lorie Tudor, Assistant Division Head, Programs and Contracts
Ruby Jordan, Section Head-Public Involvement, Environmental
FHWA

Arkansas State Highway and Transportation Department Title VI Program



Limited English Proficiency Plan

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WHAT IS LIMITED ENGLISH PROFICIENCY

Limited English Proficiency (LEP) refers to individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English and, therefore, are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit or encounter.

AUTHORITY

Title VI of the Civil Rights Act of 1964 (Title VI) states that no person in the United States shall, on the ground 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.

Executive Order (EO) 13166 - Improving Access to Services for Persons with Limited English Proficiency (LEP) set forth the compliance standards that recipients must follow to ensure that the program and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of Title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations. Recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

DEPARTMENT RESPONSIBILITY

The following chart explains the Department's responsibility under Title VI and the EO 13166.

Title VI of the Civil Rights Act of	Limited English Proficiency	
1964	Executive Order 13166	
Federal law	Federal policy	
	 	
Enacted July 2, 1964	Signed August 11, 2000	
Considers all persons	Considers eligible population	
Contains monitoring and oversight	Contains monitoring and oversight	
compliance review requirements	requirements	
Factor criteria is required, no	Factor criteria is required, no	
numerical or percentage thresholds	numerical or percentage thresholds	
Provides protection on the basis of	Provides protection on the basis of	
age, disability, sex, race, color, and	national origin	
national origin	,	
Focuses on eliminating discrimination	Focuses on providing LEP persons	
in federally funded programs	with meaningful access to services	
	using factor criteria	
Annual Accomplishment and	Annual Accomplishment and	
Upcoming Goals Report to FHWA	Upcoming Goals Report to FHWA	

Since Arkansas' diversity population is ever evolving, it is important that the Department be innovative and proactive in engaging individuals from different cultures, backgrounds and businesses in planning, project development and other program areas.

According to the 2000 census data, U.S. Department of Commerce, Bureau of the Census, minorities, other than blacks, represent approximately 5.4% (see bold items) of the total population in Arkansas. A breakdown of the total population in Arkansas follows:

	PERCENT
White	81.48%
Black	13.06%
Hispanic Origin	2.92%
Asian	.75%
American Indian	.64%
Other	1.13%

According to the Arkansas Department of Education Program for Language Minority Students, of the 2007-2008 school year enrollments, a total of 34,450 students had language backgrounds other than English. Of that total, 26,003 were not proficient in English and the breakdown follows:

	PERCENTAGE	TOTAL
Spanish	88.00%	22,884
Marshallese	3.50%	910
Hmong	1.60%	416
Laotian	1.49%	388
Vietnamese	1.48%	385
Chinese	.61%	159
Arabic	.36%	94
Korean	.33%	86
Russian	.20%	52
Gujarati	.18%	47
Other	2.23%	581

FOUR FACTOR ANALYSIS

The Department evaluated all of the population groups in Arkansas, which could be considered LEP, and the only significant groups are of Hispanic origin. The Department also evaluated its programs and/or service areas utilizing the four-factor analysis and determined that the Department meets the criteria to have a LEP program for the Hispanic community.

The key to providing meaningful access for LEP persons is to ensure that effective communication exists between the Department and the LEP person. To accomplish effective communication, the following actions and/or discussions will be performed:

• A needs assessment to determine the extent of the Department's obligation to provide LEP services. The assessment includes the following four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the Department or grantee; (2) the frequency with which LEP individuals come in contact with the program; (3) the nature and importance of the program, activity, or service provided by the Department to people's lives; and (4) the resources available to the Department and costs.

- Provide language assistance services (oral or written).
- Develop an effective implementation plan on language assistance for LEP persons. This plan will include: (1) identifying LEP individuals who need language assistance; (2) language assistance measures; (3) training staff; (4) providing notice to LEP persons; and (5) monitoring and updating the LEP plan.

NEEDS ASSESSMENT

The Department evaluated all of the population groups in Arkansas, which could be considered LEP, and the only significant groups are of Hispanic origin. The Department also evaluated its programs and/or service areas utilizing the four-factor analysis and determined that the Department meets the criteria to have a LEP program for the Hispanic community.

The more frequently the Department's program and/or service comes in contact with LEP persons, the more likely language assistance services will be provided. Refer to Appendix One.

LANGUAGE ASSISTANCE (ORAL AND WRITTEN)

Employees of the Department will provide LEP persons with oral language assistance in Spanish. Department employees have been identified who are also able to provide oral language assistance to persons in Italian, French, Chinese and Arabic. If individuals need oral language assistance in other languages, the Arkansas Spanish Interpreters and Translators (ASIT) will be utilized. Refer to Appendix B.

Information for free language assistance will also be posted in public areas, such as welcome centers and rest areas.

Based on three of the four-factor analysis, the Department identified some of its written documents and/or materials that may be translated to Spanish due to the potential impact on the Hispanic community. The Department will review the cost factor to determine if all of the identified documents and/or materials should be translated to the written Spanish language.

The Department will review other documents and/or materials to determine if translation is necessary, utilizing the "safe harbor" approach. The Department, on a case-by-case basis, will determine if ASIT will translate the written documents/materials or if it would be more cost effective for the Department's employees to translate the documents.

NOTIFICATION OF LANGUAGE ASSISTANCE

The Department will notify the Hispanic community that the community has a right to free language assistance that includes documents and/or materials printed in the Spanish language. Notification regarding the availability of the services will be provided through neighborhood community meetings, brochures, minority radio stations and newspapers, and information disseminated to the public by the Department. Detailed information on how the Hispanic community was notified of the right to free language assistance will be provided in the Department's annual update.

STAFF TRAINING

Training will be provided to staff members on policies and procedures concerning language assistance and ways to determine whether an individual needs assistance services. The Department will provide training to employees who are most likely to come in contact with LEP individuals who need language assistance. Language Identification Flashcards will be available for LEP individuals. Refer to Appendix C. The employees will also be taught how to handle complaints filed by LEP individuals.

MONITORING AND UPDATING THE LEP PLAN

The Department will provide notice of any changes in services to the LEP public and employees and develop a process for determining, on an ongoing basis, whether new documents, program services and activities need to be made accessible to LEP individuals. The Department will annually evaluate the plan to determine if changes have occurred in:

- 1. Current LEP populations in the service area or population affected or encountered.
- 2. Frequency of encounters with LEP language groups.
- 3. Nature and importance of activities to LEP persons.
- 4. Available resources, including technological advances and sources of additional resources, and the cost imposed.
- 5. The needs of LEP persons.
- 6. The staff's knowledge and understanding of the LEP plan and how it is implemented.
- 7. The identified sources for assistance, to ensure they are are still available and viable.

The data collected will be from various sources, such as the Department's staff, including members of the Title VI Multi-Disciplinary team, meetings with the State Director of the League of the United Latin American Citizens and the Arkansas Department of Education.

VOLUNTARY COMPLIANCE EFFORTS

The goal for Title VI and Title VI regulatory enforcement is to achieve voluntary compliance. The requirement to provide meaningful access to LEP persons is enforced and implemented by the Department of Justice (DOJ) through the procedures identified in the Title VI regulations. These procedures include complaint investigations, compliance reviews, efforts to secure voluntary compliance, and technical assistance.

The Title VI regulations provide the DOJ will investigate whenever it receives a complaint, report, or other information is received that alleges or indicates possible noncompliance with Title VI or its regulations.

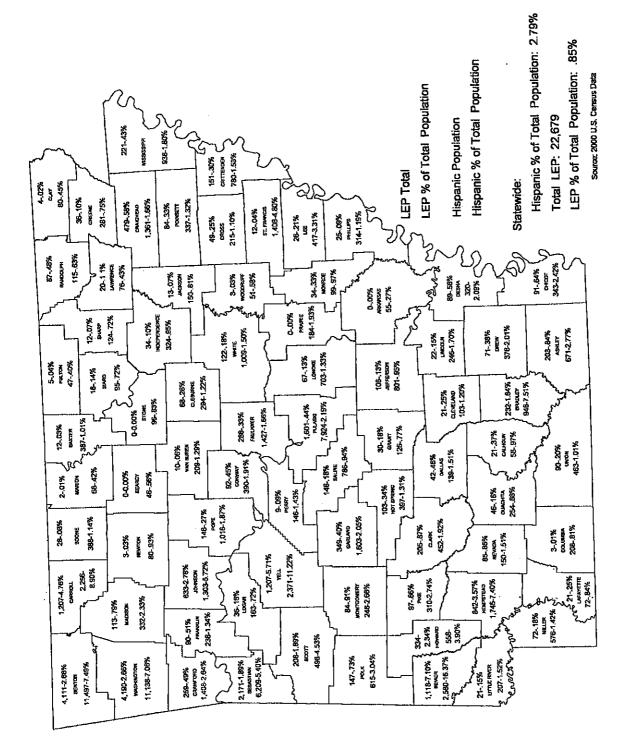
NOTICE OF NONDISCRIMINATION

The Arkansas State Highway and Transportation (Department) complies with the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964 and other federal equal opportunity laws and therefore does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in admission or access to and treatment in Department programs and activities, as well as the Department's hiring or

employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to James B. Moore, Jr., Section Head - EEO/DBE (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: james.moore@arkansashighways.com.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.





Source: 2000 Census Data

APPENDIX B

Arkansas Spanish Interpreters and Translators

Estata Mendoza Federal & State Certified Interpreter P O. Box 55928 Little Rock, AR 72216



Talegrene 501, 312, 1300
Fax 501, 312, 0077
asitimlerpreters@sccglobat.net
www.asspanish.com

Dear Professional:

The enclosed information explains how we can be of service in meeting your need for professional interpreters and quality translations.

Arkansas Spanish Interpreters and Translators specializes in providing the following:

- Professional Foreign language interpreters, experienced in simultaneous and consecutive interpretation in many fields.
- Immediate over-the-telephone interpretation in various languages
- Clear translation of your documents and tapes
- Foreign language instruction by native speakers.

We have excellent references. Our clients include many business and government organizations throughout the state of Arkansas.

For more information, please call 312-1300 (or toll free 877-312-1300). Our staff is standing by ready to assist you!

Sincerely,

Estela Mendoza
Federally and State Certified Interpreter
Chief Executive Officer

Enclosures

Danc Protessional

Member of the Better Business Bureau®

2003 Minority Service Provider of the Year Interpretation • Translation • Cross-Cultural Consultants Williams Sound Language Interpretation Systems Sales

TRKANSAS SPANISH INTERPRETERS AND TRANSLATORS, INC. 18



Telephone 501.312.1300

Fax 501.312.0077

Interpreters@ArSpanish.com

www.arspanish.com

P.O. Box 55928 Little Rock, AR 72215

Arkansas Spanish Interpreters & Translators, Inc. provides interpreters in the following languages:

ronowing language			Russian*
Afghani	Estonian	Korean*	Samoan
Afrikaans	Farsi*	Kurdi	
Albanian*	Fijian	Laos*	Sephardic Konkan
Amharik	Fijian-Hindi	Latvian	Serbian
Apakapa	Finnish	Lithuanian	Shanghal Chinese
Arabic (six dialects) *	Flemish	Macedonian	Sibuano
Armenian	French*	Malay"	Sicilian
Ashkarik	Fukien Chinese	Malayalam	Sign Language (ASL)
Assyrian	Georgian	Malaysian	Sindhi
Azerbaijani	German*	Mandarin*	Slovakian
Basque	Greek*	Marathi	Slovenian
Bengali	Gujarati	Marshallese*	Somalian
Bosnian	Hakka	Mesquito	Spanish*
Bulgarian*	Hebrew	Mestaco	Swahili
Burmese	Hindi*	Mien	Swedish
Cambodian	Hmong	Minh	
Cantonese*	Hoiping Chinese	Mixteco	Taiwanese
Catalan	Hungarian*	Mongolian*	Tamil *
Cebuano	lbo	Nepali	Tegrinyan
Chaldean	llocano	Norwegian	Telugu
Chamorro	llongo	Oaxaca	Thai*
Chiu Chow	Indonesian	Pangasinan	Toisan
Choctaw	Italian*	Papiamento	Tongan
Creole	Japanese*	Pashto	Turkish
Croatian	Kamasaja	Polish*	Ukrainian*
Czech*	Kanarese	Pompango	Urdu*
Danish	Kannada	Portuguese*	Urghur
Dari	Kapangpongan	Punjabi	Vietnamese*
Dutch	Konkani	Romanian*	Visayan
	•		Yemeni

- * Interpreters available on-site.
- Spanish Interpreters are available 7 days a week!
- Spanish: Greater Little Rock Area: Interpreter at your door one hour from your call
- Spanish: Outside Greater Little Rock Area: 24 hour minimum lead time
- Other Languages: (24+ hour minimum lead time On-Site) (Shorter for telephone)
 Other Languages not listed may be available upon request, with a greater lead time.



- What have you done to protect your organization from costly and dangerous misinterpretations, errors, and omissions?
- Is the interpreter you use now giving an accurate rendition of your message? Is this person insured?

Not sure?

Your solution is a phone call away!

Arkansas Spanish Interpreters & Translators

provides professional interpreters who are:

- <u>screened or language tested</u> by a federally and state certified interpreter to ensure accuracy.
- well educated: the majority holding college and post graduate degrees leading to broad understanding of many fields.
- <u>background checked</u> with the Arkansas State Police for your safety.
- covered by Workers' Compensation and Errors And Omissions insurance for your peace of mind.

The use of a well educated, language tested interpreter is your prime safeguard to ensure a true and valid interpretation.

Our staff is standing by ready to assist you 24 hours a day, 7 days a week.

Call (501) 312-1300

Arkansas Spanish Interpreters & Translators
100 N. Rodney Parham Rd. Suite 1C - P.O. Box 55928 - Little Rock, Arkansas 72215



Arkansas Spanish Interpreters and Translators, Inc.

P. O. Box 55928 Little Rock, AR 72215

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- Many Different Languages
- On-site Interpreting
- Conference Interpreting
- Over-the-telephone Interpretation
- **Accurate Translation of Documents**
- Foreign Language Instruction
- Employee Language Proficiency Testing

Arkansas Spanish interpreters and Translators specializes in providing the following:

All interpreters are:

Language Tested or meticulously screened for foreign language competency by federally certified interpreter:

Well Educated: the majority holding college and post graduate degrees;

Covered by Workers' Compensation and Errors and Omissions Insurance for your peace of mind;

Required to have background checks for your protection.

- Professional Foreign language interpreters, experienced in simultaneous and consecutive interpretation, and in commercial, medical and legal terminology
 - > Accurate over-the-telephone Interpretation in various languages
 - > Clear Translation of documents and tapes
 - > Foreign language Instruction by native speakers.
- Employee Language Proficiency Testing by Federally Certified Interpreter

CALL US TODAY! Our Staff is standing by ready to assist you! (501) 312-1300

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Teaphore 501,312,1300 Fax 501,312,0077 asilinterpreters@sbcglobal,eet www.arapanish.com

TRANSLATIONS THAT MEET YOUR NEEDS

- Accurate translations rendered by professional, accredited translators, then meticulously
 proofread to maintain the highest quality.
- University educated translators with degrees in translation & interpretation or language/literature, and the corresponding experience and/or specialization depending on the field.

Accurate Translations of

Foreign Language documents into English &

English documents into a Foreign Language

*Spanish, German, Arabic, Portuguese, Chinese, Russian, Hebrew, Vietnamese, and many others upon request

The Translation Process

- 1. Client sends a clear, legible copy of the Document by fax or e-mail.
- 2. ASIT then sends the client an estimate.
- 3. Client approves our estimate, signs and sends it back to our company.
- 4. The document is then translated by an accredited Translator, proofread and submitted to our client.

*TYPE-SETTING, CERTIFYING, AND REVISIONS ARE AVAILABLE UPON REQUEST

ALL DOCUMENTS ARE HANDLED IN THE STRICTEST CONFIDENCE.

Our staff is standing by, ready to assist you!

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Telephone Interpreters

Prompt Response to your communication needs!

- Do you need to communicate promptly with a non-English Speaker?
- Just call 1-877-312-1300 toll-free statewide or 501-312-1300 in Little Rock.
- You will quickly be transferred to a skilled Spanish language interpreter.
- Over-the-Telephone Interpretation service available to you 24 hours a day, 7 days a week.
 - Interpreters of other languages are also ready to assist you (please allow 0 to 5 hour lead time depending on language availability).



Employee Language Proficiency Testing



In compliance with Act 1461 of 2001, the State Legislative Personnel Committee requires language proficiency testing to determine appropriate compensation levels for employees needing to speak another language.

Arkansas Spanish Interpreters & Translators

Provides Spanish language proficiency testing:

- Statewide for your convenience.
- By a Federally Certified Interpreter to ensure accuracy
- Certified for your peace of mind
- Prompt and at competitive prices

For more information
Call 312-1300
Or Toll Free 1-877-312-1300

Our staff is standing by ready to assist you!

Arkansas Spanish Interpreters & Translators, Inc.

Telephone (501) 312-1300

Fax (501) 312-0077

Confidential

TELEPHONE INTERPRETATION

SPANISH

\$2.99/first minute; \$1.50/additional minute (Maximum of \$49.00/hour*)

OTHER LANGUAGES

\$5.99/first minute; \$1.75/additional minute (Maximum of \$69.00/hour*)

* Exact AT&T rates + tax are added to long distance, three way or conference calls.

CONSECUTIVE ON-SITE INTERPRETATION

\$49/hour (2 hour minimum)

LATE NIGHT (11:00 PM to 7:00 AM) Holidays*

\$49/hour @ time and a half = \$73.50/hour (2 hour minimum) \$49/hour @ time and a half = \$73.50/hour (2 hour minimum)

OTHER LANGUAGES

\$69/hour (2 hour minimum)

LATE NIGHT (11:00 PM to 7:00 AM) Holidays*

\$69/hour @ time and a half = \$103.50/hour (2 hour minimum) \$69/hour @ time and a half = \$103.50/hour (2 hour minimum)

OUT OF TOWN

Mileage

\$0.545/mile **

Travel Time \$29/hour
Per Diem (Meals) \$38/day

Lodging

Reimbursement of actual expenses

*Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day

** Mileage rates are subject to change due to federal mileage rates.

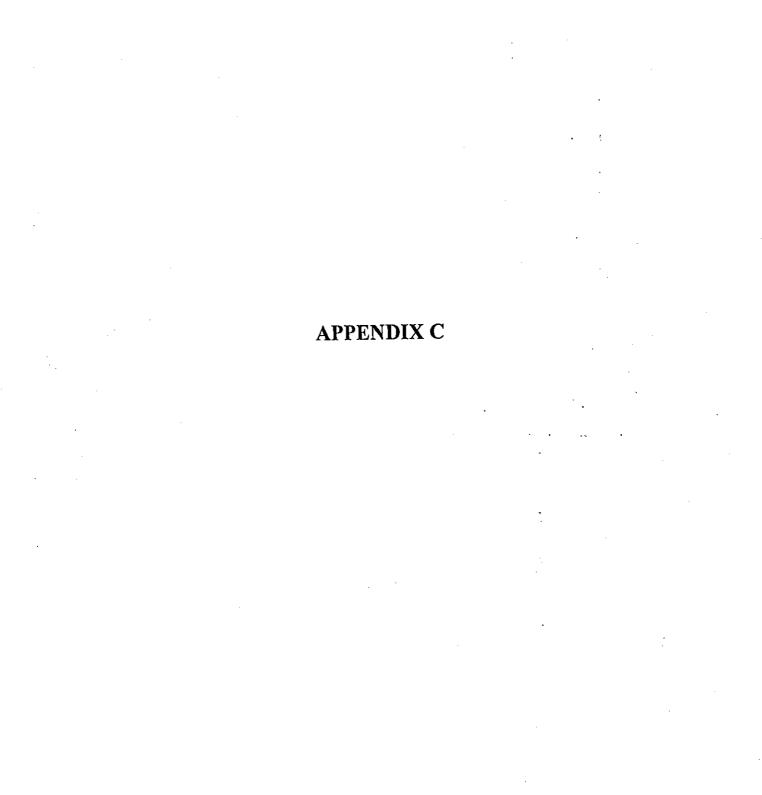
Arkansas Spanish Interpreters & Translators, Inc., (ASIT) will perform its services using that degree of care and skill ordinarily exercised under similar conditions by reputable members of ASIT's profession. These are competitive prices for professional work.

The client _____ has read the above and agrees with rates Signature of client representative ______ Date _____ Contact Fax _____ Contact Phone Name of person to whom bill should be sent: (Please print) Billing Address:

Arkansas Spanish Interpreters & Translators, Inc.

P.O. Box 55928 - Little Rock, AR 72215 Telephone (501) 312-1300 - Fax (501) 312-0077 www.ArSpanish.com - Interpreters@ArSpanish.com





2004 Census Test

Census 2010

est Language Identification Flashcard	
ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic
Մուրրում են ջ Նչում կատարե ջ այս քառակուսում, եթե խոսում կամ կարդում եջ Հայերեն:	2. Armenian
যদি আপনি বাংলা পড়েন বা বলেন তা ছলে এই বাব্দে দাগ দিন।	3. Bengali
ឈ្ងមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ឡែ ។	4. Cambodiar
Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	5. Chamorro
口 如果你能读中文或讲中文,请选择此框。	6. Simplified Chinese
如果你能讀中文或講中文,請選擇此框。	7. Traditional Chinese
Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8.Croatian
Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
Mark this box if you read or speak English.	11. English
اگر خواندن و نوشتن فارسي بلد هستيد، اين مربع را علامت بزنيد.	12. Farsi

Cocher ici si vous lisez ou parlez le français.	13. French
Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	19. Hungarian
Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
Marchi questa casella se legge o parla italiano.	21. Italian
日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
ได้ขบายใส่ยุ่อาู่บี้ ก๊าต่ามอ่ามตู๊ปากผาสาลาว.	24. Laotian
Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

	Assinale es	ite quadrado se você lê ou fala português.	26. Portuguese
	Însemnați	această căsuță dacă citiți sau vorbiți românește.	27. Romanian
	Пометьт	е этот квадратик, если вы читаете или говорите по-русски.	28. Russian
	Обележи	те овај квадратић уколико читате или говорите српски језик.	29. Serbian
	Označte t	tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak
	Marque	esta casilla si lee o habla español.	31. Spanish
	Markaha	n itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
	ให้กาเกรี	องหมายลงในช่องถ้าท่านอ่านหรือพูลภาษาไทย.	33.Thai
•	Maaka	'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
	Відміт	ъте цю клітинку, якщо ви читаєте або говорите українською мовою	. 35. Ukranian
,	کیں_ س	اگرآپ اردو پڑھتے یا بولتے ہیں تواس خانے میں نشان لگا	36. Urdu
	Xin	đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
ጎበብ	דיש.	באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אי באצייכנט דעם באנייכנט דעם אויי אייר לייענט אדער רעדט איי	38. Yiddish