

# Omnitrans' Title VI Limited English Proficiency (LEP) Policy and Language Assistance Plan

## Introduction

As a recipient of federal funding under the Federal Transit Administration's (FTA's) guidelines, Omnitrans is required to demonstrate that it does not discriminate against, exclude from, or deny service to individuals based on race, color, or national origin. The FTA requires that funding recipients develop a Language Assistance Plan that takes reasonable steps to ensure meaningful access to the benefits, services, information, and other important parts of its program for persons of Limited English Proficiency (LEP).

LEP persons are defined as persons for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. LEP persons include people who do not speak English at all and people who do not speak it well.

Omnitrans' LEP obligations stem from Section 601 of Title VI of the Civil Rights Act of 1964, and in the more recent FTA Circular 4702.1B.

Title VI states 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."*

In the FTA's current Title VI Circular, 4702.1B released in October 2012, the FTA clarifies that *national origin discrimination* refers as well to native language, or primary facility in *any language other than English*.

The LEP Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency (65 FR 50121, Aug. 11, 2000)" directs Federal Agencies to ensure that Federal recipients provide meaningful access to their LEP applicants and beneficiaries. Failure to do so may constitute national origin discrimination.

## Four Factor Analysis

An effective LEP Policy Implementation and Language Assistance Plan starts by determining the languages spoken. Within those language groups, one must quantify the number of individuals who would qualify as LEP and those who would likely use the agency's services. This requires what is known as a Four Factor Analysis of numbers and proportions of LEP riders.

The Four Factor Analysis includes the following four determinations:

1. Factor 1: Determine the number and/or proportion of LEPs likely to be encountered by the program.
2. Factor 2: Determine the frequency of program contact with these LEPs (also known as the probability of interaction).
3. Factor 3: Determine the nature and importance of the agency's program to LEP members of the public.
4. Factor 4: Determine the resources available and costs to the program needed to implement a Language Assistance Plan.

The FTA Circular 4702.1B Safe Harbor provisions require that vital documents be translated into the primary language for each LEP group that meets a demographic threshold. Currently, the threshold for each LEP group is the presence of LEP speakers for that language at the level of 5% of the total service area population or 1,000 individuals, whichever measure is less.

In the provision's wording: "...if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (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, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally."

## **FACTOR 1**

A number of studies were made and data pools analyzed in order to arrive at a better idea of what the linguistic makeup of LEP speakers is within Omnitrans' service area.

According to the Omnitrans' 2007 Attitude and Awareness Survey, the linguistic breakdown of Omnitrans' Service area is as follows. More than eight of every ten riders surveyed (87%) reported that English was the primary language spoken in their home. There was an overall significant increase in the number of riders who reported that a language other than English was spoken at home (Spanish 28%, Chinese 1%, Tagalog 1%, and "Other" 1%). More recently, the Omnitrans' 2011 Attitude and Awareness Study commissioned by Redhill Group determined that from more than 6,000 riders surveyed, 93% spoke English, and 7% spoke Spanish. According to these results, English is the predominant home language spoken in our service area, and Spanish is the second most prevalent language spoken at home.

More broadly, the US Census Department's American Community Survey, 5-year estimate for 2011 was used. An evaluation of Omnitrans' service area identified the total number of LEP languages in our service area as seven.

The LEP languages are: Spanish, Chinese, Korean, Vietnamese, Tagalog, Arabic, and Cambodian. Details can be seen in Exhibit 1.

**Exhibit 1 Major Languages Spoken in Omnitrans' Service Area**

	LANGUAGE	Number of Speakers Expected in COUNTY	Number of Speakers Expected in SERVICE AREA	Percentage of Total
	<b>COUNTY Total:</b>	1,863,503		100%
	<b>Speak only English</b>	1,101,971	877,554	59%
	<b>Total Pop of Service Area</b>		<b>1,484,000</b>	<b>79.63%</b>
	(From 2010 US Census)			
1	<b>Spanish (or Spanish Creole):</b>	629,421	<b>501,239</b>	<b>34%</b>
	<b>Speak English less than "very well"</b>	277,116	<b>237,644</b>	<b>16%</b>
2	<b>Chinese (Mandarin, etc):</b>	18,720	<b>14,908</b>	<b>1%</b>
	<b>Speak English less than "very well"</b>	9,878	<b>9,216</b>	<b>1%</b>
3	<b>Korean:</b>	10,656	<b>8,486</b>	<b>1%</b>
	<b>Speak English less than "very well"</b>	6,264	<b>5,229</b>	<b>0%</b>
4	<b>Vietnamese:</b>	10,050	<b>8,003</b>	<b>1%</b>
	<b>Speak English less than "very well"</b>	6,706	<b>6,267</b>	<b>0%</b>
5	<b>Tagalog:</b>	27,213	<b>21,671</b>	<b>1%</b>
	<b>Speak English less than "very well"</b>	6,767	<b>5,943</b>	<b>0%</b>
6	<b>Arabic:</b>	9,575	<b>7,625</b>	<b>1%</b>
	<b>Speak English less than "very well"</b>	3,444	<b>3,070</b>	<b>0%</b>
7	<b>Cambodian</b>	1,511	<b>1,203</b>	<b>0.1%</b>
	<b>Speak English less than "very well"</b>	1,497	<b>1,192</b>	<b>0.1%</b>
Taken from: Language Spoken at Home by Ability to Speak English, age 5 years or older (ACS American Community Survey, 2011 5-year estimate)				

## FACTOR 2

Additional surveys attempted to look at the probability of interaction (Factor 2 of the Four Factor analysis) in order to get a different perspective on these LEP languages.

According to the San Bernardino County Office of Education, English Language Learner students at San Bernardino County public schools make up 19.9% of the entire student body population. This is not perfectly tantamount to a representation of the proportion of LEP within the county as a whole, but it is one consideration.

### EDUCATIONAL SOURCES

Total students in San Bernardino County: 6,207,229 (2012)

(California Department of Finance demographic research unit)

Percentage of English Language Learners in San Bernardino County public schools: 19.9 % \*

**Data Source:** California Dept. of Education, California Basic Educational Data System (CBEDS).  
Accessed at <http://data1.cde.ca.gov/dataquest/> (Jul. 2013).

Exhibit 2 shows the results of a survey of Omnitrans' website hits from January 1 to September 30, 2013, as made possible by use of Google Analytics; the distribution of primary languages of visitors is as follows:

**Exhibit 2 Languages Employed by Visitors to Omnitrans' Website**

<b>Breakdown of Languages of Visitors to Omnitrans' Website, January to September, 2013</b>	
<b>Primary Language of Visitor to Website</b>	<b>Proportion of All Visitors</b>
English	98.58%
Spanish	0.81%
Chinese	0.14%
French	0.06%
Korean	0.05%
Portuguese	0.04%
German	0.03%
ALL OTHERS Summed	0.29%
TOTAL	100.00%
NOTE: There were no visits attributed to Vietnamese, Tagalog, or Cambodian languages	

In this informal assessment, less than one percent of those visiting the website used Spanish as their primary language; these outnumbered the next highest potential LEP language (Chinese) 5.75 to 1. The total proportion of all potential LEP language users visiting the website during this period is 1.42% of the total. Taken by itself, however, frequency of web-based technology use by language is an incomplete indicator of LEP pervasiveness and transit usage, and other means of assessment need to be utilized.

There are a number of cultural, community outreach, and support groups throughout Omnitrans' service area which address the needs of LEP populations. Their presence can serve as an ancillary indicator of LEP penetrance by language within the service area. More importantly, these are the types of groups Omnitrans reaches out to in order to better serve the needs of particular LEP populations. A list of such groups follows in Exhibit 3.

**Exhibit 3 Examples of Community LEP Groups in Omnitrans' Service Area**

<b>EXAMPLES OF COMMUNITY LEP GROUPS IN OMNITRANS' SERVICE AREA FOR OUTREACH</b>		
<b>Community Resource Group</b>		<b>Contact Information</b>
1	<b>Loving Savior Chinese Christian Church</b>	14816 Peyton Dr, Chino Hills, CA 91709-2073 (909) 597-5771
2	<b>Temple of the Khmer Buddhist Society: Wat Bodhisovannaram</b>	1595 Hard Street, San Bernardino, CA 92408 Phone: 909.796.6372
3	<b>Temple of the Khmer Buddhist Society: Wat Padma Sovannaram</b>	8677 Mulberry Avenue, Fontana, CA 92335 Phones: 909.887.3602, 909.428.1529
4	<b>Vietnamese American Weekly</b>	525 N. Euclid Avenue, Ontario CA 91762 <a href="http://vietamerican.com/">http://vietamerican.com/</a>
5	<b>Inland Chinese Association</b>	<a href="http://www.inlandchineseassociation.com/index.html">http://www.inlandchineseassociation.com/index.html</a>
6	<b>Asian-American Resource Center</b>	1115 South "E" Street, San Bernardino, CA 92408 Phone: (909) 383-0164 <a href="http://www.aarc-ie.org/index.html">http://www.aarc-ie.org/index.html</a>
7	<b>Vietnamese Buddhist Youth Association</b>	1838 West Baseline Street, San Bernardino, CA 92411
8	<b>Filipino Visayan Church</b>	Filipino Visayan Church, San Bernardino, CA 92407
9	<b>Filipino Association of San Bernardino County</b>	27124 Meines Street, Highland, CA 92346 (909) 862-6810
10	<b>Filipino Ministry, Diocese of San Bernardino, California</b>	Office of the Asian and Pacific Islander Ministry, 1201 E. Highland Ave., San Bernardino, CA 92404 (909) 983-2637 <a href="http://filiministry0.tripod.com/">http://filiministry0.tripod.com/</a>
11	<b>Loma Linda Filipino Seventh-Day Adventist Church</b>	11180 New Jersey Street, Redlands, CA 92372
12	<b>Al-Shifa Clinic of San Bernardino</b>	Al-Shifa Clinic, Inc. 2034-B Mallory Street, San Bernardino, CA 92407 (909) 473-0600 <a href="http://www.alshifafreeclinic.org/index.html">http://www.alshifafreeclinic.org/index.html</a>
13	<b>Islamic Community Center of Redlands</b>	24769 Redlands Blvd. Suite A, Loma Linda, CA 92354 (909) 801-8081 <a href="http://www.iccredlands.org/">http://www.iccredlands.org/</a>
14	<b>Loma Linda Korean Seventh-Day Adventist Church</b>	12408 Mount Vernon Avenue, Grand Terrace, CA 92313 (909) 825-6947 <a href="http://lomalandakorean22.adventistchurchconnect.org/">http://lomalandakorean22.adventistchurchconnect.org/</a>
15	<b>Latino Health Collaborative</b>	1800 Western Avenue, Suite 402 San Bernardino, CA 92411 (909) 887-0707 <a href="http://latinohealthca.org/">http://latinohealthca.org/</a>
16	<b>San Bernardino Community Services Center, Inc.</b>	560 North Arrowhead Avenue, Suite 8A, San Bernardino, CA 92401 (909) 885-1992

Exhibit 4, following, describes proportions of LEP Spanish and LEP "other languages" groups in San Bernardino County which the US Census' American FactFinder site online and the ACS (American Community Survey) indicate correlate with propensity towards transit usage:

**Exhibit 4 Sample of Language Usage and Public Transit Use Propensity**

<b>Language Usage and Public transportation Use (excluding taxicab):</b>	<b>San Bernardino County, California</b>	
	<b>Estimate</b>	<b>Percentage</b>
<b>Speak only English</b>	<b>8,581</b>	<b>1.07%</b>
<b>Speak Spanish:</b>	<b>5,338</b>	<b>0.67%</b>
<b>Speak English "very well"</b>	<b>2,250</b>	<b>0.28%</b>
<b>Speak English less than "very well"</b>	<b>3,088</b>	<b>0.39%</b>
<b>Speak other languages:</b>	<b>955</b>	<b>0.12%</b>
<b>Speak English "very well"</b>	<b>728</b>	<b>0.09%</b>
<b>Speak English less than "very well"</b>	<b>227</b>	<b>0.03%</b>

These data indicate that although 16% of the total population of the county speak Spanish well and English less than "very well", and qualify as LEP, the proportion of the membership of this cohort which also uses public transit is much smaller, at only 0.39% of the total population. Between 16% and 0.39%, this translates to a roughly 40 to 1 difference. As for LEP for other languages besides Spanish, 2.7% of the population fits this category (of all LEP language speakers not including Spanish), but only 0.03% are both LEP other languages besides Spanish and use public transit; in this case, it is a 90

to 1 difference. According to these data, then, probability of interaction, or the frequency with which LEP individuals come into contact with Omnitrans' services, appears to be exceedingly low for LEP members who speak a language other than Spanish.

In order to investigate further the probability of interaction with LEP speakers, a survey was taken of Omnitrans' Information Clerks at Omnitrans' Call Center regarding the number and proportion of calls received in September of 2013. Results of this informal survey are shown in Exhibit 5 and seem to accord with a large difference in numbers between Spanish LEP language interactions and "other language" LEP interactions; 77.3% of all calls were in English, 20.3% were in Spanish, and only 2.4% were in some other language other than English or Spanish. In this group, the highest proportion was for Chinese, which was estimated to be 0.45% of all calls. This is nearly an order of magnitude difference in number between Spanish LEP callers and LEP callers of another language.

**Exhibit 5 Languages Spoken by Callers to Omnitrans' Call Center**

<b>Languages Spoken by Callers to Omnitrans' Information / Call Center, per 1,000 Calls</b>		
<b>LANGUAGE SPOKEN</b>	<b>NUMBER of CALLS</b>	<b>PERCENT of ALL CALLS</b>
English	773	77.30%
Spanish	203	20.30%
Chinese	5	0.45%
Korean	4	0.38%
Vietnamese	4	0.40%
Tagalog	5	0.50%
Arabic	4	0.38%
Cambodian	1	0.05%
Unknown	3	0.25%
<b>TOTAL</b>	<b>1,000</b>	<b>100.0%</b>
<i>Data taken from interviews with and data sheets collected from seven of Omnitrans' Information Clerks in Omnitrans' Call Center</i>		
<i>Data are estimates obtained from personal recollections and individuals' language identification stretching over a period as long as several months. Figures are based on 1,000 calls received per clerk.</i>		

A second survey was taken in September of 2013 of numbers of verbal interactions as reported by 112 coach operators with their ridership, as shown in Exhibit 5. For them to have been counted, these interactions had to take the form of more than a salutation, but of actual information transfer, or real requests for information on the part of a rider from the coach operator such that the operator was obliged to reply in some manner.

According to these data, 65.44% of all transactions were English, 32.4% were in Spanish, and 2.16% of all transactions were in some language other than English or Spanish. The highest proportion of these was from "Asian" (an unidentified Asian language) at 0.66%, and Chinese was at 0.44% of all transactions. It is important to



note that all other languages other than English or Spanish combined yielded 2.16%, which is less than an order of magnitude lower than Spanish transactions, at 32.4% of all.

**Exhibit 6 Average Number of Verbal Interactions Reported by Operators by Language**

<b>Estimated Average Number of Verbal Interactions Reported by Operator with Rider(s)</b>					
<b>Language Spoken</b>	<b>per DAY</b>	<b>per WEEK</b>	<b>per MONTH</b>	<b>per YEAR</b>	<b>Percentages</b>
<b>TOTAL</b>	<b>43</b>	<b>213</b>	<b>854</b>	<b>10,243</b>	<b>100.00%</b>
English	28	140	559	6,703	65.44%
Spanish	14	69	277	3,319	32.40%
"Asian" (unidentified)	0	1	6	68	0.66%
Chinese	0	1	4	45	0.44%
Vietnamese	0	0	1	16	0.16%
Korean	0	0	1	14	0.14%
Tagalog	0	0	1	14	0.14%
Cambodian	0	0	0	2	0.02%
Armenian	0	0	0	4	0.04%
Russian	0	0	1	10	0.10%
"Middle Eastern" (unidentified)	0	0	1	10	0.10%
Arabic	0	0	0	4	0.04%
"Indian" (Hindi, Urdu, etc)	0	0	1	8	0.08%
Pakistani	0	0	0	2	0.02%
Scandinavian (?)	0	0	0	2	0.02%
Unknown European	0	0	0	4	0.04%
Haitian	0	0	0	2	0.02%
Sign Language	0	0	0	2	0.02%
UNKNOWN	0	0	1	12	0.12%

*Data obtained from 112 coach operators interviewed in both East and West Valley facilities during the week of September 23, 2013*

The Factor 2 component of the analysis suggests that the probability of transit interaction in our service area with members of the public who do not speak either English or Spanish, and are considered LEP persons, is miniscule when compared to those who are Spanish-speaking LEP persons.

## GIS MAPPING OF SPATIAL DISTRIBUTION OF LEP LANGUAGES

Maps were made using US Census data at the tract level of spatial distribution of each of the seven identified LEP languages within the county and Omnitrans' service area (Exhibits 6 through 12). The seven maps are included, following (in order, they are: Spanish, Chinese (Mandarin), Korean, Vietnamese, Tagalog, Arabic, and Cambodian (Khmer or Hmong)).

The purpose in mapping spatial distribution of the important concentrations of LEP membership is for the agency to more effectively direct appropriate language services to its ridership. If, for example, certain route modifications were to be proposed in a particular region of the service area alone, and this region corresponded to high densities of a particular language group LEP population, then this knowledge could

better inform efforts at public outreach and permit the agency to offer better services to that population.

By determining where concentrations of different language LEP populations are more likely to be found, then, specific language translation services can be better mobilized and directed regionally when and where particular transit outreach efforts may be made. Several trends in spatial distribution of LEP language groups are noteworthy.

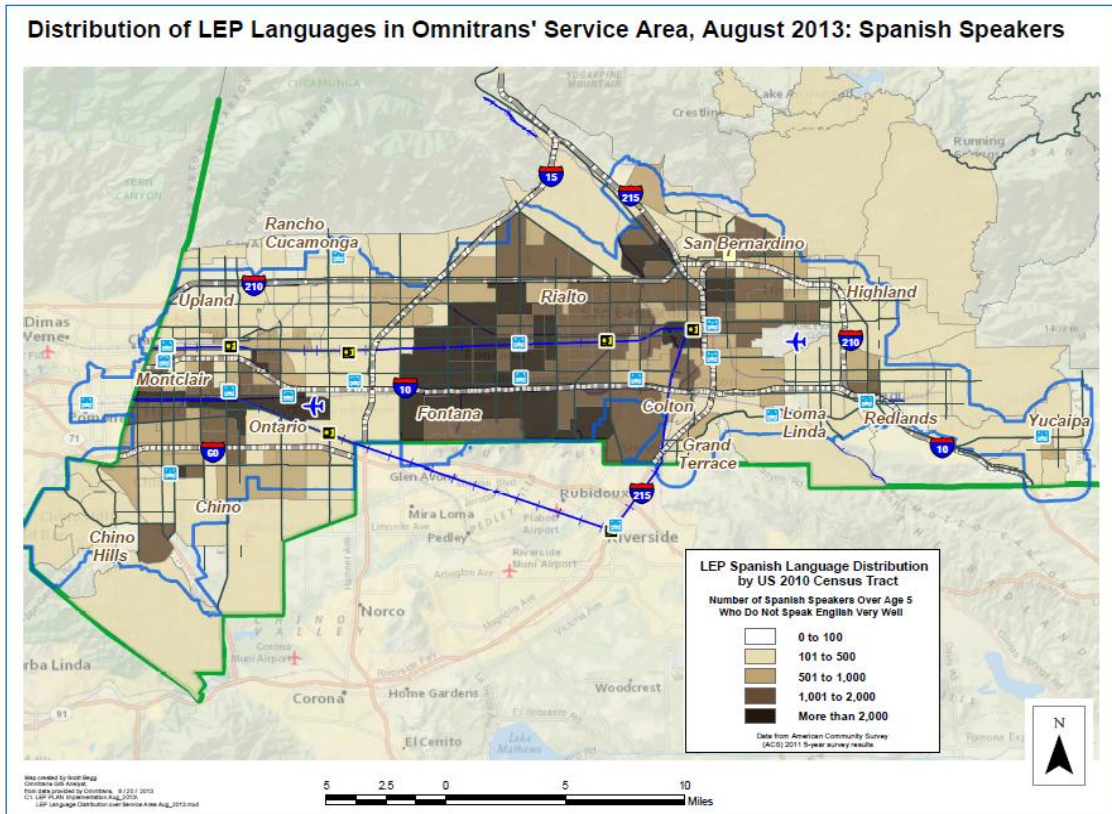
Spanish LEP speakers appear to concentrate centrally within the service area, in the cities of Fontana, Rialto, and San Bernardino, and along a narrow strip associated with the Holt Boulevard corridor running through Ontario and Montclair (Exhibit 7). That said, though, Spanish LEP speakers are found throughout the service area, and in numbers which are ten times greater than that for any other LEP language.

Mandarin Chinese LEP speakers and Korean LEP speakers (Exhibit 8 and Exhibit 9) tend to cluster most heavily in three areas: in Loma Linda, in northern Fontana and Rancho Cucamonga, and in southern Chino and Chino Hills. To a large degree, the same can be said for the spatial distribution of Tagalog LEP speakers (Exhibit 11), but Vietnamese LEP speakers are much more diffuse in their spatial distribution (Exhibit 10), and concentrations are to be found throughout the service area. Likewise, Arabic LEP speakers (Exhibit 12) are to be found scattered throughout the service area, and Cambodian LEP speakers (Exhibit 13) tend to cluster more centrally in the cities of San Bernardino and northern Redlands.

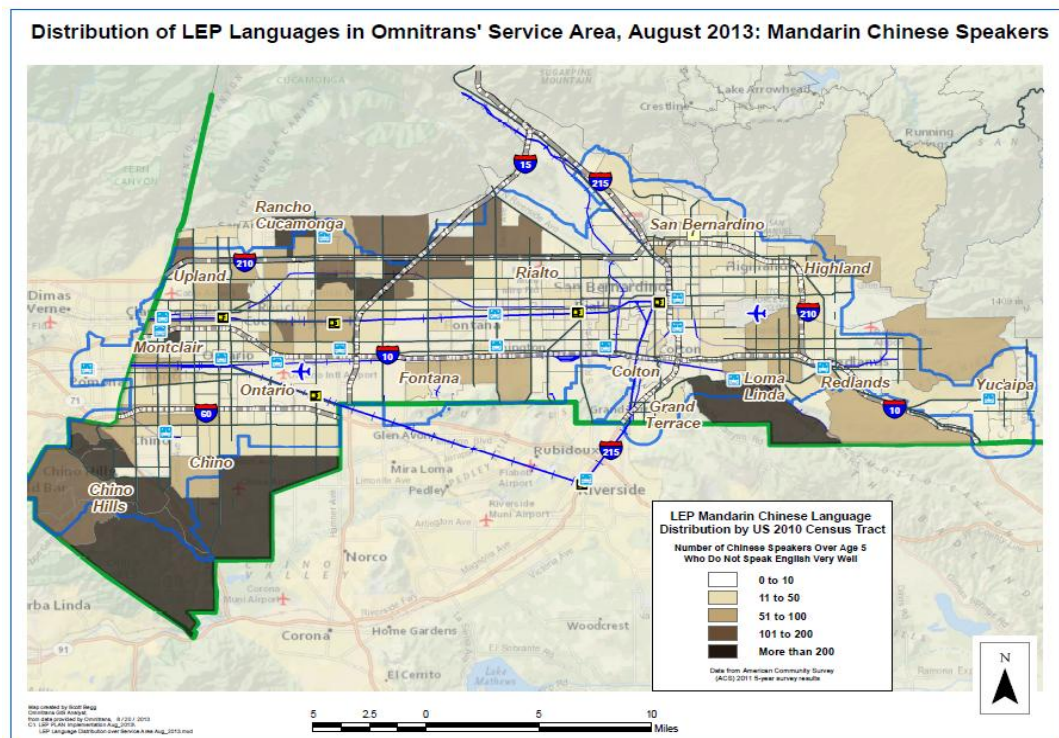
Note once more that the Spanish Language Speakers map (Exhibit 7) indicates numbers of LEP persons which is *an order of magnitude greater (ten times greater)* than that for any of the other LEP language maps (Exhibits 8 through 13).



**Exhibit 7 Distribution of LEP Spanish Speakers in Omnitrans' Service Area**

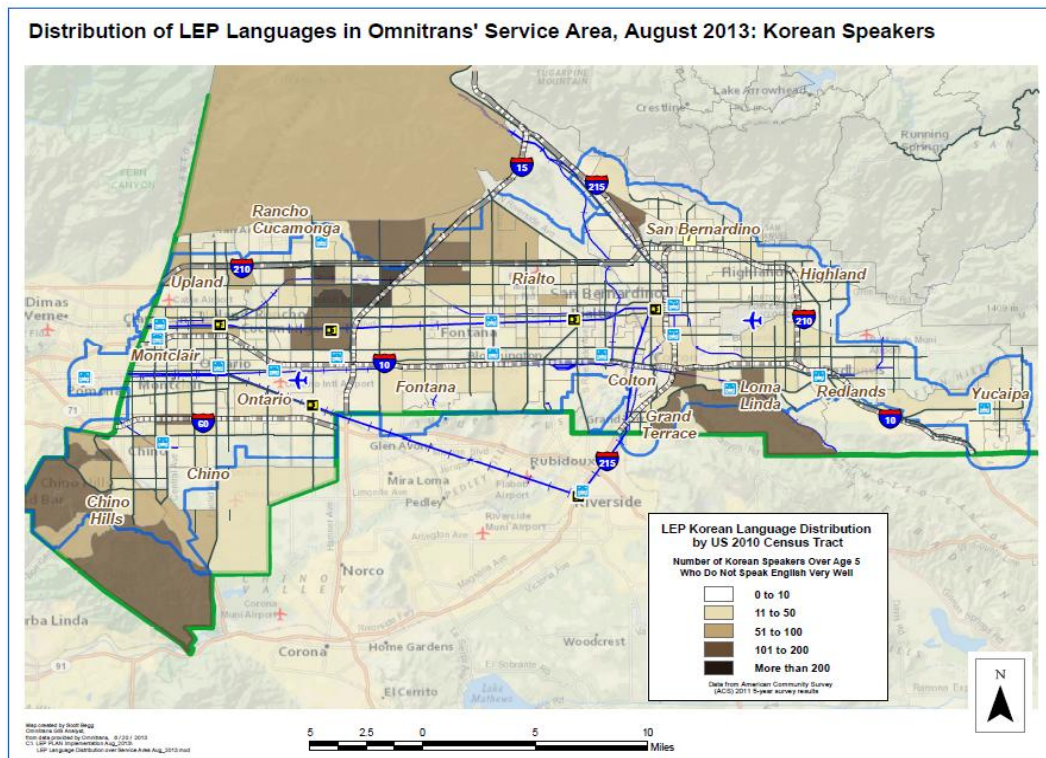


**Exhibit 8 Distribution of LEP Mandarin Chinese Speakers in Omnitrans' Service Area**

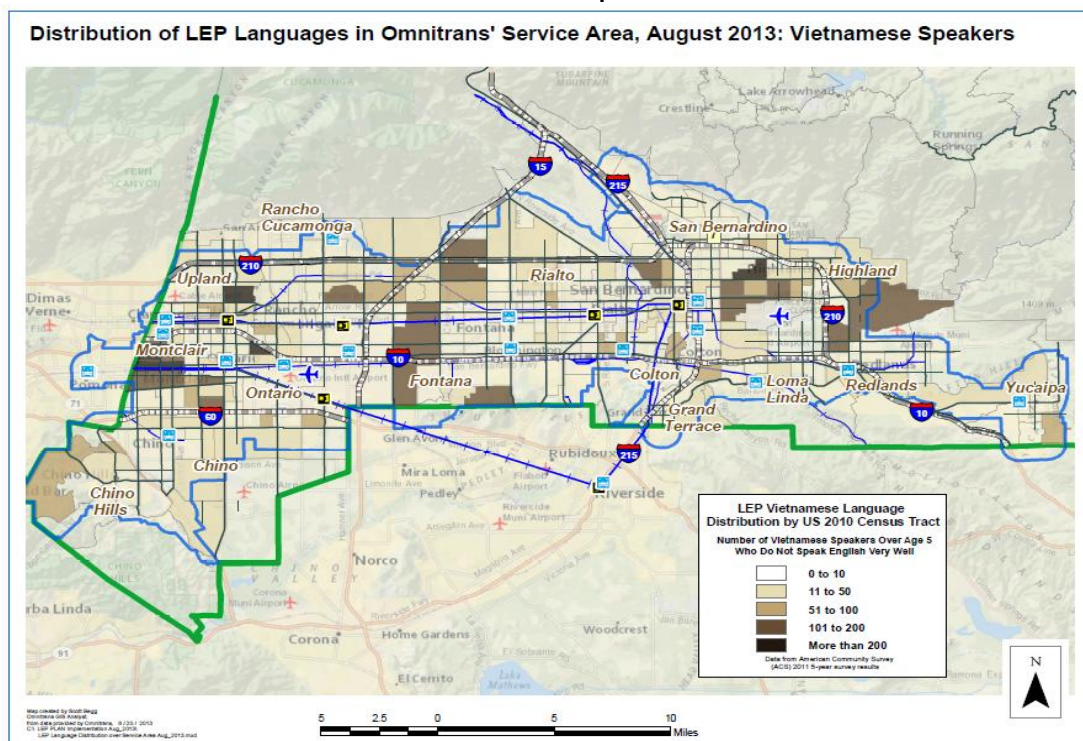


**Exhibit 9 Distribution of LEP Korean Speakers in Omnitrans' Service Area**



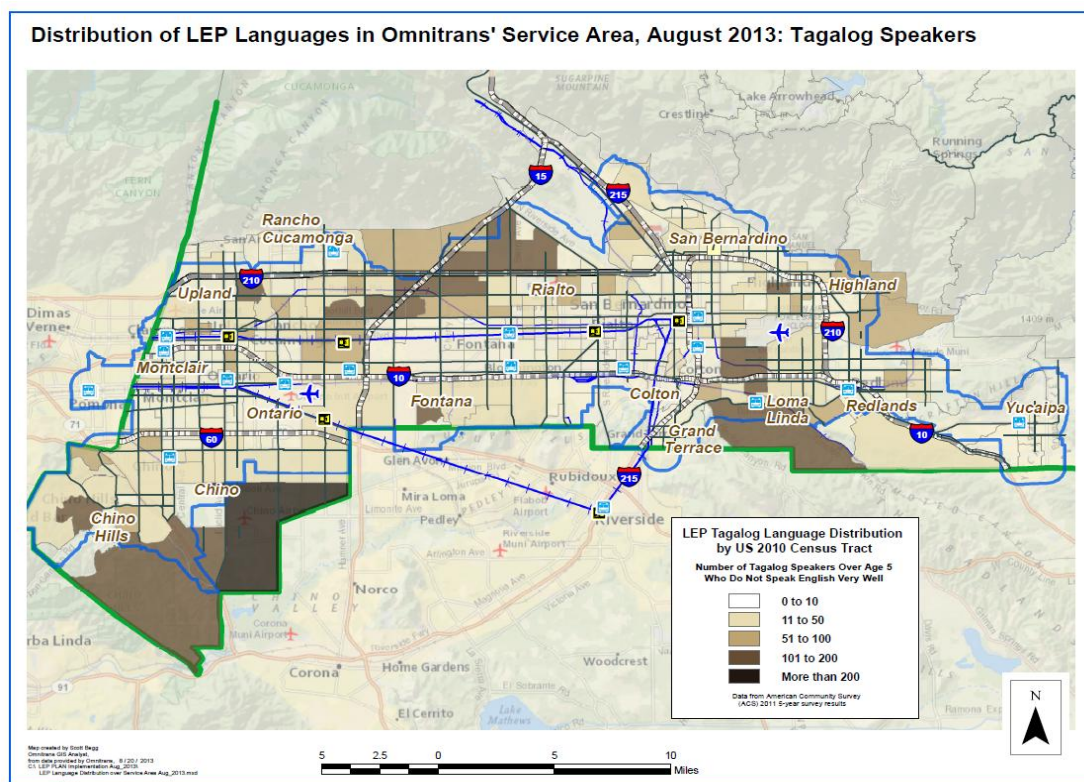


**Exhibit 10 Distribution of LEP Vietnamese Speakers in Omnitrans' Service Area**

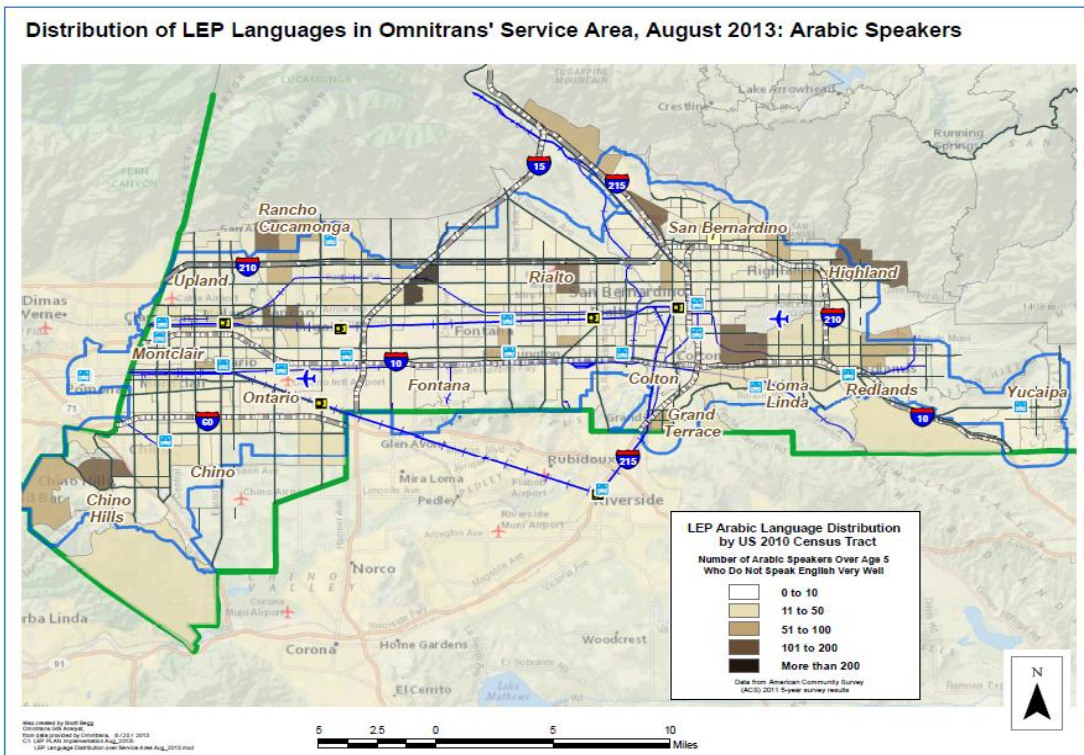




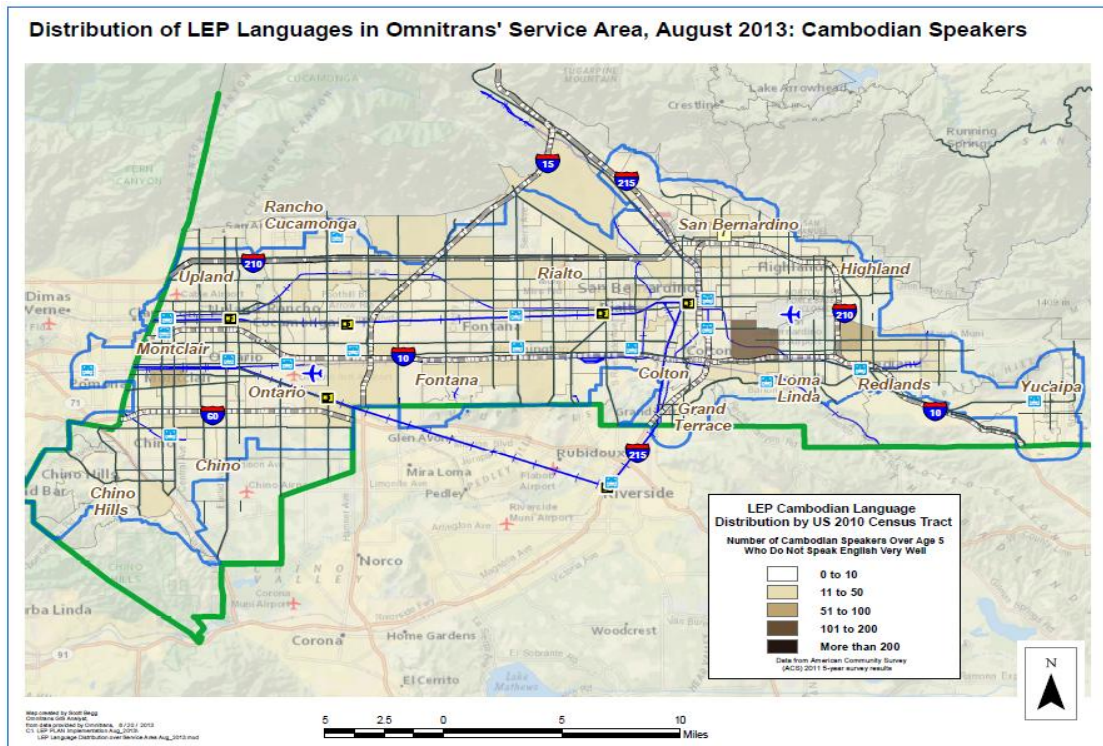
### Exhibit 11 Distribution of LEP Tagalog Speakers in Omnitrans' Service Area



### Exhibit 12 Distribution of LEP Arabic Speakers in Omnitrans' Service Area



**Exhibit 13 Distribution of LEP Cambodian Speakers in Omnitrans' Service Area**



**FACTOR 3**

The Factor 3 component of the LEP Policy and demographic analysis is meant to demonstrate the important role of Omnitrans' services to the community as a public transit provider.

Many people who cannot or who choose not to use automobile transportation, for whatever reason, find that many of their most critical life activities are dependent upon public transit. Peoples' continued livelihoods in the guise of their transportation to work, their ability to shop and purchase food and other necessities, and even their critical social networks, are often absolutely dependent upon a good and efficient public transit system. As many in various LEP communities experience first-hand, they are often new to this country, and as such often occupy lower economic tiers as they start off; individuals in such situations often find they cannot afford an automobile of their own for some significant period of time, and this frequently translates to an increased need and dependency on their part for such services as transit.

Since March of 1976, Omnitrans has been empowered as a Joint Powers Authority (JPA) to be the primary provider of public transportation in the San Bernardino Valley. We provide fixed route service, local circulator service, and demand-response service, including ADA / Access service to riders who meet the criteria of the Americans with Disabilities Act of 1964. The agency serves an area of 456 square miles and a service area population of approximately 1.48 million people. In FY2013, Omnitrans served



nearly 16 million riders. As a transit provider, the service Omnitrans provides is considered to be of *high importance*, and as such, it is imperative that appropriate needs for LEP persons be met by the agency's decisions regarding translation of vital documents.

## FACTOR 4

According to the respective probabilities of interaction determined by Factors 1 and 2 of the demographic analysis, Omnitrans will allocate resources commensurate to the task of meeting the needs of translation of vital documents for LEP populations. This includes the following:

1. **Continued use of In-House, ad-hoc language speakers** A number of employees already speak most of the seven identified LEP languages (exceptions: Cambodian and Arabic); these individuals have in the past been and will continue to serve as "In-House language speakers" who serve in the capacity of ad-hoc interpreters at specific workshops, events, and public hearings and outreaches.
2. **Training and Certification of In-House personnel** All of the information clerks who receive and process calls at the Information desk are bilingual (Spanish/English) and are skilled at explaining occasionally complex transit terminology into an easy to understand framework. For ad hoc speakers, Omnitrans will formally catalogue and ensure that these speakers are comfortable and capable of explaining transit terminology before be used in a formal or informal way.
3. **An Off-Site, out-sourced translation service.** As of May of 2014, Omnitrans has hired the services of an off-site, on-call telephone translation service. This is Avaza Language Services Corp. (5209 Linbar Drive, Suite 603, Nashville, TN 37211 615-534-3400 [www.avaza.co](http://www.avaza.co)), and their service will consist of being an on-call support service for our front office information clerks, and when necessary, having LEP-language calls directed to them, whereupon they will identify the LEP-language, and offer real-time translation service for the caller.

## LEP Policy

As per Title VI of the Civil Rights Act of 1964, the U.S. Department of Transportation (DOT) implementing regulations, and Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency (65 FR 50121, Aug. 11, 2000)", Omnitrans is federally mandated to develop and implement both an LEP Plan and a Language Assistance Plan (LAP) by which Limited English Proficiency (LEP) persons can gain meaningful access to translations of written and oral information of Omnitrans' services.

Being a Federal Transit Administration (FTA) recipient receiving federal financial assistance, Omnitrans must take reasonable steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and

activities for LEP persons; failure to do so may constitute national origin discrimination according to LEP Executive Order 13166 (2000).

To reiterate, the Safe Harbor provision states, “if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (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, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations. Translation of non-vital documents, if needed, can be provided orally.”

Based on the Four Factor Analysis reported here, Omnitrans identified both the vital documents necessary for riders to access services, and the language needs and services required to provide meaningful access to information for the LEP residents of our service area. A list of identified agency vital documents includes:

1. Instructional / Informational rider material in the form of a “*How to Ride*” brochure
2. Title VI protection notifications and Notice of Title VI obligations.
3. All public hearing notices (Public Meeting Announcements posted on agency’s website).
4. General notices stating that language translation assistance is available for LEP languages.
5. Notice of availability of Telephone Interpretation Services.
6. Decal or Driver panel bus card giving same information (language translation assistance is available for LEP languages).

Less critical documents will be translated and made available in Spanish primarily (bilingual translation), owing to the much higher probability of interaction with the Spanish-speaking LEP population:

1. Temporary, High-Importance bus stop information/signs (for major, long-term detours and high-importance Rider Alerts).
2. All onboard and customer / rider surveys.
3. Bus book.

Although Spanish has been identified as the most common LEP language, translation assistance in all seven LEP languages will be made available so as to include LEP persons.

Exhibit 14 List of Vital and Important Documents for Translation Exhibit 14 is a table clarifying the list of all LEP Vital Documents and their Translation.

**Exhibit 14 List of Vital and Important Documents for Translation**

<b>Suggested List of All L.E.P. Vital and Important Documents for Translation</b>			
	<b>TRANSLATED INTO ALL LEP LANGUAGES</b>	<b>TRANSLATED TO REGIONALLY-SPECIFIC LEP LANGUAGES, AS LOCALLY APPROPRIATE (Minimum: Bilingual)</b>	<b>TRANSLATED INTO ONLY ENGLISH AND SPANISH (ONLY Bilingual)</b>
1	Basic Instructional / Informational "How to Ride" brochure.		
2		Major, long-term detours or route changes; Important Rider Alerts	Temporary bus stop information or signage for less major long-term detours or route changes
3	Title VI Protection Notifications; Notice of Title VI obligations and protections		
4	ALL Public Hearing Notices; Public Meeting Announcements posted on website		
5		Onboard surveys; All Customer Surveys (as issued by identified linguistic sub-regions of service area, and by request); All Rider Surveys.	
6	General notices stating that Language Translation Assistance is Available for LEP languages; Notice of Availability of Telephone Interpretation Services; Decal or Driver Panel Bus Card		
7			Bus Book
8	ADA / Access Application Forms (in .pdf form, printed by request only)		

## Language Assistance Plan

Under the LEP Policy, the Language Assistance Plan describes the procedures necessary to implement policy by, first, identifying LEP persons in need of language assistance; second, listing measures to be taken to offer language assistance to LEP persons; third, giving methods for initiating appropriate outreach to the LEP community; and fourth, what staff training and methods of monitoring and updating the plan will be followed in order identify demographic change as it occurs so that policy and plan might grow and accommodate those changes better.

### 1. Identifying LEP Persons in Need of Language Assistance

Omnitrans will perform a language needs assessment to determine the LEP language demographics of its service area (The Four Factor Analysis). It will avail itself of a variety of survey tools, but the most important of these in its arsenal will be a reliance on data from the most thorough source over the area as a whole; namely, the most recent US Census data. As the data is updated over time (with American Community Survey updates every three- to five-years), assessments will continue and be updated as well.

The agency has already completed such a Four Factor Analysis. It will also examine ridership surveys, analyze records (Information clerk records, etc.) for language assistance requests, and survey front-line staff (clerks, receptionists, coach operators)



for the same. Omnitrans has done this, and will regularly update and review these data as well.

Omnitrans will incorporate these assessment results in future updating of the LEP Implementation Plan and LAP, and in future triennial Title VI reports. As well, Omnitrans will continue to update the number and type of LEP-languages which exist and need to be served within our service area. At minimum, every three years, Omnitrans will re-analyze LEP language status and determine anew the number, type, and spatial distribution of LEP languages in its service area, to coincide with its triennial Title VI analysis, update, and submission to FTA, and will do so by use of current US Census demographic data and GIS tools.

## **2. Language Assistance Measures**

- a. Omnitrans' customer information center (including front desk receptionists and information clerk staff) shall continue to provide bilingual services (Spanish). It shall also avail itself of a real-time translation service to assist in translating other LEP customer languages upon request. This has been contracted to be Avaza Language Services Corp. (5209 Linbar Drive, Suite 603, Nashville, TN 37211 615-534-3400 [www.avaza.co](http://www.avaza.co)). Their assistance consists of being a support service for our front office information clerks, and when necessary, having LEP-language calls directed to them, whereupon they identify the LEP-language, and offer real-time translation service for the caller. Individuals interacting with LEP callers undergo an in-house certification in which understanding of and ability to translate transit-specific terminology (e.g., terms such as: bus, coach, bus book, route, fare, schedule, stop, etc) is required, so as to provide the most efficacious and accurate translation service to those who call in need.
- b. Omnitrans shall also have language identification flashcards and / or an LEP language placard available at the front reception area and at all public meetings where information is distributed.
- c. Omnitrans' will continue to utilize Google translate as a way for website visitors to translate its page into any one of more than fifty languages.
- d. Public meeting announcements posted on Omnitrans' website shall be available in English and in all LEP identified languages.

## **3. Public Outreach Methods**

The following public outreach techniques shall be employed or shall continue to be employed by Omnitrans either throughout its service area, or to address LEP-identified languages within particular regions / census tracts once the proportion of LEP persons becomes significant.

- a. Omnitrans shall make available to all riders a *How to Ride* brochure which will be translated into the identified LEP languages.
- b. All public hearing notices will continue to be published in an English language newspaper and in the LEP-identified language newspaper(s), if available. This is

already done for Spanish newspapers: in the past, Omnitrans has published information in *La Prensa* for marketing / information campaigns. As well, public notices have appeared in the past in *La Prensa*, but now we have expanded public notification into social media technology, with most of the notices being placed now on the front page of Omnitrans' website, and on Omnitrans' blog, Facebook account, Twitter, and on Omnitrans' mobile app. Our use of such publications and social media technology will be broadened in the future to include other LEP-identified languages where appropriate, i.e., in those regions defined by census tracts in which the LEP language usage is deemed significantly concentrated.

- c. Omnitrans will continue to advertise commercials on Spanish-language radio stations, e.g., KXSB *Radio Lazer* (101.5; 105.7 FM) and *Que Buena* (96.1 FM), and Spanish-language television stations, e.g., *Galavision* and *Fox Deportes* for advertising the NexTrip marketing campaign. Omnitrans will expand this practice in an endeavor to reach other LEP-language communities as well.
- d. All public hearing notices shall contain the following (or very similar) wording in both English and the LEP-identified languages on its website:

*OMNITRANS, the regional mass transportation carrier in San Bernardino County, will hold a public hearing to obtain comments from citizens regarding proposed service changes as listed below.*

*NOTICE IS HEREBY GIVEN that a public hearing will be conducted by the staff of Omnitrans on the following dates, times and locations:*

***{Insert date(s), time(s) and location(s).}***

*At this meeting, all interested parties or agencies will be afforded the opportunity to be heard. The public is welcome at these meetings any time within the specified dates and times to discuss with Omnitrans staff the proposed changes. Any person or agency may mail comments until **{Insert day, date and time}**. to the Omnitrans main office located at 1700 West Fifth Street, San Bernardino, California 92411 to the attention of the Planning Department. Comments may also be received by telephone by calling (909) 379-7150 or via email at {email address here}.*

***PROPOSED CHANGES: {Insert proposed changes}***

***ENVIRONMENT***

*No adverse environmental impact is anticipated as a result of the proposed changes.*

***IN THE ABSENCE OF ANY SUBSTANTIVE COMMENTS, THE PROPOSED SERVICE CHANGES WILL BE IMPLEMENTED ON -Insert date.***

***-Insert Name of Director/Manager of department making changes  
-Insert Title of person above***

- e. Signage at all bus stops and stations will continue to rely heavily on character- and pictograph-oriented communication, and will rely less on English-only communication.
- e. General notification stating that language translation assistance is available for LEP-identified languages shall be included in Omnitrans public meeting agendas and at public meeting places for all Public Hearings, and in its Board Agendas. This will be included as part of Omnitrans' Public Outreach policy.
- f. At all Public Hearings or Public outreach events where it is likely that significant numbers of LEP persons will attend, at least one bilingual staff person (fluent in Spanish) shall attend with regular staff, and, upon request, at least one person fluent in the locally- or regionally-specific LEP-identified languages shall be present as well. Management will meet with employees who have been designated as being potentially specific LEP-language fluent, and have them undergo advise and consent prior to such events.
- g. All customer surveys, all onboard surveys, and all rider surveys will be made available in bilingual (Spanish and English) forms, and in the locally- or regionally-specific LEP-identified language(s), upon request.
- h. Notification of availability of Telephone Interpretation Services will be made available in all LEP-identified languages.
- i. All Board of Directors (Board) agendas shall contain wording similar to in English and the LEP-identified languages:

*The Board of Directors meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or Limited English Proficiency services are needed in order to participate in the public meeting, requests should be made through the Board Secretary at least three (3) business days prior to the Board Meeting. The Board Secretary's telephone number is 909-379-7110 (voice) or 909-384-9351 (TTY). If you have comments about items on the agenda or other general concerns and are not able to attend the meeting, please mail them to Omnitrans at 1700 West Fifth Street, San Bernardino, California, Attention Board Secretary. Comments may also be submitted by email to [BoardSecretary@omnitrans.org](mailto:BoardSecretary@omnitrans.org).*

Similar language with hyperlinks to all seven LEP language translations will appear in the online version of the Board Agenda prior to the end of 2014.

- j. Notice of Title VI obligations and protections and all Title VI complaint forms shall be made available in English, Spanish, and in the LEP-identified languages. A document including Title VI protection and legal statement for the agency will also be affixed on the panel directly behind the coach operator on all Omnitrans fixed-route, OmniGo, and sbX vehicles. The language on this document will read as follows: *"In accordance with the Title VI Civil Rights Act of 1964, Omnitrans prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. To request information on procedures for filing a complaint or to notify Omnitrans of any perceived violation of the act, please contact Omnitrans Information at (800) 966-6428."* This statement will appear in English and the seven identified LEP

languages. Placard, decal, and flashcards shall give information in identified LEP languages for how a customer may go about availing himself / herself of LEP translation services. Placards or decals will be placed in all vehicles by September, 2014.

- k. ADA / Access Application Forms shall be translated upon request into all LEP-identified languages and retained in .pdf file format; English and Spanish translations will automatically be made available to all applicants, and printouts into the LEP-identified languages from .pdf original can be made available upon applicant request. This will be done by September of 2014.

#### **4. Staff Training, and Monitoring / Updating of Policy and Plan**

The following training shall be provided to members of Omnitrans' staff who are vital to the LEP Plan (namely, coach operators, customer service and information clerks and receptionists, executive director positions, and to those who are involved with public outreach):

- a. Information regarding Omnitrans' Title VI Policy and LEP responsibilities
- b. Information on Title VI complaint forms and procedures
- c. Description of language assistance services offered to the public
- d. Use of language identification flashcards and / or placards and / or coach decals
- e. Documentation of language assistance requests
- f. Use of interpretive services
- g. How to handle a potential Title VI / LEP complaint.

The LEP Policy and Language Assistance Plan are meant to be flexible, and are designed so as to be able to be upgraded as new census and survey data become available and indicate changes in demographic / linguistic composition of Omnitrans' ridership, and the need to increase or even decrease the number of LEP-identified languages. Annually, or as often as surveys are taken or that new ACS three- and five-year surveys become available, Omnitrans staff shall evaluate the LEP policy and Language Assistance Plan, and propose changes when and where new changes are identified. Regular revisions to the policy will incorporate the following source inputs:

- a. Surveys and studies
- b. New American Factfinder and / or new ACS (American Community Survey) and or new ten-year census data as it becomes available.
- c. Formal comments obtained from the public.
- d. Board member feedback, and feedback from customers, community members, and Omnitrans staff.
- e. Input and recommendations from other federal, state, and local or transit officials.
- f. Changes in regulations.

In addition, review of the following areas based on long-term monitoring might inform decisions regarding further updates to the plan:

- a. Assessments of the number of annual documented LEP person contacts
- b. Re-assessments of the number of LEP persons based on updated survey or census data
- c. How needs of LEP persons have been addressed, based on feedback, etc.
- d. Determination of whether or not the need for translation services has changed
- e. Determination of sufficiency of financial resources for funding further LEP language resources / efforts
- f. Determination of efficacy / sufficiency of current LEP efforts
- g. Determination of whether Omnitrans has fully complied with the goals of the LEP Policy and Language Assistance Plan

Omnitrans' Board of Directors will approve / has approved the current LEP Policy in August, 2014. All proposed revisions to the LEP Policy and Language Assistance Plan will be presented to the Board and the public for consideration and approval.

## Conclusion

The LEP Policy and Language Assistance Plan are designed to be flexible and to be reviewed in an ongoing process. Continuous monitoring of demographic changes will help determine if new documents and/or services need to be made available to LEP persons. Updates to the LEP Policy and Language Assistance Plan will be made to reflect necessary changes.

This LEP Policy and the Language Assistance Plan will be made available on Omnitrans' website at [www.Omnitrans.org](http://www.Omnitrans.org). Alternately, any person may request a copy of the plan via telephone, fax, mail, email, or in person at the Omnitrans main office. LEP individuals may request translated copies of documents in an LEP-identified language.

Questions or comments regarding the LEP Policy and Language Assistance Plan may be submitted to Scott Begg, Planner, Omnitrans Planning Department, as follows:

Omnitrans  
Scott Begg, Planner  
1700 West Fifth Street,  
San Bernardino, CA 92411  
(909) 379-7275 (phone)  
(909) 889-5779 (fax)  
Email: [scott.begg@omnitrans.org](mailto:scott.begg@omnitrans.org)