

San Bernardino County Transportation Authority Language Assistance Plan

Prepared for the Federal Transit Administration
In accordance with Circular 4702.1B

Board of Directors Approved on February 3, 2016



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I. Introduction

Background of SBCTA

San Bernardino Council of Governments (SBCOG) is the Council of Governments for San Bernardino County.

San Bernardino County Transportation Authority (SBCTA) serves as the governing board for several separate legal entities in the following capacities:

The San Bernardino County Transportation Commission, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.

The San Bernardino County Transportation Authority is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.

The Service Authority for Freeway Emergencies is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.

The Congestion Management Agency analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.

As a **Subregional Planning Agency**, SBCTA represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SBCTA performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.

San Bernardino Associated Governments (SANBAG), now known as SBCOG or SBCTA, was formed in 1973 as a subregional council of governments under a joint powers agreement of the cities and the County of San Bernardino. SBCTA is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.

SBCTA's objectives are to enhance the quality of life for all residents in San Bernardino County by:

- Improving cooperative regional planning
- Developing an accessible, efficient, multi-modal transportation system

- Strengthening economic development efforts
- Exerting leadership in creative problem solving
- Fostering enhanced relationships among all of its stakeholders while adding to the value of local governments

Purposes of This Plan

SBCTA is committed to ensuring that its projects and services are delivered and implemented in a non-discriminatory manner and has taken a number of steps to assist LEP individuals to access its programs and services. This Plan details the process by which SANABG will provide access to LEP individuals and the larger community.

FTA Circular 4702.1B states that “recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited English proficient (LEP).” LEP refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

This Language Assistance Plan will guide SBCTA staff’s interaction with LEP and other individuals, provide guidance in training staff to provide meaningful access to LEP individuals, and ensure SBCTA continues to provide meaningful access to its services and programs.

SBCTA developed this Language Assistance Plan in compliance with FTA Circular 4702.1B and through consultation with The FTA’s Office of Civil Rights’ LEP Guidance Handbook: *The FTA’s Office of Civil Rights’ Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers* (April 13, 2007).

Title VI and Federal Authority

Title VI of the Civil Rights Act of 1964 protects persons in the United States from being excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. Under the Department of Transportation (DOT), the Federal Transit Administration (FTA) requirements for implementing Title VI include the adoption of a Title VI Program report pursuant to FTA Circular 4702.1B, *Title VI Requirements and Guidelines for Federal Transit Administration Recipients*. As a recipient of FTA Funds, SBCTA complies with Title VI and all applicable state and federal regulations.

II. Four Factor Analysis

Recipients are required to take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of its programs or activities for persons who are limited-English proficient (LEP). FTA Circular 4702.1B details the components of the Language Assistance Plan, including the Four Factor Analysis, which provides a careful analysis of LEPs SBCTA may encounter to determine the specific language services that are appropriate to provide.

The Four Factor Analysis balances the following factors:

- Factor One: The Number and proportions of LEP persons in the jurisdiction;
- Factor Two: How often LEPs come into contact with SBCTA services;
- Factor Three: How important SBCTA’s services are to LEPs lives;
- Factor Four: The resources available to SBCTA for LEP outreach that can reasonably be provided.

The results of the Four Factor Analysis are used to determine the target LEP populations and the best methods of engaging with the public. SBCTA undertook the Four Factor Analysis in order to develop an appropriate and effective Language Assistance Plan.

Factor One: The number or proportion of LEP persons eligible to be served or likely to be encountered

SBCTA’s service area includes all of San Bernardino County, which has a total population of 1,899,465 individuals according to American Community Survey (ACS) 2013 5-year estimates. ACS Census data was used for this analysis as it provides the most current and reliable information about Limited English Proficient individuals. The Department of Justice’s Safe Harbor Provision, which was accepted by the FTA, stipulates that written translation of vital documents for each eligible LEP language group that constitutes 5% or 1,000 person, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, will be considered strong evidence of compliance with the recipient’s written translation obligation. This LEP analysis was conducted in accordance with this Safe Harbor Provision, and as such, identifies LEP populations that number 1,000 persons and constitute 5% of the population.

Table 1 below provides information from the 2013 American Community Survey 5-year Estimates demonstrating the 37 LEP populations in San Bernardino County. 316,401 LEP individuals—or 17% of the total population—are limited English Proficient. The largest group of LEP individuals is Spanish-speakers,

who comprise 13.8% of the County’s population and number 262,092 individuals. Although, no other LEP group reaches 5% of the population, 9 additional LEP groups number over 1,000 persons. These are: Other Indic languages, Chinese, Korean, Thai, Vietnamese, Tagalog, Other Pacific Island languages, Vietnamese, Arabic, and Cambodian. Each of these groups comprises less than 1% of the County’s total population.

Table 1, San Bernardino County LEP Populations

B16001: LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER - Universe: Population 5 years and over 2009-2013 American Community Survey 5-Year Estimates	San Bernardino County, California		
	Estimate	Percent of Total Population	Margin of Error
Total County Population	1,899,465	100%	*****
Total LEP Population	316,401	17%	
Spanish or Spanish Creole: Speak English less than "very well"	262,092	13.80%	+/-4,750
Other Indic languages: Speak English less than "very well"	1,013	0.05%	+/-349
Chinese: Speak English less than "very well"	12,453	0.66%	+/-1,209
Korean: Speak English less than "very well"	6,252	0.33%	+/-900
Mon-Khmer, Cambodian: Speak English less than "very well"	1,564	0.08%	+/-521
Thai: Speak English less than "very well"	1,231	0.06%	+/-310
Vietnamese: Speak English less than "very well"	6,333	0.33%	+/-655
Tagalog: Speak English less than "very well"	7,598	0.40%	+/-890
Other Pacific Island languages: Speak English less than "very well"	3,266	0.17%	+/-556
Arabic: Speak English less than "very well"	4,019	0.21%	+/-831
African languages: Speak English less than "very well"	867	0.05%	+/-266
Other and unspecified languages: Speak English less than "very well"	245	0.01%	+/-136
French (incl. Patois, Cajun): Speak English less than "very well"	603	0.03%	+/-185
French Creole: Speak English less than "very well"	51	0.00%	+/-67
Italian: Speak English less than "very well"	254	0.01%	+/-96
Portuguese or Portuguese Creole: Speak English less than "very well"	774	0.04%	+/-231
German: Speak English less than "very well"	468	0.02%	+/-191
Other West Germanic languages: Speak English less than "very well"	226	0.01%	+/-91
Scandinavian languages: Speak English less than "very well"	94	0.00%	+/-63
Greek: Speak English less than "very well"	55	0.00%	+/-41
Russian: Speak English less than "very well"	548	0.03%	+/-282
Polish: Speak English less than "very well"	136	0.01%	+/-94
Serbo-Croatian: Speak English less than "very well"	56	0.00%	+/-50
Other Slavic languages: Speak English less than "very well"	132	0.01%	+/-126
Armenian: Speak English less than "very well"	445	0.02%	+/-225
Persian: Speak English less than "very well"	843	0.04%	+/-278
Gujarati: Speak English less than "very well"	752	0.04%	+/-320
Hindi: Speak English less than "very well"	557	0.03%	+/-335
Urdu: Speak English less than "very well"	466	0.02%	+/-183
Other Indo-European languages: Speak English less than "very well"	774	0.04%	+/-286
Japanese: Speak English less than "very well"	999	0.05%	+/-215
Hmong: Speak English less than "very well"	198	0.01%	+/-174
Laotian: Speak English less than "very well"	303	0.02%	+/-185
Other Asian languages: Speak English less than "very well"	538	0.03%	+/-244
Navajo: Speak English less than "very well"	33	0.00%	+/-37
Other Native North American languages: Speak English less than "very well"	45	0.00%	+/-48
Hungarian: Speak English less than "very well"	118	0.01%	+/-63

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Factor Two: The frequency with which LEP persons come into contact with the program

SBCTA used two methods to identify and analyze the frequency with which LEPs come into contact with these programs: a staff survey and a review of requests for translation at the Call Boxes it operates

Staff Survey

SBCTA distributed a survey to staff who regularly interact with members of the public. The survey asked staff members about their past experience with LEP individuals including how frequently they interacted with LEPs, what languages the LEP individuals spoke, how successfully they communicated and what information LEPs were seeking. Results of the staff survey are provided below.

Interaction with LEPs:

33 staff members who regularly interact with the public completed the survey. 13 reported having some past interaction with Limited English Proficient Speakers and 20 staff members reported having no previous interaction with LEP individuals.

When asked to identify how often they interact with LEPs, the following was reported, demonstrating that many employees are interacting with LEPs infrequently or rarely.

Table 2, SBCTA Staff past interaction with LEPs

Interaction with LEPs	Number of Times Reported
Daily	0
1- 3 times per week	0
Once per month	2
Infrequently/Rarely	10
Never	20
Only Once	1

Languages Spoken:

Some staff members were able to identify the languages spoken by LEP individuals. The following languages (or language groups) were reported. Spanish was reported most frequently, consistent with Census information.

Table 3, Languages Staff Encountered

Language	Number of Times Reported
Spanish	12
Korean	1

Information Requested by LEPs:

The following topics were reported as asked by LEPs:

Table 4, Information Requested by LEPs

Topic	Number of Times Reported
Specific projects	5
Closures: access to business and residences	4
SBCTA programs	3
Metrolink	3
Amtrak	1
Public meetings	1

One staff member also noted that most interactions with LEP individuals occur at public meetings.

Communication with LEPs:

Several employees expressed that they were able to successfully communicate with LEPs some or all of the time with help from the techniques detailed below.

Employees reported using the following methods to communicate with LEP riders:

Table 5, Communication Methods

Method of Communication	Number of Times Reported
Bilingual staff member translated	6
Employee spoke Spanish or knew enough to communicate	4
LEP spoke some limited English	2
Gestures	1
Assistance from translator	1
LEP's child translated	1

Call Box Translation Requests

As the County Service Authority for Freeway Emergencies (SAFE), SBCTA operates a number of Call Boxes on Freeways throughout the County. SBCTA contracts an answering center to answer and respond to calls from motorists. The answering center subcontracts a translation services to provide simultaneous translation as needed.

SBCTA reviewed translation requests for a four-month period to provide a deeper understanding of the LEP groups accessing SBCTA's services. Table 6 provides a detailed list of translation provided from January until March in 2015. As demonstrated in Table 6, in this four-month period, 87% (or 138) of the

157 translation requests were for Spanish. Nine additional languages were requested one to three times during this period.

Table 6, Call Box Translation Provided January – March 2015

January 2015 – 37 Calls	35 – Spanish 1 – Mandarin 1 – Vietnamese
February 2015– 31 Calls	26 – Spanish 1 – Vietnamese 2 – Russian 1 – Korean 1 – Portuguese
March 2015– 42 Calls	36 – Spanish 1 – Arabic 2 – Mandarin 1 – Korean 1 – French 1 – Cantonese
April 2015 – 47 Calls	41 – Spanish 1 – Farsi 1 – Vietnamese 1 – Mandarin 2 – Portuguese 1 – Korean
Totals: 157 calls	Arabic – 1 Cantonese – 1 Farsi – 1 French – 1 Korean – 3 Mandarin – 4 Portuguese – 3 Russian – 2 Spanish – 138 Vietnamese – 3

In conclusion, Factor Two identified that SBCTA does not frequently come into contact with LEP individuals. LEP individuals that do access SBCTA services and programs are most likely to speak Spanish. As demonstrated in Table 4, the information most frequently requested by LEP individuals related to specific projects and their impacts. To ensure LEP individuals have full access to SBCTA’s project information oral interpretation is provided at public meetings and project information is translated into language appropriate for specific project location. More details about SBCTA’s language service provision is provided in the following Section III: Implementation Plan and in SBCTA’s Public Participation Plan.

Factor Three: The nature and importance of the program, activity, or service to people's lives

The County of San Bernardino has the largest land area of any county in the contiguous 48 states and SBCTA serves the 2.1 million residents of San Bernardino County.

Since its creation as a Council of Governments in 1973, SBCTA has been statutorily designated to serve in the following capacities:

- County Transportation Commission (1976), which allocates and programs State and Federal funds for regional transportation projects throughout the county.
- Service Authority for Freeway Emergencies (1986), which manages the system of call boxes on major highways throughout the county.
- County Transportation Authority (1989), which administers the voter-approved half-cent transportation sales tax and provides major transportation improvements within the county.
- Congestion Management Agency (1990), which implements the plan for addressing congestion and air quality related to transportation facilities throughout the county.

SBCTA's mission is to enhance the quality of life for all residents in San Bernardino County by:

- Improving cooperative regional planning
- Developing an accessible, efficient, multi-modal transportation system
- Strengthening economic development efforts
- Exerting leadership in creative problem solving

Factor Four: The resources available to the recipient for LEP outreach

SBCTA has numerous resources available to ensure it provides meaningful access to LEP individuals. These include existing community partners and utilization of its own resources. These resources are detailed below:

- SBCTA contracts with Language Line Personal Interpreter Service to provide simultaneous translation for LEP individuals.
- Bilingual employees provide written and oral translations.
- "I Speak" language identification cards are used at the front desk and at public meetings.
- Language assistance information is provided on agendas and meeting notices.
- Public notices are translated into LEP languages and distributed by various newspapers.
- SBCTA contracts various public outreach firms that can provide language assistance as needed.
- Public Transit Network: This database ensures agencies and organizations that work with LEP individuals are provided information and notices to distribute to their clients.

- PASTACC- Many members of the PASTACC represent underrepresented and minority groups and are a useful resource for outreach to LEP individuals.
- San Bernardino County Transit Operators: SBCTA may partner with transit operators to post vital information on buses and at transfer locations.
- SCAG's LEP Plan, Public Participation Plan, and existing translated resources can provide materials for LEP outreach and communication
- SBCTA translates Title VI vital documents and project-specific vital information into Spanish.
- SBCTA's Twitter and Facebook social media accounts are useful outreach resources for some segments of the population.

Discussion of Results

Census data analyzed in Factor One was consistent with the experience of SBCTA staff members analyzed in Factor Two: Spanish-speaking LEPs are the largest and most frequent LEP group that accesses SBCTA's services and programs. As these individuals comprise 13% of Riverside County's population, it will be important for SBCTA to continue providing vital documents in Spanish. Additional LEP groups are very small populations (less than 1% of the population), not yet identified (Other Pacific Islander Languages, for example), and do not frequently access SBCTA's services or programs. Therefore, documents will be translated as requested or as is appropriate for a specific project. Details of SBCTA's language assistance services are provided in the following Implementation Plan.

III. Implementation Plan

Language Service Provision

SBCTA will provide the following language assistance measures to ensure LEP individuals have full access to SBCTA's services, programs, and activities:

Callers and Visitors

- Front desk staff have "I Speak" language identification cards available to assist LEP individuals.
- Several employees are bilingual and can help callers or visitors that speak Spanish, Cantonese and Mandarin
- SBCTA contracts with Language Line Personal Interpreter Service, a language service provider to provide simultaneous translation as needed.

Translation of Vital Documents

FTA C 4702.1B defines vital documents as, "documents that provide access to essential services." The Commission will use this definition when assessing what documents should be translated.

Title VI Documents are vital documents. The complaint form and procedures and Title VI notices are available in English and Spanish, the LEP language the SBCTA is most likely to encounter and is 5% of San Bernardino County's population. Vital documents are available on SBCTA's website and at the front desk. Information about the availability of free language assistance is available on posted notices and agendas in Spanish.

Spanish-Language Translation: SBCTA already provides project notices and announcements in Spanish and will continue to do so, as the Spanish-speaking LEP population represents a significant portion of San Bernardino County's populations. Documents that will be translated include: notices and announcements about public meetings and forums and public participation opportunities, key information distributed at project meetings, and any vital project-specific meetings for most projects. Title VI vital documents are translated into Spanish and are available on SBCTA's website or at the SBCTA offices.

Other LEP Languages Translation: The additional LEP languages represent very small communities and vital information will be translated as requested and as is appropriate, with decisions made on a project-by-project basis. For example, if a project takes place in a community with a large LEP population, key information for that project will be translated into that LEP language.

Oral interpretation: Oral interpretation will be provided at public meetings as requested and appropriate. Decisions will be made on a project-by-project basis. Notices of public meetings and forums include information about how to request oral interpretation.

Outreach/Notice of Availability of Language Assistance SBCTA's Title VI Notice to the Public publicizes its language assistance services. Additionally, all notices that include information about language assistance in the target LEP languages are providing notice of the availability of language assistance. This information is also available on SBCTA's website with its Title VI Program information.

Staff Training

Front desk, outreach, and other staff that interact with the public are trained in assisting LEP individuals, including identifying language and using the language service provider interpretation system. Training is provided for new employees and reviewed as necessary.

LEP training includes:

- A summary of SBCTA's language assistance requirements
- A summary of the SBCTA's language assistance plan; including interacting with LEPs
- A summary of San Bernardino County demographics, including LEP individuals living in the County and the frequency of contact between LEP populations and the SBCTA

- A description of the SBCTA’s non-discrimination policies and practices
- The Title VI Complaint Form and Procedures for investigating complaints

IV. Monitoring, Evaluating, and Updating the LAP

A thorough review of this Language Assistance Plan (LAP) will be undertaken every three years, or as necessary. At that time, the LEP population will be reassessed to ensure all significant LEP languages are included in SBCTA’s language assistance efforts. The following reoccurring reporting and evaluation measures will be used to update the Language Assistance Plan:

1. SBCTA will regularly assess the effectiveness of how it communicates with LEP individuals by working with community stakeholders, such as the PASTACC, the Public and Specialized Transit Network, County transit operators, non-profit agencies, among others.
2. SBCTA staff will track its language assistance efforts, which may include:
 - Tracking front desk staff interaction with LEPs.
 - Internal surveys of staff who are likely to engage with the public
 - Number of downloaded documents in other languages
 - Reports and updates from the language service provider
 - Requests for translation and interpretation

V. Contact information

SBCTA will post the Language Assistance Plan on its website at www.gosbcta.com. Copies of the LAP plan will be provided to any person or agency requesting a copy. LEP persons may obtain copies/translations of the Language Assistance Plan upon request.

Any questions or comments regarding this Plan should be directed to:

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