

Title VI Program



Tahoe Transportation District Board

Member At Large - Representing Public & Private Transit Services in the Basin

Placer County

Washoe County

Carson City

Douglas County

City of South Lake Tahoe

El Dorado County

South Shore Transportation Management Association

Truckee-North Tahoe Transportation Management Association

California Department of Transportation (Ex-Officio)

Nevada Department of Transportation (Ex-Officio)

775-589-5500 | 775-588-0917 (f)
P.O. Box 499
Zephyr Cove, NV 89448

www.tahoetransportation.org

Adopted: October 10, 2014

Title VI Program Plan

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ATTACHMENT

Attachment 1: Limited English Proficiency Plan

A. TITLE VI NOTICE TO THE PUBLIC

Notifying the Public of Rights Under Title VI



The Tahoe Transportation District is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services or programs on the basis of race, color, and national origin as afforded by Title VI of the Civil Rights Act of 1964. The Tahoe Transportation District operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act.

Any person who believes she or he has, individually, or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, or national origin may file a complaint with the Tahoe Transportation District.

For more information on the Tahoe Transportation District's civil rights program, and the procedures to file a complaint, contact our Title VI Program Administrator at 775-589-5500 or by e-mail at info@tahoetransportation.org; visit our website: www.tahoetransportation.org/doing-business/title-vi; or visit the administrative offices at 128 Market Street, Suite 3-F, Stateline, NV 89449.

A complainant may file a complaint directly with the Federal Transit Administration, Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave. SE, Washington, DC 20590.

If information is needed in another language, contact 775-589-5500 for assistance. Para mas informacion in Español puede hablar a 775-589-5500.

B. POSTED LOCATIONS OF THE TITLE VI NOTICE

TTD's Title VI notice to the public is posted at the following locations:

- On TTD's website: <http://tahoetransportation.org/doing-business/title-vi>
- South Y Transit Center, 1000 Emerald Bay Road, S. Lake Tahoe, CA 96150
- TTD Administrative offices, 128 Market Street, Stateline, NV 89448
- The Rider's Guide
- Transit Buses

C. PROCEDURES FOR FILING A TITLE VI COMPLAINT

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, national origin or other protected-class interests may file a written complaint with TTD, the FTA, the U.S. DOT Secretary of Transportation or the U.S. Department of Justice (USDOJ). Further, TTD prohibits intimidation, coercion, or engagement in other discriminatory conduct against anyone because he or she has filed a complaint to secure their rights as protected by Title VI.

A written and signed complaint must be filed within 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary of Transportation. The TTD encourages the complainant to file the complaint with the TTD for immediate resolution. In case the complainant is dissatisfied with the resolution by the TTD, the same complaint may be submitted to the FTA, U.S. DOT Secretary of Transportation or USDOJ. In conformance with LEP requirements, the complaint form is also in Spanish.

A complainant may submit a written complaint to the TTD directly or to the FTA offices or the USDOJ. The contact information is:

Title VI Coordinator
Tahoe Transportation District
Mail: P.O. Box 499
Zephyr Cove, NV 89448

Or hand delivered to:
128 Market Street, Suite 3-F
Stateline, NV 89449
Fax (775) 588-0917

Federal Transit Administration
Office of Civil Rights, Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105-1839

Federal Transit Administration
Office of Civil Rights
Title VI Program Coordinator
East Building, 5th Floor—TCR
1200 New Jersey Ave., SE
Washington, DC 20590

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Ave., N.W.
Washington, DC 20530

If the complainant is not able or not capable of providing a written statement, but wishes the TTD or FTA to investigate alleged discrimination, a verbal complaint of discrimination will be accepted.

The complaint must be signed by the complainant, complainants or by designation of a representative for the complainant(s). An investigation will begin no later than fifteen (15) working days of receipt of the complaint. The TTD will determine jurisdictional responsibilities for handling the complaint. If the complaint alleges egregious discrimination regarding TTD services and activities, the complaint will be forwarded to the FTA for formal investigation. The complainant will be contacted in writing, no later than thirty (30) working days after receipt of the complaint for additional information, if needed. The complainant may be interviewed by an appropriate official authorized to investigate the complaint. In compliance with LEP, translation services will be provided to the complainant, as necessary.

The TTD will make every effort to complete the investigation within ninety (90) days of receipt of the complaint. However, some investigations may take longer and the TTD will obtain concurrence from the complainant, for an extension of time to complete the investigation.

The TTD will provide the complainant with a complaint closure letter with a summary description of the allegation, investigation methodology and identify remedial steps if discrimination is found. The respondent or respondent agency will also receive a copy of the closure letter.

The complainant will have five (5) working days from receipt of the report to appeal TTD's findings. If neither party appeals, the complaint will be close.

D. TITLE VI COMPLAINT FORM



Title VI Complaint Form

Title VI of the 1964 Civil Rights Act requires that “No person in the united States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please let us know.

Complete and return this form to Tahoe Transportation District, PO Box 499, Zephyr Cove, NV 89448 or 128 Market Street, Suite 3F, Stateline, NV 89449.

1. Complainant’s Name: _____
2. Mailing Address: _____
3. City/State/Zip Code: _____
4. Telephone: _____
5. Person discriminated against (if other than complainant):
Name: _____
Address: _____
City/State/Zip Code: _____
6. Which of the following best describes the reason you believe the discrimination took place? Was it because of:
 - a. Race:
 - b. Color:
 - c. National Origin:
7. What date did the alleged discrimination take place? _____

8. In your own words, describe the alleged discrimination. Explain what happened and whom you believe to be responsible. Please use additional sheets of paper if necessary.

9. List any others who may have knowledge of this event:

Name	Address	City/State/Zip Code

10. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? Yes: No:

If yes, check each box that applies:

Federal Agency Federal Court State Agency
State Court Local Agency

11. Please provide a contact name at the agency/court where the complaint was filed:

Please sign below:

Complainant's Signature: _____ Date: _____

You may attach any written materials or other information that may be relevant to your complaint.

Título VI Denuncia Forma

Título VI de la ley de derechos civiles de 1964 requiere que "ninguna persona en los Estados Unidos, por motivos de raza, color y origen nacional, se excluirá de la participación en, negar los beneficios de o ser objeto de discriminación en cualquier programa o actividad que reciba asistencia financiera federal."

La siguiente información es necesaria para que nos ayuden en el procesamiento de su queja. Si necesita cualquier ayuda para completar este formulario, háganoslo saber.

Completar y devolver este formulario a Tahoe Transportation District, PO Box 499, Zephyr Cove, NV 89448 o 128 Market Street, Suite 3F, Stateline, NV 89449.

1. Su Nombre: _____

2. Domicilio: _____

3. Ciudad/Estado/Código Postal: _____

4. Teléfono: _____

5. Persona discriminaciónada:

Nombre: _____

Domicilio: _____

Ciudad/Estado/Código Postal: _____

6. ¿Cuál de los siguientes mejor describe la razón por la que creo la discriminación tuvo lugar? ¿Puede ser porque?

a. Raza:

b. Color:

c. Origen Nacional:

7. ¿Qué fecha la presunta discriminación llevaron a cabo? _____

8. En sus propias palabras, describir la presunta discriminación. Explicar lo que ocurrió y a quien considera responsable. Utilice hojas adicionales si es necesario. ____

9. Lista de los usuarios que pueden tener conocimiento de este evento.

Nombre	Domicilio	Ciudad/Estado/Código Postal

10. ¿Han presentado esta queja con cualquier otro federal, Estado o agencia local; o con cualquier tribunal federal o estatal? Sí: No:

En caso afirmativo, comprobar cada cuadro que se aplica.

Federal Federal Tribunal Estado Agencia
Estado Tribunal Agencia Local

11. Proporcione un nombre de contacto en la Agencia donde se presentó la denuncia.

Por favor su firma: _____ Fecha: _____

Puede adjuntar cualquier mateials escrito u otra información que puede ser pertinente a su queja.

E. RECORD OF INVESTIGATIONS, COMPLAINTS, LAWSUITS

Over the past three years, there were no complaints, investigations or lawsuits filed upon the Tahoe Transportation District alleging discrimination on the basis of race, color, or national origin.

F. PUBLIC PARTICIPATION PLAN-PROMOTING INCLUSIVE PUBLIC PARTICIPATION

Public involvement is fundamental and essential in achieving equitable program, services and activities. Public participation provides for public involvement of all persons, (including Native American Tribal Governments) minorities and low-income persons, affected public agencies, employees, the general public, transportation service providers, public transit users and other interested parties of the community effected by transit and transportation plans, programs and projects.

In order to integrate, into community outreach activities, consideration expressed in the DOT Order on Environmental Justice, and the DOT LEP Guidance, TTD will seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. The TTD's public participation strategy shall offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed transit and transportation decisions.

In order to reduce the administrative burden associated with the preparation of a Public Participation Plan (PPP), the TTD has adopted the TMPO and Tahoe Regional Planning Agency "*Public Participation Plan—May 9, 2008--Amended July 28, 2010.*" The PPP effectively expresses the practices for fulfilling the inclusive public participation requirement. Due to the volume of the publication, a copy of the PPP is found at the website at: www.tahoempo.org. The TTD's proposed comprehensive LEP Plan will supplement the existing PPP.

The PPP was completed through a comprehensive study to determine how, when, and how often specific public involvement measures should take place, and what specific measures are most appropriate. The study identified the following factors to effective public participation:

- Time, location, and accessibility of meetings
- Reaching people within their own communities and during existing meeting schedules
- Provision of food, childcare, and translation (LEP) at meetings
- Presentations focused to specific interests of group
- Placement of meeting announcements and flyers using different types of media
- Cultural sensitivity for minority and Native American Tribal groups
- Identified barriers to overcome public participation

The PPP describes and includes effective practices on:

1. Coordinating with individuals, institutions, or organizations and implementing community-based public involvement strategies to reach out to members in the affected minority and/or low-income communities.
2. Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
3. Using locations, facilities, and meeting times that are convenient and accessible to low-income and minority communities.
4. Using different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities, so that communications are tailored to the particular community or population.

The Public Participation Survey is in English and Spanish and it enables TTD to collect data to identify residents and communities impacted by federal financial assisted projects or activities. Completion of the survey, by the public, is *voluntary*. Along, with the voluntary survey, TTD staff will conduct a visual assessment of the public participation as another means to collect data. The Public Participation Visual Tally will be used by TTD employees as an indirect method for collecting data when at least 50 percent of the participants do not complete the public participation survey. Employees will use their best judgment when physically counting the participants in regards to the demographics, such as race, age and gender. When conducting a visual count, the public participant's demographic data should be reported as a percentage of the total participants.

G. SUMMARY OF OUTREACH EFFORTS

The District hired a Mobility Manager in 2013. In order to capture unmet transit needs in the North Lake Tahoe area, a brief survey was developed, translated into Spanish and administered at the Project MANA food distribution sites. Several brochures developed by the Mobility Manager have been translated into Spanish.

The current Transit Rider Guide has some Spanish translation included and District is looking into translating the entire Guide into Spanish.

As part of the US50 Community Revitalization Project, a flyer of Frequently Asked Questions was developed and translated into Spanish and Tagalog and the relocation impact study used Spanish and Tagalog interpreters during the interviews.

H. LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Limited English proficient (LEP) individuals are those who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. In keeping with Title VI requirements, TTD provides language

assistance to ensure that its LEP users have meaningful access to its services, including route information, telephone based customer service, printed materials including public meeting notices, and other customer based services.

In developing the LEP Plan, TTD applied the Four-Factor Framework needs assessment in Section V of the *Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficiency Persons—April 13, 2007* and prepared a comprehensive LEP Plan supplementing the Title VI Plan. (Attachment 1)

At minimum, the TTD will:

- Provide translation services into Spanish at public meetings, as needed
- Translate customer service related transit schedules into Spanish
- Continue to translate program brochures into Spanish, as needed
- Provide training to TTD employees on how to service LEP persons
- Identify a TTD employee and or volunteer to provide Spanish translation services for customer public counter service and telephone calls to the TTD
- Collaborate with minority organizations to ensure LEP persons are aware and have access to TTD services

The LEP Plan reflects the overall goal of improving and maintaining language access for TTD customers as transit riders and project recipients. The intent is to achieve a balance that ensures meaningful access to programs and services while avoiding undue burdens on TTD resources.


I. MEMBERSHIP OF NON-ELECTED COMMITTEES AND COUNCILS

The TTD encourages participation on the non-elected Regional Coordinating Council (RCC) of representatives involved with non-profit agencies, community groups, and health and social service agencies. RCC members represent low income, Hispanic/Latino, and senior communities.

Below is a list of community agencies who have participated in the RCC:

- ALTA California Regional Center
- Barton Community Health Center
- CHOICES Transitional Program
- Community Collaborative of Tahoe Truckee (CCTT)
- Community House
- El Dorado County Commission on Aging
- El Dorado County Office on Education- Head Start
- El Dorado Health and Human Services
- Elder Options
- Family Resource Centers (Kings Beach and South Lake Tahoe)
- Kelly Ridge Senior Housing
- Lake Tahoe Collaborative

- Lake Tahoe Unified School District
- National Alliance on Mental Illness (NAMI)
- North Tahoe Family Support Team
- NV Aging and Disability Services (ADSD)
- OPEN: (Ordinary People meeting Extraordinary Needs)
- Placer and Nevada County Department of Health and Human Services
- Project MANA (Making Adequate Nutrition Available)
- RSVP, Nevada Rural Counties
- Sierra Senior Services
- South Lake Tahoe Department of Rehabilitation (Employment, Independence & Equality)
- South Lake Tahoe Senior Center
- Tahoe Area Coordinating Council for the Disabled (TACCD)
- Tahoe Forest Health System
- Tooth Travelers
- Veterans Affairs

The agencies' representatives attending the RCC meetings vary from meeting  meeting. The majority of the representatives are Caucasian, with approximately three Latino representatives.

J. EFFORTS TO ENSURE SUBRECIPIENT COMPLIANCE

TTD does not have any subrecipients at this time. In the event TTD does begin to pass-through funds to a subrecipient, overall monitoring and compliance reviews will be performed on TTD's subrecipients to ensure compliance with Title VI responsibilities. The compliance review may be conducted either as a desk audit or an on-site visit. The scope of the compliance review is defined on a case-by-case basis. The following list of factors will contribute to the selection and timeliness of a compliance review:

- Lawsuit and complaints filed by organizations alleging deficiencies or non-compliance with Title VI
- Issues brought to the attention of the TTD by local civil rights organizations, the public or other government agencies
- Triennial schedule for general assurance of Title VI compliance on TTD's programs and subrecipients

The compliance review scope will assess the program and subrecipients efforts to meet the Plan requirements.

The results of the compliance review will be summarized; include findings of no deficiency, findings of deficiency, advisory comments, identified best practices, and if necessary, corrective action. The Program or Project Manager and subrecipient will have the opportunity to review and respond to the findings.

K. TITLE VI EQUITY ANALYSIS

No facilities have been constructed.

L. BOARD RESOLUTION

TAHOE TRANSPORTATION DISTRICT RESOLUTION NO. 2014-008

A RESOLUTION ADOPTING THE UPDATED TITLE VI PLAN OF THE CIVIL RIGHTS ACT OF 1964 AND LIMITED ENGLISH PROFICIENCY PLAN FOR THE TAHOE TRANSPORTATION DISTRICT

WHEREAS, the federal government enacted the Title VI of the Civil Rights Act of 1964, as amended, to prevent discrimination on the grounds of race, color, sex, age, disability or national origin and to ensure that individuals are not excluded from participation in, denied benefits of, or otherwise subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, sex, age, disability or national origin; and

WHEREAS, the Tahoe Transportation District (TTD) is a public entity eligible to receive local, state, and federal funding for transportation and public works improvement projects, through Article IX of Public Law 96-551, the Tahoe Regional Planning Compact; and

WHEREAS, TTD is required to comply with the requirements of the Act and applicable implementing regulations; and

WHEREAS, Title VI and Limited English Proficiency plans are required to be updated triennially and TTD's previously adopted plans in September 2011 now require updating; and

WHEREAS, TTD staff has prepared the Title VI and LEP Plans attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that the TTD Board of Directors hereby adopts the Title VI Plan of the Civil Rights Act of 1964 and Limited English Proficiency Plan for the Tahoe Transportation District.


PASSED AND ADOPTED by the TTD Board of Directors at its regular meeting held on October 10, 2014 by the following vote:

Ayes: Ms. Berkbigler, Mr. Garner, Mr. Kimbrough, Ms. McDermid, Ms. Santiago,
Mr. Treabess

Nays:

Abstain:

Absent: Mr. Strain, Ms. Swanson


Steve Teshara
Chairman

M. SYSTEM-WIDE SERVICE STANDARDS

- **Vehicle Load Standards**

The average vehicle load standard for local routes shall not exceed the manufacturer set passengers per seat based on vehicle type and capacity. The average vehicle load standard for the express routes shall not exceed manufacturer set passengers per seat based on vehicle type and capacity.

- **Vehicle Headway Standards**


Local Route services operate hourly from early morning to late in the evening seven days a week.

Express Route services operate from half-hour to two-hour increments during weekday peak times and hourly to three hours during weekend peak time. There is no off-peak express service.

- **On-Time Performance Standards**

100% of transit vehicles will complete their established runs no more than 15 minutes early or late in comparison to the established schedule/published timetables.

- **Service Availability Standards**

The 2009-2013 American Community Survey estimates a population of 28,612  for the South Shore area. The population of the City of South Lake Tahoe is 21,448. The majority of the City's population lives within a one-half mile of the local transit routes. The TTD endeavors to provide efficient and timely transit service to the South Lake Tahoe area dependent on the availability of ongoing operating subsidy funding and continues to look for additional funding to increase services.

N. SERVICE POLICIES

- **Vehicle Assignment Policy**

Bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. Local routes with lower ridership may be assigned 25 to 30-foot buses rather than 35-foot buses. Some route requiring tight turns on narrow streets are operated with 20 to 25-foot buses.

- **Transit Amenities Policy**

Installation of transit amenities along bus routes are based on the number of passenger boardings at the stops along those routes.

ATTACHMENT



Tahoe Transportation
DISTRICT

LEP

**LIMITED ENGLISH
PROFICIENCY PLAN**

Adopted: October 10, 2014

LIMITED ENGLISH PROFICIENCY PLAN

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ATTACHMENT

1. PUBLIC TRANSIT ROUTES

I. INTRODUCTION AND POLICY STATEMENT

A. PURPOSE OF A LEP PLAN

The Tahoe Transportation District (TTD) is a recipient and subrecipient of federal financial assistance and grants from Federal Transit Administration (FTA) and Federal Highway Administration (FHWA). The TTD will comply with Executive Order 13166-- Limited English Proficiency (LEP).

This TTD Limited English Proficiency (LEP) Plan is designed to assist the management and staff to understand their roles and responsibilities with respect to overcoming barriers for LEP individuals. The Plan will provide guidance to staff on translation, interpretation, and outreach services for LEP individuals seeking access to TTD programs and services. Each office will ensure it follows the Plan to improve access for LEP individuals to its programs and services. The LEP Plan supplements the TTD Title VI Program Plan and the Public Participation Plan.

The TTD utilized the FTA, Office of Civil Rights "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons" handbook and performed the Four-Factor analysis to develop the LEP Plan.

B. POLICY STATEMENT

The TTD, under Title VI of the Civil Rights Act of 1964, ensures that no person shall, on the basis of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency. It is the policy of TTD to provide timely, reasonable, effective and meaningful access for LEP persons to all its programs and activities. All staff shall provide free language assistance services to LEP individuals with whom they encounter or whenever an LEP person requests language assistance services. All staff are to ensure the public is treated with dignity and respect, identify the language needs for TTD customers, and utilize available bilingual resources to assist customers, when needed.

The TTD will ensure the provisions of this policy and Plan also apply and be incorporated into agreements with subgrantees and contractors as subrecipients of federal financial assistance.

II. AUTHORITY

A. FEDERAL AUTHORITIES

Section 601 of Title VI of the Civil Rights Act of 1964 provides that no person “on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The United States Supreme Court in *Lau v. Nichols* (1974) stated that one type of national origin discrimination is discrimination based on a person’s inability to speak, read, write, or understand English.

Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” – was signed by President Bill Clinton to “...improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English Proficiency....” This executive order is directed at implementing the protections afforded by Title VI of the Civil Rights Act of 1964 and related regulations. Accordingly, it prohibits recipients of federal financial assistance from discrimination based on national origin by failing to provide meaningful access to services to individuals who are LEP. This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services that are normally provided in English.

III. SELF ASSESSMENT USING THE FOUR-FACTOR ANALYSIS

The TTD provides important public transit services to the Lake Tahoe Basin through fixed route and demand response. —The South Shore Transit is a public transit service for purposes of commuting to work, shopping, demand response and recreational needs. In addition, the TTD provides meaningful public usage to its transportation system through public works projects.

This section sets forth the Four-Factor analysis to determine the appropriate, reasonable, resource effective and meaningful access for LEP persons to its programs and activities. In determining “reasonable,” there are four factors to be considered:

Four-Factor Analysis:

Factor 1 - The Number and Proportion of LEP Persons Served or Encountered in the TTD Service Area

The TTD has the authority to own and operate public transportation systems; and delivers transportation projects in the Lake Tahoe Basin. The TTD provides year-round transportation on the South Shore of the Lake Tahoe Basin, in the city of South Lake Tahoe, California and Stateline, Nevada. The service area population is approximately 28,463. There is also commuter bus service between Stateline, Carson City, and Minden/Gardnerville, Nevada. The population of that service area is 37,011. Refer to Attachment 1 for public transit routes.

The TTD used the 2008-2012 American Community Survey Five-Year Estimates to identify information on persons who speak languages other than English at home and who speak English less than well.

1) Census Bureau 2008-2012 American Community Survey Five-Year Estimates

**Statistical Language Breakdown
Source: Census 2005-2009**

South Shore Service Area

Total Population: 28,463

	Number who Speak English Less Than Very Well	% Who Speak English Less Than Very Well
Spanish	2,861	10%
Tagalog	152	0.5%
Other Pacific Island	86	0.3%

Express Service Area

Total Population: 37,011

	Number who Speak English Less Than Very Well	% Who Speak English Less Than Very Well
Spanish	1,395	4%
French	118	0.3%
Chinese	92	0.2%

A review of the above Tables shows Spanish as the highest percentage of the total population who speak English less than very well. Generally, identifying any community where the LEP population equals five percent or more in a given language automatically triggers providing language assistance services as a mandatory and normal part of the LEP program operation. In the Express Route service area, there were no other languages greater than one percent spoken at home.

The California Department of Education report of English Learners by Language for the Lake Tahoe Unified School District confirms Spanish and Tagalog are the number one and two languages spoken at home.

2) Public Participation Plan—Community Survey

The TTD adopted the Tahoe Metropolitan Planning Organization and Tahoe Regional Planning Agency “*Public Participation Plan—May 9, 2008--Amended July 28, 2010.*” The Public Participation Plan effectively expresses the practices for fulfilling the inclusive public participation requirement. Due to the volume of the publication, a copy of the Public Participation Plan is found at the website at: www.tahoempo.org.

The Public Participation Plan was completed through a comprehensive study to determine how, when, and how often specific public involvement measures should take place, and what specific measures are most appropriate. The study surveyed individuals, minority and low-income communities, special needs users, Native American Tribal Governments, Community Based Organizations, Faith-Based Communities, Minority Community Based Organization—League of United Latin American Citizens, and Spanish language media—Radio Azteca and Hispano de Tahoe.

The community outreach to organizations and the media that interact with LEP persons identified a need to have Spanish translators and translation services. The study also identified the following factors to effective public participation:

- Time, location, and accessibility of meetings
- Reaching people within their own communities and during existing meeting schedules
- Provision of food, childcare, and translation (LEP) at meetings
- Presentations focused to specific interests of group
- Placement of meeting announcements and flyers using different types of media
- Cultural sensitivity for minority and Native American Tribal groups
- Identified barriers to overcome public participation

The Public Participation Plan describes and includes effective practices on:

- (1) Coordinating with individuals, school districts, organizations and implementing community-based public involvement strategies to reach out to members in the affected minority, LEP and/or low-income communities.
- (2) Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- (3) Using locations, facilities, and meeting times that are convenient and accessible to low-income and minority communities.
- (4) Using different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities, so that communications are tailored to the particular community or population.

As an ongoing effort to define the LEP need at public participation events, the TDD will conduct a Public Participation Survey in English and Spanish to collect data to identify residents and communities impacted by federal financial assisted projects, services or

activities. Completion of the survey, by the public, is *voluntary*. Along, with the voluntary survey, TTD staff will conduct a visual assessment of the public participation as another means to collect data. The Public Participation Visual Tally will be used by TTD employees as an indirect method for collecting data when at least 50 percent of the participants do not complete the public participation survey. Employees will use their best judgment when physically counting the participants in regards to the demographics, such as race, age and gender. When conducting a visual count, the public participant's demographic data should be reported as a percentage of the total participants.

Factor 2 - The Frequency with Which LEP Individuals Come into Contact with TTD Services

The TTD serves LEP persons daily via the fixed route bus and demand response services. Approximately three out of every ten calls the dispatch office receives are Spanish speaking customers. Two of the three dispatchers are fluent in Spanish. There is also a transit supervisor fluent in Spanish. The TTD recognizes the need to conduct a survey to determine the frequency with which Bus Operators come in contact with LEP persons. The Lake Tahoe Basin has over 200,000 visitors a year who enjoy the winter, spring, fall and summer recreational activities. Visitors include international multi-lingual guests. The TTD recognizes that the international visitors may be LEP and access the TTD transit services during their temporary stay in the area. The planned survey will distinguish between residents and visitors, who temporarily use the transit services. Of the residents who are identified in the survey as LEP persons who ride the bus, the TTD will seek to determine whether appropriate outreach to LEP individuals could increase the frequency of contact with such groups, triggering a higher level of language assistance. The survey will:

- Assess as accurately as possible the frequency with which such service has, or should have, contact with LEP individuals from different language groups seeking assistance
- Consider the frequency of different types of language contacts
- Consider whether appropriate outreach to LEP individuals could increase the frequency of contact with LEP language groups

The survey results are anticipated to be available in June 2015.

Factor 3 - Nature and Importance of the Services Provided

The TTD assessed the nature and importance of the services provided to the public by the Capital Improvement Program and Transit Operations. It is apparent Transit Operations has the greatest consequence of contact with the LEP individuals; therefore the more likely LEP services other than English will be needed. The TTD will not deny or delay access to services or information for the LEP individual. Procedures will be in place to provide language assistance to LEP individuals as part of the standard business practices. The standard business practices to LEP individuals will include:

- Continued translation of vital bus service documents and notices in Spanish
- Appoint Spanish translators at public participation events, and if necessary, Tagalog translators
- Advise the public that the TTD provides free LEP services to its programs and activities

Factor 4 - Resources Available to TTD to Assure Meaningful Access to the Services by LEP Persons

While the TTD's intent is to provide meaningful access to all participants and eligible persons, the availability of resources may limit the provision of language services in some instances. The TTD will explore the variety of tools that are available to provide efficient, effective and meaningful LEP services. The TTD will:

- Consider utilizing language software technology
- Share language assistance materials and services among and between other transit agencies and advocacy groups
- Train bilingual staff to act as interpreters and translators
- Share information through community groups who serve LEP persons
- Use telephonic and video conferencing interpretation services
- Pool resources among local agencies and standardize documents to reduce translation needs
- Use qualified translators and interpreters to ensure that documents need not be "fixed" later and that inaccurate interpretations do not cause delay or other costs
- Request and use qualified community volunteers in a formalized manner

Cost for providing language assistance will not be passed on to the customer. The TTD will continue to evaluate the costs associated with providing LEP services and in future years, identify a budget for this Plan implementation.

IV. HOW TTD WILL PROVIDE LANGUAGE ASSISTANCE

A. PROVIDING NOTICE TO LEP INDIVIDUALS

Language assistance will be provided to LEP individuals through the translation of vital documents, as well as through oral language interpretation when necessary and possible. LEP individuals are not obligated to provide their own interpreter, although many do so.

The LEP Plan reflects the overall goal of improving and maintaining language access for TTD customers as transit riders and project recipients. The intent is to achieve a balance that ensures meaningful access to programs and services while avoiding undue burdens on TTD resources. It is important to inform LEP individuals that services are available in Spanish and they are free of charge. The TTD will continue to use existing resources to meet the requirements of Executive Order 13166. The most widely used LEP services will be translating oral and written communications. Other services include:

- Provide Spanish translator services at public meetings, as needed
- State in outreach documents (brochures, booklets, pamphlets, and flyers) that free language services are available
- Work with minority and low-income community-based organizations to inform LEP individuals of the programs, activities and language assistance availability

- Include vital notices in local Spanish newspapers, as needed
- Provide public service announcements in non-English language radio and television, as needed, about the availability of language assistance services for important events
- Offer a telephone voice menu prompt in Spanish, when necessary, as an alternate language for the caller

B. COMMUNICATING WITH LEP INDIVIDUALS

Based on the Four-Factor analysis, the frequency of contact with LEP individuals will be for transit services and oral communication will most likely occur by in-person contact or telephone.

To provide language assistance as needed for in-person contact with LEP individuals and unexpected out-of-country visitors, TTD will use the **Language Identification I Speak Flashcard** (or "I Speak" cards).

The TTD staff will use the following steps to orally communicate with LEP individuals.

WALK-IN SERVICE

1. Attempt to communicate in English first to determine if the customer can understand English sufficiently to be fully understood.
2. If customer cannot understand or effectively communicate in English, determine the language they are speaking, using the *Language Identification I Speak Flashcard* so the customer can point to his/her language.
3. Quickly determine if any of the employees working nearby speak the necessary language and are willing to interpret. If the volunteer cannot immediately come to the location of the LEP individual, use the telephone interpreting services for interpreting.
4. Determine the customer's needs, request, comment or complaint through the interpreter. Determine the appropriate contact to respond and have interpreter assist in a timely and quality response to the LEP individual.
5. Give the LEP person a Title VI brochure in their language, if available.
6. Make every effort to give the LEP customer the same level of service as an English-speaking customer.

PHONE-IN SERVICE

1. Attempt to communicate in English first. If not possible to effectively communicate in English, try to determine the language being spoken.
2. Quickly determine if an employee working nearby speaks the necessary language and ask them to interpret. If not possible, use the telephone interpreting services.
3. Determine the customer's need, request, comment, or complaint and relay it to the appropriate contact person to ensure a response is relayed to the LEP individual.
4. Make every effort to give the LEP individual the same level of service as an English-speaking customer.

V. ASSESSING LANGUAGE ASSISTANCE MEASURES

The TTD will continuously assess the type of language assistance available to provide meaningful access to TTD services and activities. The language assistance measures include:

1. QUALITY STANDARDS FOR TRANSLATED DOCUMENTS

Ensure the translators of written documents are competent. Particularly where vital documents are being translated, competence can often be achieved by use of certified translators.

2. VITAL DOCUMENTS

It is important to make an assessment as to the population percentage and the frequency and importance of the contact while considering the potential for translating vital documents. The program areas most likely to encounter the need to translate vital documents are public involvement, right-of-way acquisition, public information, and transit services.

3. TRANSLATING WRITTEN DOCUMENTS

The TTD will make every attempt to provide adequate and timely written translations of correspondence received through the following means:

- Determine the language the received document is written in
- Once the language has been identified, contact an interpreter or translator to translate the entire document
- Determine what the LEP individual requested and determine who should respond. Inform the appropriate contact person that the document has been received and relay the importance of a timely and quality response required by Title VI and related statutes
- Translate the response and return to addressee. Include a phone number in the document in order to provide better service and be able to use the telephone interpreting services for oral translations, if appropriate
- Make every effort to give the LEP individual the same level of service as an English-speaking customer

VI. LANGUAGE ASSISTANCE RESOURCES

The TTD will continuously refer to language assistance tools to improve upon its existing LEP services. A consideration on which additional tools may be used, is the TTD's program budget, however, efforts will be made to provide effective and efficient LEP language services using the following resources:

- Bilingual Staffing
- "I Speak" Cards or Language Identification Flashcards to Identify Languages
- Qualified Interpreters
- Telephone Interpretation
- Language Assistance Volunteers
- Community Volunteers

VII. TRAINING

Training staff on the procedures of providing language assistance and how to determine whether and what type of language services a customer needs is essential to bridging the gap between policies or procedures and actual practices. Training will include how to obtain language assistance services and how to communicate needs to interpreters and translators. Providing language assistance in some program areas may also mean avoiding acronyms or industry jargon.

The TTD Title VI Coordinator will be responsible to ensure TTD staff obtains LEP training on a triennial basis, or more often as necessary. The Title VI Coordinator will maintain records of staff who participated in the training.

The staff training will include discussions on how to assess the appropriate LEP service to provide an LEP individual.

VIII. COMPLAINT PROCESS

The LEP complaint procedures mirror the complaint procedures as referenced in the Title VI Program Plan—Section C, Procedures for Filing a Title VI Complaint.

IX. MONITORING AND UPDATING THE LEP PLAN

The Title VI Coordinator shall monitor implementation of the LEP Plan, making revisions to policies and procedures as may be required periodically. In monitoring compliance, an assessment will be made whether the program's procedures allow LEP individuals to overcome language barriers and participate in a meaningful way in the program activities and services.

Monitoring shall consider information from the following sources and criteria, as well as other factors as may be appropriate:

- Changes in demographics including new language groups, types of services and other activities.
- Frequency of encounters with LEP persons.
- Whether existing LEP language services are adequate.
- Availability of new resources, including technology.

Full review of the LEP Plan will occur with each triennial Title VI program submission.

X. DEFINITIONS

- **Bilingual** – The ability to speak two languages fluently and to communicate directly and accurately in both English and another language.
- **Interpretation** – Interpretation - The act of listening to spoken words in one language (the source) and orally translating into another language (the target).
- **Limited English Proficient Person** – Any individual who does not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or “LEP.” Such person or persons may be entitled to language assistance at no cost to themselves with respect to a particular type or service, benefit, or encounter.
- **Linguistically Isolated** – This term is described in the census as the percentage of person in the households in which no one over the age of 14 speaks English well, and is used as a direct measure of those persons with a severe language barrier, as a distinct from those of foreign origin who speak English well. Those who are linguistically isolated may also be unable to benefit from transportation services and the services of other DOT recipients and, therefore, should receive attention from recipients as a high priority.
- **Primary Language** – The Language in which an individual is most effectively able to communicate.
- **Qualified Interpreter**– Qualified interpreter means an interpreter who is able to interpret effectively, accurately, and impartially, either for individuals with disabilities or for individuals with limited English skills. The interpreter should be able to interpret both receptively and expressively, using any necessary specialized vocabulary.
- **Substantial number of non- or limited-English speaking people** – Members of a group who either do not speak English, or who are unable to effectively communicate in English because it is not their native language, and who comprise of five percent or more of the people service by any local office or facility of a State agency.
- **Translation** – The replacement of written text from one language into an equivalent written text in another language. It is noted that some LEP persons cannot read in their own language and back-up oral interpretation services may be needed for written documents.
- **Vital Documents** – Documents that convey information that critically affects the ability of the recipient/customer to make decisions about his or her participation in the program. Examples of vital documents include but are not limited to: applications, public notices, consent forms, letters containing important information regarding participation in a program, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, notices advising of the availability of language assistance, and outreach and community education materials, and notices advising LEP person of the availability of free language services.