



JUNE 2013

Limited English Proficiency (LEP) Policy

Riverside Transit Agency (RTA) Limited English Proficiency (LEP) Policy

LEP Policy

Per the Title VI of the Civil Rights Act of 1964 (Title VI), 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)”, RTA is federally mandated to develop and implement a Language Assistance Plan by which Limited English Proficiency (LEP) persons can meaningfully access translations of written and oral information. As the RTA is a Federal Transit Administration (FTA) recipient receiving federal financial assistance, the RTA 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. The Agency approved the current LEP Policy on April 23, 2009.

An LEP person is defined as an individual limited by the ability to speak English less than “very well” or “not at all” as reported by the U.S. Census Bureau (Census). The RTA shall base “meaningful access” on the following “Four-Factor Analysis” provided in the DOT LEP Guidance Handbook:

1. The number and proportion of LEP persons served or encountered in the eligible service population.
2. The frequency with which LEP individuals come into contact with RTA’s programs, activities, and services.
3. The nature and importance of the program, activity, or service.
4. The costs of implementation and the resources available.

Within RTA’s service area, the following table represents LEP persons by language group and the percentage of LEP persons in western Riverside County who meet the Department of Justice (DOJ) Safe Harbor provision of “every 1,000 speakers or five percent of the population whichever is less.”

| Language | Total Number of Speakers | Speaks English Less than "Very Well" | Percent of Total Population (Age 5+) |
|--------------------------------|--------------------------|--------------------------------------|--------------------------------------|
| Total: | 1,570,154 | | |
| Speak only English | 966,296 | | |
| Spanish or Spanish Creole | 489,515 | 199,135 | 12.68% |
| Tagalog | 26,474 | 7,925 | 0.50% |
| Vietnamese | 11,330 | 6,388 | 0.41% |
| Chinese | 10,975 | 6,208 | 0.40% |
| Korean | 8,180 | 4,420 | 0.28% |
| Arabic | 6,316 | 1,762 | 0.11% |
| Other Indic languages | 4,070 | 1,597 | 0.10% |
| Other Pacific Island languages | 4,001 | 1,686 | 0.11% |
| Persian | 3,287 | 1,057 | 0.07% |
| Mon-Khmer, Cambodian | 3,209 | 1,495 | 0.10% |
| Laotian | 2,110 | 1,014 | 0.06% |

Source: U.S. Census Bureau, 2011 American Community Survey 5-Year Estimates (Ages 5 and above only)

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.”¹

In 2010, the RTA utilized summarized results from past surveys to determine the number of LEP persons that come into contact with RTA services. Under the Safe Harbor provision, multiple languages are found to be spoken within the RTA service area. Based on data included in the 2010 Title VI triennial report, 86% of RTA customers indicated that their primary language is English, 8% indicated Spanish as their primary language, and the remaining 6% were distributed between Chinese, Japanese, French, Indonesian, Navajo, and Mongolian. Although Spanish has been identified as the most common LEP language, translation assistance in other LEP languages will be made available to include LEP persons. In preparation of Title VI triennial reports, a similar analysis will be performed to identify which LEP persons and associated languages interface with RTA services. In the future, this analysis will provide an updated list of LEP populations within the RTA service area.

¹ FTA Circular, 4702.1B, Chap. III-9

Language Assistance Plan

Under the LEP Policy, the Language Assistance Plan contains a list of implementation procedures and measures to effectively communicate with LEP persons.

Procedures to Identify an LEP Person in Need of Language Assistance

The RTA shall perform a language needs assessment to determine the language demographics of its service area using one or more of the following methods:

- a. Analyze updated census data to identify the percentage of LEP persons by census tract.
- b. Utilize ridership surveys from transit planning or marketing studies to identify the percent of RTA riders that are LEP persons.
- c. Examine records to see if requests for language assistance have been received in the past and if so, for what language.
- d. Survey front-line staff such as drivers, call center representatives, and receptionist on their experience concerning any contacts with LEP persons during the previous year.

The RTA shall incorporate results of this assessment into the Title VI triennial reports.

Language Assistance Measures

- a. The RTA Customer Information Center (CIC) shall request the assistance of trained interpreters to provide translation for the LEP identified languages upon request.
- b. The RTA shall have language identification flashcards available at the front reception and at public meetings where information is distributed.
- c. Public meeting announcements posted on the RTA website shall be available in English and LEP identified languages.

Outreach Techniques

If the percentage of LEP persons in a particular census tract is significant or if the ridership surveys show a significant percentage of RTA's riders are LEP persons, the RTA will identify the primary language(s) of those individuals potentially impacted and implement the following steps:

- a. Instructional and informational rider materials and passenger notices shall be available in English and in the potentially impacted LEP identified languages within affected sub-regions of the RTA service area.
- b. All public hearing notices shall be published in an English language newspaper and the LEP identified language newspaper, if available, while following all requirements set forth in the RTA Public Hearing for Major Service and Fare Changes Policy.
- c. All public hearing notices shall contain the following verbiage in English and the LEP identified languages:
 - i. *Comments regarding the proposal may be submitted by phone at (951) 565-5002, email at comments@riversidetransit.com, or via standard mail to Riverside Transit Agency, 1825 Third Street, Riverside, CA 92507.*
- d. Pictographs shall be used on the buses whenever possible to instruct and depict necessary information and procedures.
- e. General notices stating that language translation assistance is available for LEP identified languages shall be posted on RTA public meeting agendas and at public meeting spaces at the RTA administration office.
- f. Information displays at community events where it is likely that significant numbers of LEP persons will attend shall be staffed by at least one person fluent in the LEP identified languages, upon request.
- g. RTA printed information at an event shall be available in English and the LEP identified languages.
- h. All customer surveys shall be available in English and in the potentially impacted LEP identified languages within specific sub-regions of the RTA service area.
- i. All Board of Directors (Board) agendas shall contain the following verbiage in English and the LEP identified languages:
 - i. *Any person with a disability who requires a modification or accommodation in order to participate in this meeting or any person with limited English proficiency (LEP) who requires language assistance to communicate with the RTA Board during the meeting should contact the RTA Clerk of the Board, telephone number (951) 565-5044, no fewer than two business days prior to this meeting to enable RTA to make reasonable arrangements to assure accessibility or language assistance for this meeting.*

- j. All Title VI complaint forms shall be available in English and the LEP identified languages.

Staff Training

The following training shall be provided to RTA staff:

1. Information on the RTA Title VI Policy and LEP responsibilities.
2. Information on the Title VI complaint forms and procedures.
3. Description of language assistance services offered to the public.
4. Use of language identification flashcards.
5. Documentation of language assistance requests.
6. Use of interpretative services.
7. How to handle a potential Title VI/LEP complaint.

Monitoring and Updating the LEP Policy and Language Assistance Plan

The LEP Policy and Language Assistance Plan are designed to be flexible to the needs of the public. On an annual basis, RTA staff shall evaluate the LEP Policy and Language Assistance Plan and, if applicable, propose revisions based on input from the following sources:

- a. Surveys and studies.
- b. Formal comments from the public.
- c. Feedback from Board members, customers, community members and RTA staff.
- d. Input and recommendations from federal and state officials.
- e. Changes in regulations.

Additionally, updates may be warranted within the following areas based on monitoring activities:

- a. The number of documented LEP person contacts encountered annually.
- b. The number of documented LEP persons based on Census or customer survey data.
- c. How the needs of the LEP persons have been addressed.
- d. Determination of the current LEP population within RTA's service area.
- e. Determination if the need for translation services has changed.
- f. Determine whether local language assistance programs have been effective and sufficient to meet the need.
- g. Determine whether financial resources are sufficient to fund language assistance resources needed.
- h. Determine whether RTA has fully complied with the goals of the Language Assistance Plan.
- i. Determine whether complaints have been received concerning the RTA's failure to meet the needs of LEP individuals.

All proposed revisions to the LEP Policy and Language Assistance Plan will be presented to the Board and the public for consideration and approval.

Dissemination of the LEP Policy and Language Assistance Plan

The revised LEP Policy and newly incorporated Language Assistance Plan will be available on RTA's website at www.riversidetransit.com. Alternatively, any person may request a copy of the plan via telephone, fax, mail, or in-person at the RTA administrative office. In addition, 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 Gordon Robinson, Director of Planning, as follows:

Riverside Transit Agency
Gordon Robinson, Director of Planning
1825 Third Street
Riverside, CA 92507
(951) 565-5000 (phone)
(951) 565-5001 (fax)
Email: grobinson@riversidetransit.com