

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 May 6, 2020



**1170 West 3rd Street, 2nd Floor
San Bernardino, CA 92410**

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I. Introduction

Purposes of This Plan

San Bernardino County Transportation Authority (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 limited English proficient (LEP) individuals to access its programs and services. This Language Assistance Plan details the process by which SBCTA 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 Federal Transit Administration’s (FTA) 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 discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance. Under the Department of Transportation (DOT), the 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 that 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 1,939,554 individuals, according to American Community Survey (ACS) 2015 5-Year Estimates. ACS Census data was used for this analysis, as it provides the most current and reliable information about LEP 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 persons, 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 provides information from the 2015 American Community Survey 5-Year Estimates demonstrating the 38 LEP populations in San Bernardino County. Almost 16% of the total population — or 305,073 LEP individuals — are limited English proficient. The largest group of LEP individuals is Spanish speakers, who comprise 12.7% of the County's population and number 245,345 individuals. Although no other LEP group reaches 5% of the population, 11 additional LEP groups number more than 1,000 persons. Each of these groups comprises less than 1% of the County's total population.

Table 1, San Bernardino County Limited English Proficient Populations

| San Bernardino County: Limited English Proficiency Population 2011-2015 American Community Survey 5-Year Estimates | Estimate | Percent of Total Population | Margin of Error |
|---|----------------|-----------------------------------|--------------------|
| <i>Total County Population-5 years and older</i> | 1,939,554 | 100.00% | ***** |
| Spanish or Spanish Creole: Speak English less than "very well" | 245,345 | 12.65% | +/-4,212 |
| Chinese: Speak English less than "very well" | 14,542 | 0.75% | +/-218 |
| Tagalog: Speak English less than "very well" | 8,387 | 0.43% | +/-102 |
| Korean: Speak English less than "very well" | 6,441 | 0.33% | +/-106 |
| Vietnamese: Speak English less than "very well" | 6,365 | 0.33% | +/-190 |
| Arabic: Speak English less than "very well" | 4,034 | 0.18% | +/-202 |
| Other Pacific Island languages: Speak English less than "very well" | 3,478 | 0.18% | +/-28 |
| Mon-Khmer, Cambodian: Speak English less than "very well" | 1,844 | 0.10% | +/-81 |
| Thai: Speak English less than "very well" | 1,835 | 0.09% | +/-53 |
| Other Indic languages: Speak English less than "very well" | 1,481 | 0.08% | +/-33 |
| Japanese: Speak English less than "very well" | 1,123 | 0.06% | +/-230 |
| Persian: Speak English less than "very well" | 1,079 | 0.06% | +/-64 |
| African languages: Speak English less than "very well" | 814 | 0.04% | +/-24 |
| French (incl. Patois, Cajun): Speak English less than "very well" | 726 | 0.04% | +/-252 |
| Hindi: Speak English less than "very well" | 722 | 0.04% | +/-212 |
| Other Asian languages: Speak English less than "very well" | 712 | 0.04% | +/-328 |
| Gujarati: Speak English less than "very well" | 647 | 0.03% | +/-279 |
| Other Indo-European languages: Speak English less than "very well" | 634 | 0.03% | +/-274 |
| German: Speak English less than "very well" | 621 | 0.03% | +/-242 |
| Portuguese or Portuguese Creole: Speak English less than "very well" | 555 | 0.03% | +/-419 |
| Armenian: Speak English less than "very well" | 513 | 0.03% | +/-203 |
| Urdu: Speak English less than "very well" | 469 | 0.02% | +/-1,236 |
| Russian: Speak English less than "very well" | 435 | 0.02% | +/-256 |
| Other and unspecified languages: Speak English less than "very well" | 348 | 0.02% | +/-888 |
| Other Slavic languages: Speak English less than "very well" | 335 | 0.02% | +/-557 |
| Hmong: Speak English less than "very well" | 321 | 0.02% | +/-225 |
| Italian: Speak English less than "very well" | 234 | 0.01% | +/-576 |
| Laotian: Speak English less than "very well" | 192 | 0.01% | +/-112 |
| Hungarian: Speak English less than "very well" | 169 | 0.01% | +/-861 |
| Other West Germanic languages: Speak English less than "very well" | 162 | 0.01% | +/-377 |
| Polish: Speak English less than "very well" | 110 | 0.01% | +/-904 |
| French Creole: Speak English less than "very well" | 95 | 0.00% | +/-569 |
| Other Native North American languages: Speak English less than "very well" | 86 | 0.00% | +/-38 |
| Scandinavian languages: Speak English less than "very well" | 70 | 0.00% | +/-63 |
| Hebrew: Speak English less than "very well" | 67 | 0.00% | +/-97 |
| Greek: Speak English less than "very well" | 38 | 0.00% | +/-859 |
| Navajo: Speak English less than "very well" | 23 | 0.00% | +/-68 |
| Serbo-Croatian: Speak English less than "very well" | 21 | 0.00% | +/-242 |
| Total LEP | 305,073 | 15.73% | |

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. Findings from those efforts are reported in this section.

Staff Survey

SBCTA distributed a survey to all staff. The survey asked employees 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

A total of 24 SBCTA employees completed the survey and reported limited to no interaction with LEPs. Three respondents reported having infrequent interaction with LEP speakers and nine respondents 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.

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 2, Languages Staff Encountered

| Language | Number of Times Reported |
|----------|--------------------------|
| Spanish | 5 |
| Other | Unknown |

Information Requested by LEPs

SBCTA staff reported that LEPs requested information about the following topics. This question is used to ensure SBCTA's information is available to LEP individuals. Two employees reported on topics of interest to LEPs.

Table 3, Information Requested by LEPs

| Topic | Number of Times Reported |
|--|---------------------------------|
| Train Schedule | 1 |
| Train directions: How to get to Union Station on the train | 1 |

Communication with LEPs

Respondents were asked if they were able to communicate with LEPs, which techniques worked for them. This question is used to gauge if SBCTA’s language assistance measures are working and if SBCTA is aware of them and able to readily utilize them.

Two employees expressed that they were able to successfully communicate with LEPs because the LEPs spoke enough English to communicate in English.

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 service 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.

During the entire 2018 calendar year, a total of 105 Call Box calls were sent out to a translator.

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 requested by LEP individuals related to train information — likely due to SBCTA’s office location at the Santa Fe Depot. 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 languages appropriate for specific project locations. 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 nearly 2 million residents of San Bernardino County. SBCTA’s involvement in public

transportation is multifaceted and includes transit planning; providing technical assistance and guiding funding to public transit operators; administering the voter-approved half-cent transportation sales tax; and implementing plans related to air quality and congestion. These functions are critical to all San Bernardino County residents and visitors as they travel to work, school and other activities throughout the County.

Additionally, commuters — individuals who travel daily — provide one way to gauge the impact of SBCTA’s services on residents’ lives. Table 4 details how workers 16 years and over travel to their jobs. While the majority (77.8%) drive alone, there is a significant share carpooling (13.3%) or using public transit (1.7%) and other modes. SBCTA’s functions directly impact these 816,403 individuals who commute using the roads throughout the County and traveling on the multimodal network.

Table 4, Commuting Characteristics of Workers in San Bernardino County

| San Bernardino County: Means of Transportation to Work for Workers 16 Years and Over | | |
|--|----------|-----------------------------|
| 2011-2015 ACS 5-Year Estimates | Estimate | Percent of Total Population |
| Total | 816,403 | 100% |
| Drove alone | 635,248 | 77.8% |
| Carpooled | 108,823 | 13.3% |
| Public transportation | 13,484 | 1.7% |
| Walked | 14,695 | 1.8% |
| Bicycle | 3,265 | 0.4% |
| Taxicab, motorcycle or other means | 7,437 | 0.9% |

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 (Public and Specialized Transit Network) 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.
- Southern California Association of Government's (SCAG) 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 were 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 nearly 13% of San Bernardino 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 or Indic 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 SBCTA will use this definition when assessing what documents should be translated.

Title VI Documents: These 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 spoken by 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 population. 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

SBCTA 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 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; and
- 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 LAP:

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, nonprofit 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, and
 - 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 will be provided to any person or agency requesting a copy. LEP persons may obtain copies/translations of the LAP upon request.

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

San Bernardino County Transportation Authority
Legislative and Public Affairs
1170 West 3rd Street, 2nd Floor
San Bernardino, CA 92410
(909) 884-8276