




September 20, 2018

To: Legislative and Communications Committee

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Update to Orange County Transportation Authority Limited English Proficiency Plan

Overview

The Orange County Transportation Authority is federally mandated through the Department of Transportation to maintain and update a Limited English Proficiency Plan, which guides Orange County Transportation Authority's efforts to provide meaningful access to programs, services, and activities for individuals who have limited proficiency in English.

Recommendation

Review and approve the updated Orange County Transportation Authority's 2018 Limited English Proficiency Plan.

Background

On August 11, 2000, President William J. Clinton signed into law Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (LEP). The law directed each federal agency, such as the Department of Transportation (DOT), to examine the services it provides and implement a system by which those services could be accessed by people with limited-English proficiency.

Under Title VI, DOT was directed to publish guidance on how agencies that receive federal funding should fulfill the requirements of the law. The Orange County Transportation Authority (OCTA), and all recipients of federal financial assistance, must take reasonable steps to ensure people with limited-English proficiency have meaningful access to programs, services and activities. LEP individuals are defined as those who have a limited ability to read, write, speak, or understand English.

The DOT provides step-by-step instruction for conducting a needs assessment based on a four-factor framework in the DOT's LEP Guidance Handbook. The DOT suggests that after conducting the four-factor analysis, transit agencies will be in a better position to implement a cost-effective mix of language assistance measures and to target resources appropriately.

The DOT guidance directs public agencies to examine the following when conducting an analysis to identify LEP needs:

- Factor 1: The number and proportion of LEP persons served or likely to be encountered in the eligible service population;
- Factor 2: The frequency with which LEP individuals come into contact with programs, activities, and services;
- Factor 3: The importance of programs, activities, and services to LEP persons;
- Factor 4: The resources available to the agency and the cost.

OCTA's LEP Plan was last updated in 2012, utilizing DOT guidance to conduct an LEP needs assessment. The 2018 LEP Plan update utilized the same guidance to determine any necessary changes. The 2018 updated LEP Plan used data from the 2010 U.S. Census Bureau, the 2016 American Community Survey, and various County of Orange statistics, as well as OCTA internal resources.

OCTA is required to provide free translation services of vital written documents only to individuals with limited English proficiency in accordance with the Federal Transit Administration's (FTA) Title VI Circular 4702.1B. LEP populations that are required to be served are defined as five percent of Orange County's population or 1,000 speakers, whichever is less. As part of the update to OCTA's LEP Plan, a review of previously identified vital written documents was conducted and revised to align with documents defined as vital in the circular.

OCTA is required to submit an updated LEP Plan approved by the Board of Directors (Board) to the FTA with the 2018 Title VI triennial report on or before October 1, 2018.

Discussion

The 2018 LEP Plan has been updated. The analysis affirmed that transportation to work on OCTA's fixed-route bus system was the most

important OCTA service, program, or activity for the LEP population. As part of the updated LEP Plan, as of June 2018, OCTA will offer among other things:

- Language assistance training for all newly hired Coach Operator trainees;
- Route and schedule information available for translation in the 16 languages on the www.octa.net website;
- Updated Geographic Information System maps identifying language population for five languages only (Chinese, Farsi, Korean, Vietnamese, and Spanish) that are ranked the highest in OCTA overall requests for language translation.

Upon review and approval of the OCTA 2018 LEP Plan by the Legislative and Communications Committee, the document will be presented to the BOD for approval. Once approved, the LEP Plan will be distributed to OCTA departments for implementation. A copy of the plan will be available at all Administrative building reception desks and on the OCTA website at www.octa.net. In addition, copies of the updated plan will be distributed to all OCTA grant sub-recipients to use as a resource to identify each sub-recipient's basic LEP needs.

Summary

The OCTA LEP Plan has been updated to address OCTA's federally-mandated requirements as a recipient of federal financial assistance relating to individuals with limited English proficiency. Individuals who have a limited ability to read, write, speak, or understand English are limited English proficient. Under Executive Order 13166, OCTA is federally mandated to take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of its programs and activities to individuals who are LEP. OCTA utilized the DOT LEP Guidance Handbook to update the 2018 OCTA LEP Plan.

Attachment

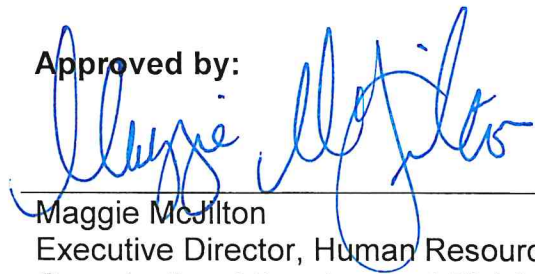
- A. Orange County Transportation Authority Limited English Proficiency Plan

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