



**October 19, 2023**

**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 the Orange County Transportation Authority's efforts to provide meaningful access to programs, services, and activities for individuals who have limited proficiency in English. Staff has updated the 2023 Limited English Proficiency Plan for consideration by the Board of Directors.

**Recommendation**

Review and approve Orange County Transportation Authority's updated 2023 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, including 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 LEP.

Under Title VI, the 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 LEP have meaningful access to programs, services, and activities. An individual is considered to have LEP if they have a limited ability to read, write, speak, or understand English.

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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 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 2018, utilizing DOT guidance to conduct an LEP needs assessment. The 2023 LEP Plan update utilized the same guidance to determine any necessary changes. The 2023 updated LEP Plan used data from the United States Census Bureau, 2021 American Community Survey, various County of Orange statistics, as well as OCTA internal resources.

OCTA is required to provide free translation services of vital written documents to individuals with LEP 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 2024 Title VI triennial report on or before October 1, 2024.

### ***Discussion***

The 2023 LEP Plan has been updated consistent with federal requirements. The analysis performed to update the LEP Plan affirmed that transportation 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, effective October 2023, OCTA is offering:

- Language assistance training for all newly hired Coach Operator trainees;
- Language interpretation support and assistance in approximately 160 different languages upon request via OCTA's Customer Information Center language line;
- Route and schedule information available for translation in 18 languages on the [www.octa.net](http://www.octa.net) website;
- Updated Geographic Information System maps of Orange County identifying LEP language population for Arabic, Chinese, Korean, Persian, Vietnamese, and Spanish speakers.

Upon approval of the 2023 LEP Plan by the Board, the plan will be fully implemented and made available on the OCTA website and distributed to all OCTA sub-recipients as a resource guide.

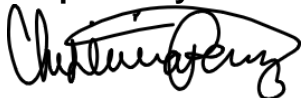
**Summary**

Staff is requesting the Board of Directors review and approve the Orange County Transportation Authority's updated 2023 Limited English Proficiency Plan, thereby confirming compliance with federally mandated requirements as the recipient of federal financial assistance related to individuals with limited English proficiency.

**Attachment**

- A. Orange County Transportation Authority Limited English Proficiency Plan

**Prepared by:**



Christina Perez  
Title VI Civil Rights Coordinator  
714-560-5876

**Approved by:**



Maggie McJilton  
Executive Director, People and Community  
Engagement  
Federal Compliance Officer  
714-560-5824

