

Language Access Plan

EXECUTIVE SUMMARY



Submitted by:

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Purpose of Executive Summary

Title VI of the Civil Rights Act of 1964 provides that no person 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.”

As a recipient of federal funds, VTA takes action to comply with these civil rights laws. Every three years VTA submits the Title VI (6) Program to the Federal Transit Administration (FTA). This monitoring report ensures that VTA is adhering to the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin.

Failing to provide meaningful access to individuals who, because of their national origin, may be limited English proficient (LEP)¹, is discrimination based on the person’s country of origin. Although the LEP designation is not explicitly stated in the Civil Rights Act of 1964, the President’s Executive Order 13166 emphasizes that public agencies are to ensure that the programs and activities, provided in English, are accessible to LEP persons.

Therefore, VTA has a Language Access Plan (LAP) which outlines ways to protect against discrimination and provide meaningful service to the Limited English Proficiency (LEP) community.

The following Executive Summary focuses on the insights gained from a demographic survey of Santa Clara County, how VTA has engaged with the community, and how it plans to continue outreaching to LEP communities. It is offered as a more general summary of the full report and refers the reader to the full version of the LAP. The exhibits are numbered in the same way as in the full report, unless otherwise noted for brevity.

¹ Limited English Proficient (LEP) persons refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.” - Federal Transit Administration (FTA) issued Circular 4702.1B.

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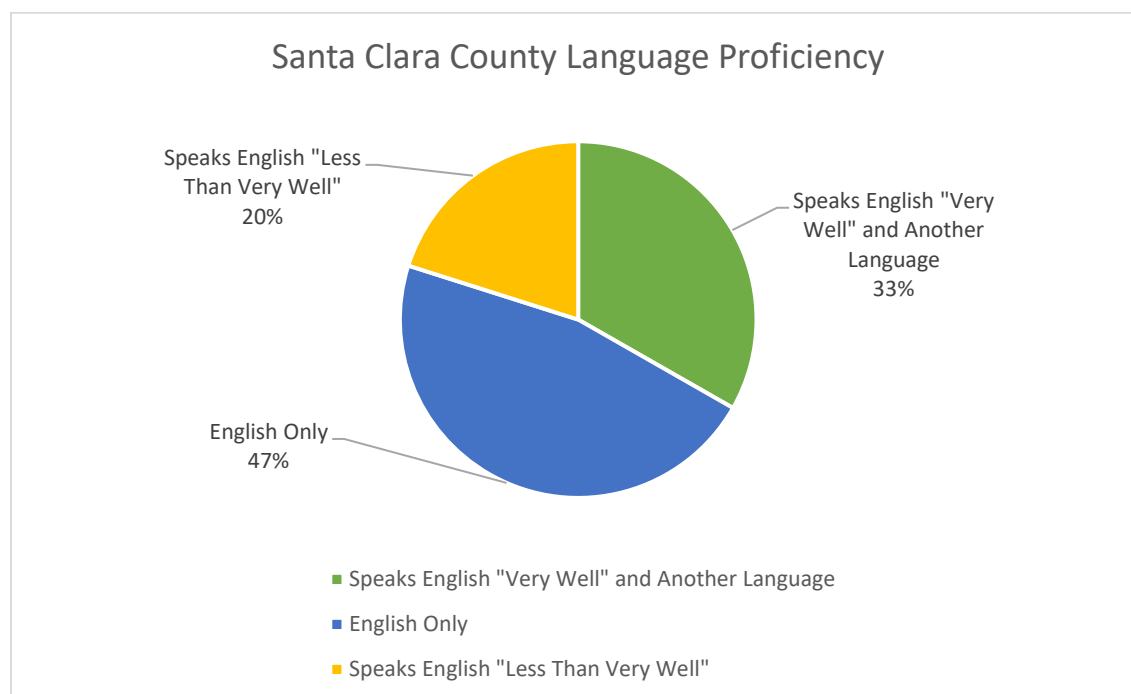
Introduction, Title VI, Organizational Commitment, and Authority and Guidance

Introduction

VTA is an independent special district that provides sustainable, accessible, community-focused transportation options. These are options that are innovative, environmentally responsible, and promote the vitality of the region. VTA provides bus, light rail, and paratransit operations; congestion management; highway improvement projects, and countywide transportation planning. The agency provides these services throughout Santa Clara County and surrounding areas, including the cities of Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga and Sunnyvale.

According to the 2016–2020 American Community Survey (ACS) data used in this Language Access Plan, the proportion of VTA’s service population comprised of people who are Limited English Proficient (LEP) is 20 percent of the overall population of Santa Clara County (see Figure 1). In 2022, 354,229 out of 1,816,606 people who live in Santa Clara County are individuals who are LEP. This indicates a significant LEP population in the region, considering the percentage of LEP individuals in California overall is 17.4 percent and for the U.S. overall, it is 8.2 percent.

Figure 1: Santa Clara County Language Proficiency



Source: US Census Bureau, 2016-2020 American Community Survey 5-Year Estimates

Title VI Organizational Commitment

VTA is committed to ensuring its regulatory requirements under Title VI are met. The agency is structured in a way that compliance, policy development, training, reporting, and monitoring of all anti-discrimination policies as it relates to Title VI and limited English proficiency are centralized in one department: the Office of Civil Rights. This office is organizationally situated under the Office of the General Manager.

With respect to Title VI, VTA will:

- Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin.
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on communities who have been marginalized, and those who earn a low income.
- Promote full and fair participation of all affected populations in transportation decision-making.
- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit marginalized populations or low-income populations.
- Ensure meaningful access to programs and activities by individuals who have limited English proficiency.

Authority and Guidance

In the full version, this section in the Language Access Plan cites different sources of guidance for forming the LAP. Among them are the Title VI Civil Rights Act of 1964, Executive Order 13166, Circular 47021.B, the Federal Transit Administration's publication "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportations Providers," and Circular 4703.1.

Four-Factor Analysis

VTA's Language Access Plan details the four-factor analysis and implementation plan completed to comply with requirements of Department of Transportation (DOT) LEP guidance.

The four-factor analysis identifies language assistance measures needed to improve access to VTA services and benefits for LEP individuals. The four-factor analysis is also used to ensure that information on VTA's customers who are LEP has been validated amongst several data sources. It further

establishes that the needs and concerns of individuals who are LEP and use VTA are considered for future projects to both maintain and improve their access to services.

To establish the languages for which input should be sought, VTA relies on the FTA's Safe Harbor Provision. This provision indicates that transit agencies translate vital documents into languages spoken by LEP populations represented by 5 percent or 1,000 individuals, whichever is less. VTA has created a Vital Documents Plan which outlines how it prioritizes translations (see *Appendix - C* in the full version of the LAP for the detailed Vital Documents Plan).

Santa Clara County's large population contributes 18 languages that meet this Safe Harbor criteria for Santa Clara County, further reflecting the great diversity within VTA's service area. The languages that fit these criteria are listed below:

- | | |
|---------------|-----------------------|
| 1. Spanish | 10. Tamil |
| 2. Vietnamese | 11. Arabic |
| 3. Chinese | 12. Farsi |
| 4. Korean | 13. Japanese |
| 5. Tagalog | 14. Khmer (Cambodian) |
| 6. Punjabi | 15. Portuguese |
| 7. Hindi | 16. Somalian |
| 8. Russian | 17. Tigrinya |
| 9. Telugu | 18. Amharic |

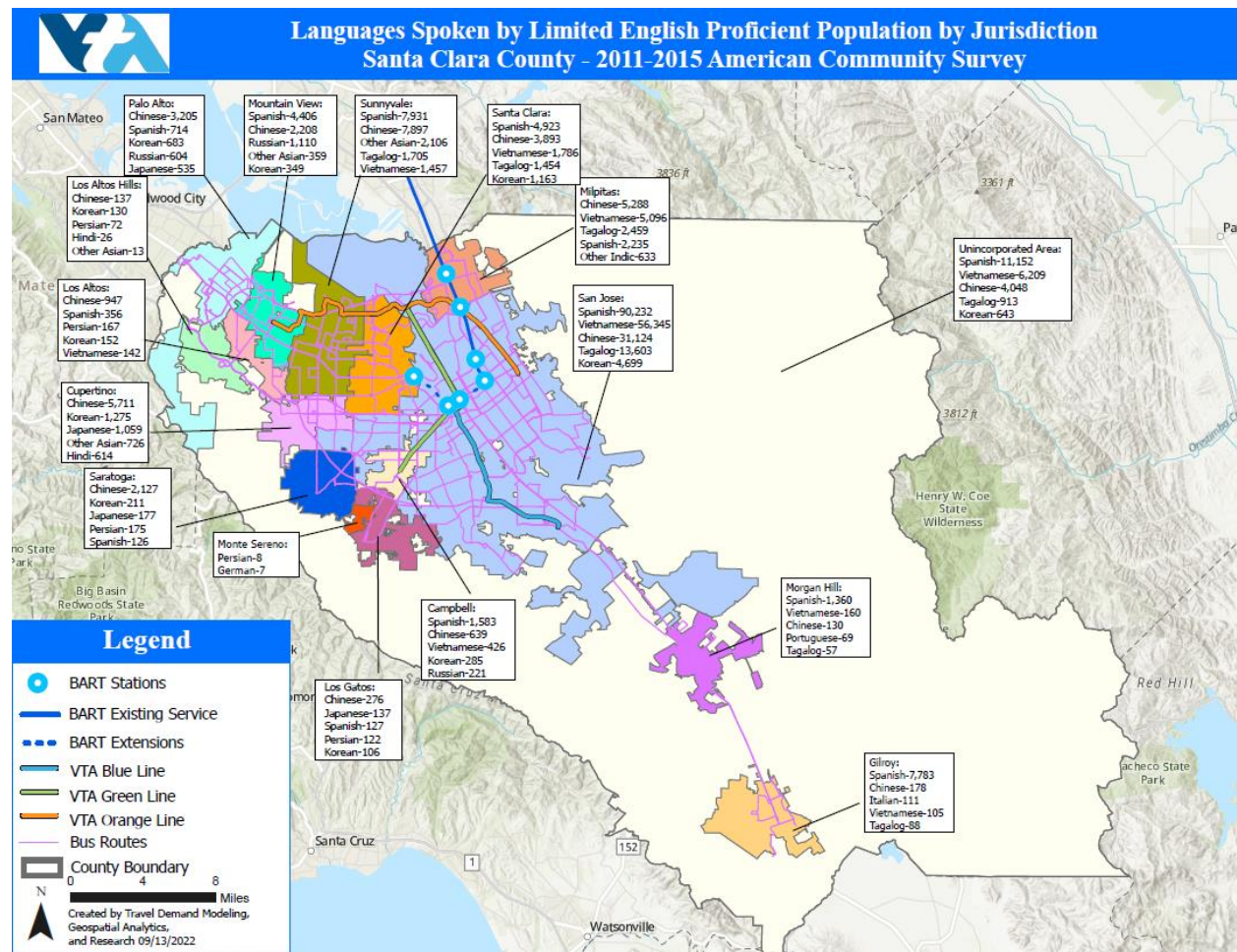
VTA has conducted and continues to conduct the following analysis using the four factors identified in the Department of Transportation LEP Guidance:

Factor 1: How Many People with Limited English-Speaking Skills (LEP) are within VTA's Service Area?

The U.S. Census has data on people who self-reported as "speaking English less than very well" (LEP) from the 2020 survey. Within VTA's service area, 20 percent identified as such. VTA has older information from a 2017 survey conducted with VTA passengers. Forty-three percent of those surveyed said they speak another language than English at home, and the overall majority of this group (81.3 percent) said that they speak English "well" or "very well."

The map in Figure 2 gives more detailed information on languages spoken by people who speak English less than very well (LEP) in all 15 cities of Santa Clara County:

Figure 3: Languages Spoken by Limited English Proficient Population



Source: US Census Bureau, 2016-2020 American Community Survey, Table B16001: 5-year estimates based on 2015 data

This map depicts languages that VTA will most likely encounter in these cities. The data shows that San Jose, the city with largest total population in Santa Clara County, also has the largest number of individuals who are limited English proficient. San Jose is the only city with a French-Creole and a Hungarian-speaking LEP population, and together with Mountain View the only cities with a Yiddish-speaking population. All cities combined, individuals who are LEP represent 34 languages in addition to several subcategories of languages not specified in the US Census. This map indicates how VTA should plan its outreach efforts with a particular emphasis on the different languages it may encounter in each area.

Further information is collected from call sheets of VTA's Customer Service Center which offers language services when a caller requests information in a language other than English. Between March 2020 and June 2022, 14 to 19 different languages were requested each year when individuals seeking assistance would call the Customer Service hotline. The majority of these calls in that time frame were conducted in Spanish (60.3%-70.2%), followed by Vietnamese (11.2%-15.9%), and Mandarin (10.1%-17.5%). The remaining languages made up 5.5%-7% of the call volume (see Table 1).

Table 1: Languages Requested on Customer Service Hotline

Languages 2020	Number of Calls (%) in 2020	Languages 2021	Number of Calls (%) in 2021	Languages 2022	Number of Calls (%) in 2022
Spanish	70.2%	Spanish	63.6%	Spanish	60.3%
Vietnamese	11.7%	Vietnamese	11.2%	Vietnamese	15.9%
Mandarin	10.1%	Mandarin	17.5%	Mandarin	12.3%
Cantonese	2.0%	Tagalog	0.5%	Cantonese	3.7%
Russian	1.8%	Cantonese	1.5%	Russian	2.3%
Farsi	1.4%	Farsi	1.5%	Farsi	2.0%
Korean	0.7%	Amharic	0.5%	Korean	1.2%

Source: VTA Language Line Data, March 2020 to June 2022, an abbreviated table in reference to Tables 1, 2, and 3 in the full report

The U.S. Census Bureau released information from their annual American Community Survey (ACS, 2016-2020) which reveals the top five languages (other than English) spoken by people in Santa Clara County. (See Table 2)

Table 4: Top Five Non-English Languages Spoken in Santa Clara County

Language	Estimated Numbers of LEP Speakers	Percentage of Total Population
1. Spanish	118,954	6.57%
2. Chinese (Mandarin and Cantonese)	78,198	4.32%
3. Vietnamese	75,218	4.15%
4. Tagalog	19,062	1.05%
5. Korean	10,719	0.59%

Source: US Census Bureau, 2016-2020 American Community Survey, 5-Year Estimates (Language Category: Persons over the age of 5 years who speak English “less than very well”)

From 2020 to 2022, the main noticeable changes are in the ranking, not in the languages themselves. Chinese replaced Vietnamese as the second most spoken language by LEP individuals within the county according to the ACS data.

VTA uses the **Geographic Information System (GIS)** mapping tool to create maps depicting concentrations of individuals who speak one of the top five non-English languages in Santa Clara County. These maps are available in the Appendix of this abbreviated Language Access Plan (LAP). They are Figures 4 through 9, and Figures 11 through 12.

To determine languages in which VTA should provide relevant information to LEP communities, the criteria is that either 1,000 persons or 5 percent of the overall service population define themselves as speaking English less than very well (LEP). These two criteria help define **Safe Harbor Languages** which are relevant for any public facing document, to varying degrees. For more information, please request VTA’s **Vital Documents Plan** from the Office of Civil Rights.

In VTA’s service area, 985,845 persons over the age of five years (54.27 percent) speak another language plus English at varying levels of fluency at home. The following percentages are based on the total number of individuals who are LEP in Santa Clara County: Spanish (37.20 percent), Vietnamese (19.79 percent), Chinese (17.68 percent), Tagalog (5.34 percent), and Korean (3.31 percent). Although more people in VTA’s service area speak Hindi, more Korean speakers are LEP. Within the last six years, the second most spoken language by LEP individuals changed from Vietnamese to Chinese.

Community Organizations

Community-based organizations (CBOs), cultural centers, places of worship, and residential communities help VTA connect with its diverse customer base as they can reach their communities more efficiently and many of them frequently work with LEP populations. To capture this information, VTA reconciles the interactions with CBOs against the data to ensure that a whole picture of the LEP community is being rendered.

Factor 2: How Often Does VTA Come Into Contact with Individuals who are LEP?

VTA conducted a “Title VI 2022” survey with individuals who identify as speaking English “less than very well” (LEP) to determine how and with which frequency they encounter the agency’s programs, activities, and services. This survey was translated into 18 languages other than English.

The demographic responses of surveyed LEP individuals showed several trends:

- 48 percent of survey takers were between 18 and 44 years old and 17 percent were over the age of 65 years.
- Most participants identified themselves as Hispanic or Latino (41 percent) and a quarter as Asian (25 percent).
- 64 percent of the participants earned less than \$50,000 and a third of participants earned less than \$25,000.

Almost a quarter of survey takers experience language barriers when buying tickets and when using VTA services. More than a third of all respondents find it difficult to get transit information because of language limitations. More than one fifth experience language barriers when attending public meetings. Thirty-six percent of respondents describe their ability to speak English as “not very well” or “not at all”; 34 percent cite their ability to understand as “not very well” or “not at all”. Higher numbers report their reading and writing skills as “fairly well” or “well”. Of all respondents, 55 percent are aware of language services offered through the Customer Services hotline and when requesting language assistance during public meetings, but 39 percent of participants indicated that they were unaware of VTA’s free language assistance services.

Survey takers were asked about their transportation preferences, which revealed that 84 percent use VTA buses and 35 percent use VTA Light Rail. The majority, 79 percent, find bus services and 67 percent Light Rail services very important. Asked about preferences in receiving and seeking information, 75 percent reported using VTA websites often or sometimes. In contrast, 43 percent use Google’s search engine often. Almost 30 percent call VTA’s Customer Service hotline from time to time and almost one fifth receives community updates through their respective community centers. Only 13 percent read the newspaper or listen to the radio daily, whereas 32 percent often check on Facebook or LinkedIn for updates. Sixteen percent get their information from traditional news outlets such as TV, newspaper, and radio, but social media is catching up. Ten percent use social media

daily as news outlet and another 14 percent use these channels often. This means VTA will continue to make use of various channels (VTA websites and emails, traditional news outlets, and social media marketing) to reach a wide audience in diverse languages and provide opportunities for the public to give feedback or ask questions in their native voices.

The number of participants of the online survey is less than the number of responses VTA was able to gather during the 2016 update in collaboration with Community-Based Organizations (CBOs). For this reason, one aim for future outreach efforts is building relationships with community leaders and community-based organizations. For equitable outreach to the public, VTA distributes certain promotional materials in paper format instead of email or website updates which reaches people with limited or no access to the internet and smartphones. Using translated handouts for LEP-heavy neighborhoods contributes to the meaningful access of the public to decision making and information of services and project execution.

Factor 3: The Importance of Program, Activities and Services to Persons who have Limited English Proficiency (LEP)

This step involves identifying which VTA services could render serious consequences if language barriers prevented a person from accessing them. This is done by documenting the importance of different services provided by VTA to individuals who are LEP, as well as including suggestions and requests by community members.

Most of VTA's customers who have limited English proficiency that were surveyed for this Plan use both bus and light rail service, with a higher percentage using only bus services. VTA's 2017 Onboard survey revealed that many riders rely on VTA for transportation to important locations such as work, school, and medical appointments. If there were interruptions to our bus or light rail services, and no language assistance services were available, VTA's LEP customers would be unable to access many critical places. Since VTA also takes part in many construction projects, a lack of language assistance services could also result in safety hazards for these customers.

During the height of the COVID-19 pandemic, VTA conducted the "Trust in Transit" survey. This measured the perceptions regarding VTA services, identified reasons why the public is not riding VTA, and identified opportunities to persuade the public to use VTA's services. The majority of

those who responded did so in Chinese and Korean. The results revealed that the Chinese-speaking community were more likely to have decreased their usage of public transit (43.3 percent) compared to the English-only speaking community at 33.7 percent. The reason for no longer using VTA services that the Chinese speaking population cited was the fear of contracting COVID-19 while in public. The Korean-speaking community cited the fear of the possibility of contracting COVID-19 a little more than 50 percent of the time.

Factor 4: Resources Available to the Recipient and Costs

This factor of analysis involves consulting VTA staff on the resources available to them to outreach to the LEP community. This involved collecting information on the different language assistance measures and determining if additional resources are needed to provide meaningful access. Next, we inquired what amount of VTA's budget is being allocated to language assistance measures. Finally, we considered cost-effective practices for providing language services for future outreach.

Inventory of language assistance measures

A few examples of the resources VTA utilizes to ensure LEP populations in its service area can access its services without any language barriers are:

- Language line service is available through VTA's customer service call center. Between March 2020 and June 2022, customer service representatives, through the language line, provided real-time interpretation for 2,585 customers who spoke 25 different languages.
- VTA's Title VI webpage has professionally translated documents for its Notice to the Public, complaint process, and complaint form.
- VTA provides staff with document accessibility training classes.

Additional services are needed to provide meaningful access

The results of the 2022 Title VI/LEP survey indicated that 39 percent of survey respondents were not aware of VTA's free language assistance services. With such a large portion of the public being unaware that VTA offers this service, many individuals are not able to take full advantage of our language assistance services, and as a result they may face language barriers when they come into contact with VTA.

VTA has posted condensed Title VI notices on all buses and light rail trains with translations in Spanish and Vietnamese. In addition, full Title VI notices which have been translated into the safe harbor languages are posted on

light rail platforms and bus stop shelters where space is available, as well as on the VTA website. VTA has developed a custom Geographical Language Search Tool to assist with community outreach, so that staff are able to gain an increased awareness of the community dynamics and to determine whether translation and interpretation services may be necessary for effective outreach efforts. VTA bilingual staff are available to assist customers, as well as the language line where riders can have access to real time bus information. Increased efforts are needed to spread awareness of these resources, so LEP populations know that VTA is working to meet their needs.

Budget analysis

Between March 2020 and June 2022, VTA spent \$259,719.85 on community outreach, language assistance, and increasing the ability to render documents accessible to people with disabilities. One of the efforts that has decreased since the last submission was the number of in-person events. This was necessary during shelter-in-place orders and the rise of COVID-19 related infections.

Cost-effective practices for providing language services

For spoken and written translation services, VTA goes through a formal process for certifying employees with proficiency in languages other than English. The employee's work requires eliciting and explaining information in a language other than English (or in sign language) to the general public on a continual basis.

As for printed material, VTA is in the process of updating Title VI-related signage with UV-resistant, weatherproof materials which will ensure higher durability and longevity.

In the future, as services and ridership increase, VTA plans to increase the number of documents that can be translated such as bus schedules and Take Ones (VTA rider newsletter) for members of smaller LEP communities who frequently use our services.

In addition, the agency will print materials where it makes sense, for example, VTA's Take-One newsletters. At the height of the pandemic, these materials were printed less because of the decrease in service and the related decrease in needing print information. However, as service increases in the future, the agency seeks to print more materials for various LEP communities on a gradual basis.

Conclusion

The LAP demonstrates VTA's accessible methods, community-focused approach, and commitment to meet and exceed the requirements of the FTA Circular 4702.1B, in consideration of the limited English proficient community and their intersections with Environmental Justice and Federal Highway Administration requirements. The LAP ensures that no person shall, on the ground of any other protected category described by state or federal law, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any VTA programs or activities. This is a living document which means it is continually updated. The next update will be prepared in 2025.

Should you wish to give us feedback or input for further improvement, please contact the Office of Civil Rights:

Office of Civil Rights
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Appendix

Figure numbers conserved from full Language Access Plan (2022)

Figure 4: Service Area-Wide LEP Concentrations

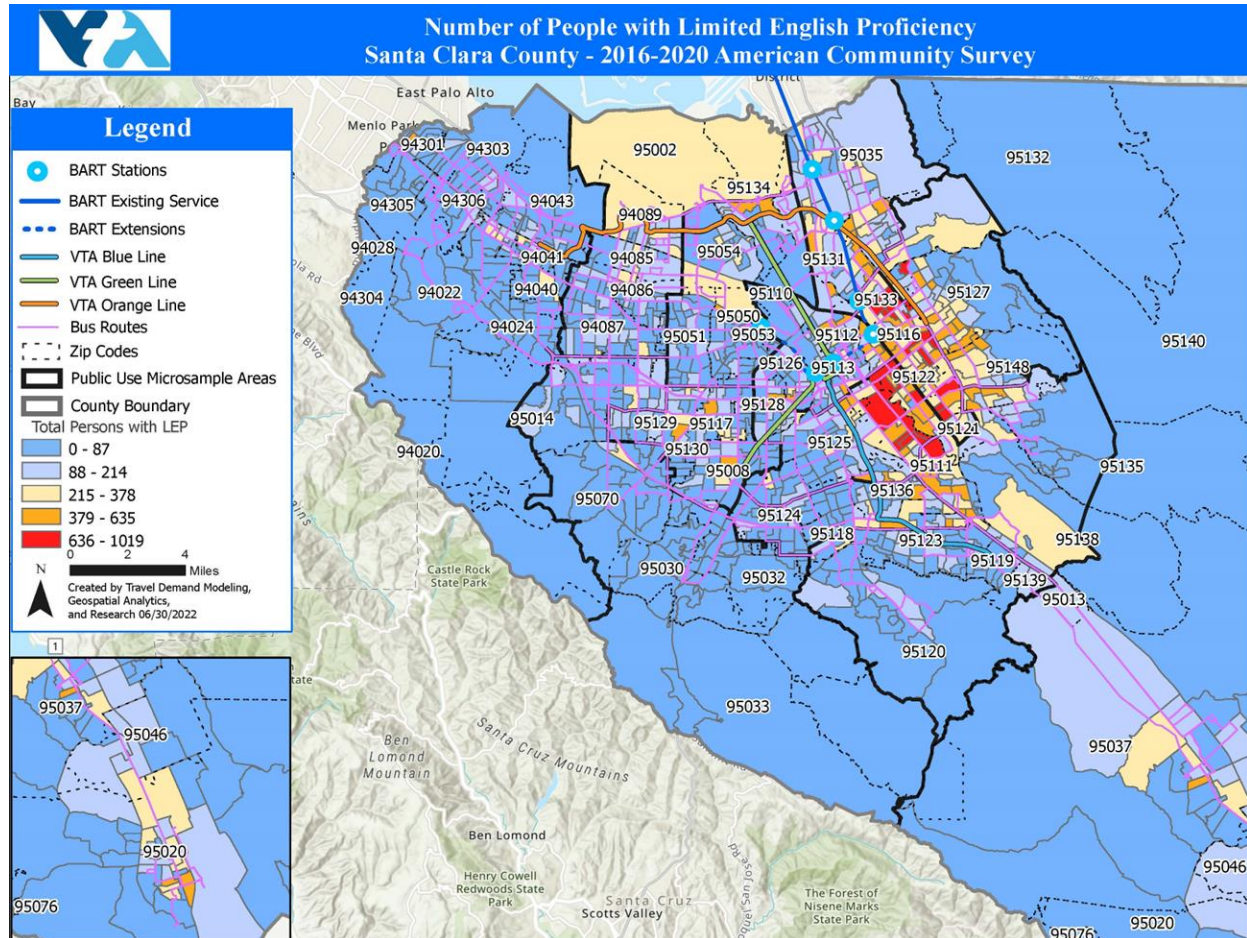


Figure 5: Number of Spanish Speaking Persons – VTA Service Area

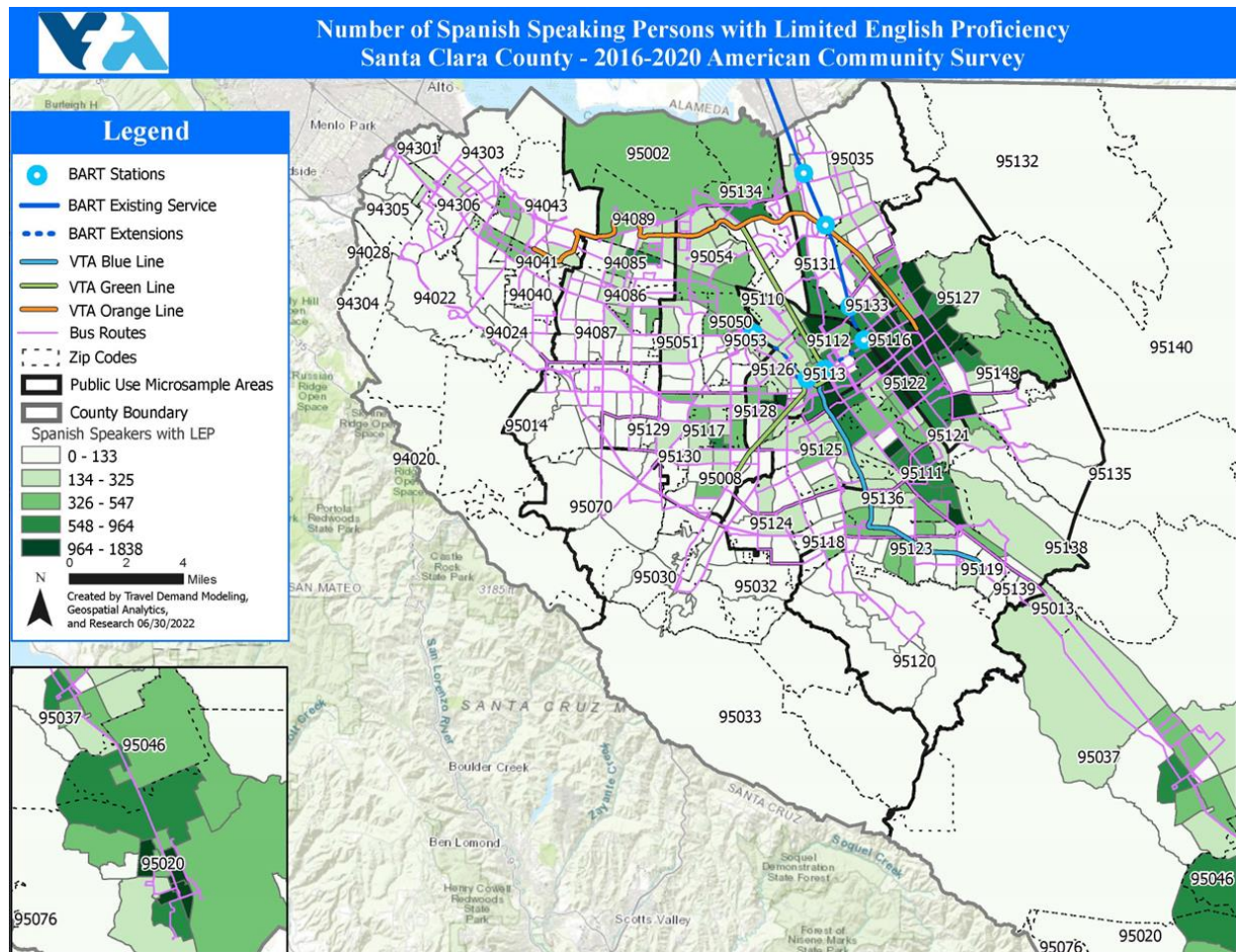


Figure 6: Number of Vietnamese Speaking Persons – VTA Service Area

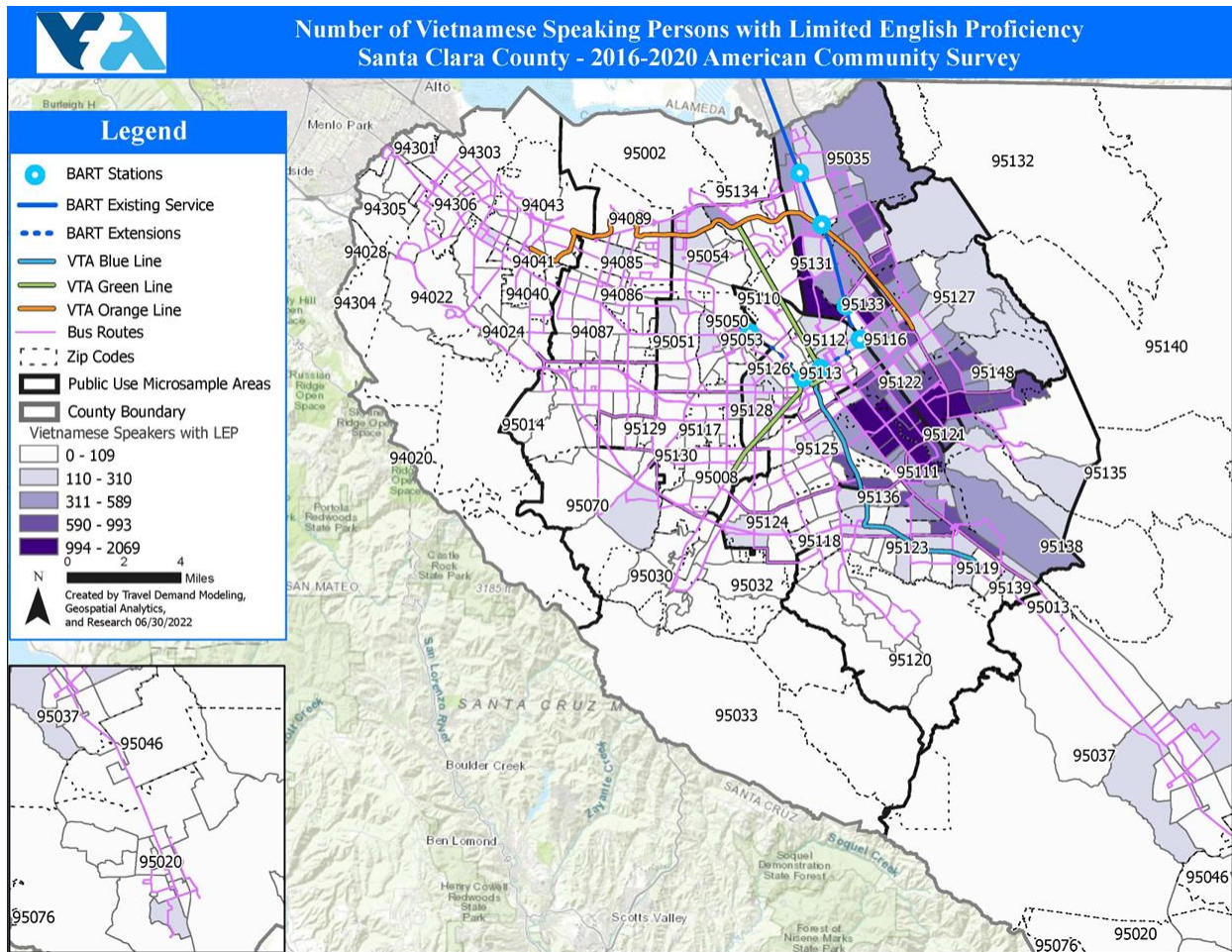


Figure 7: Number of Chinese Speaking Persons – VTA Service Area

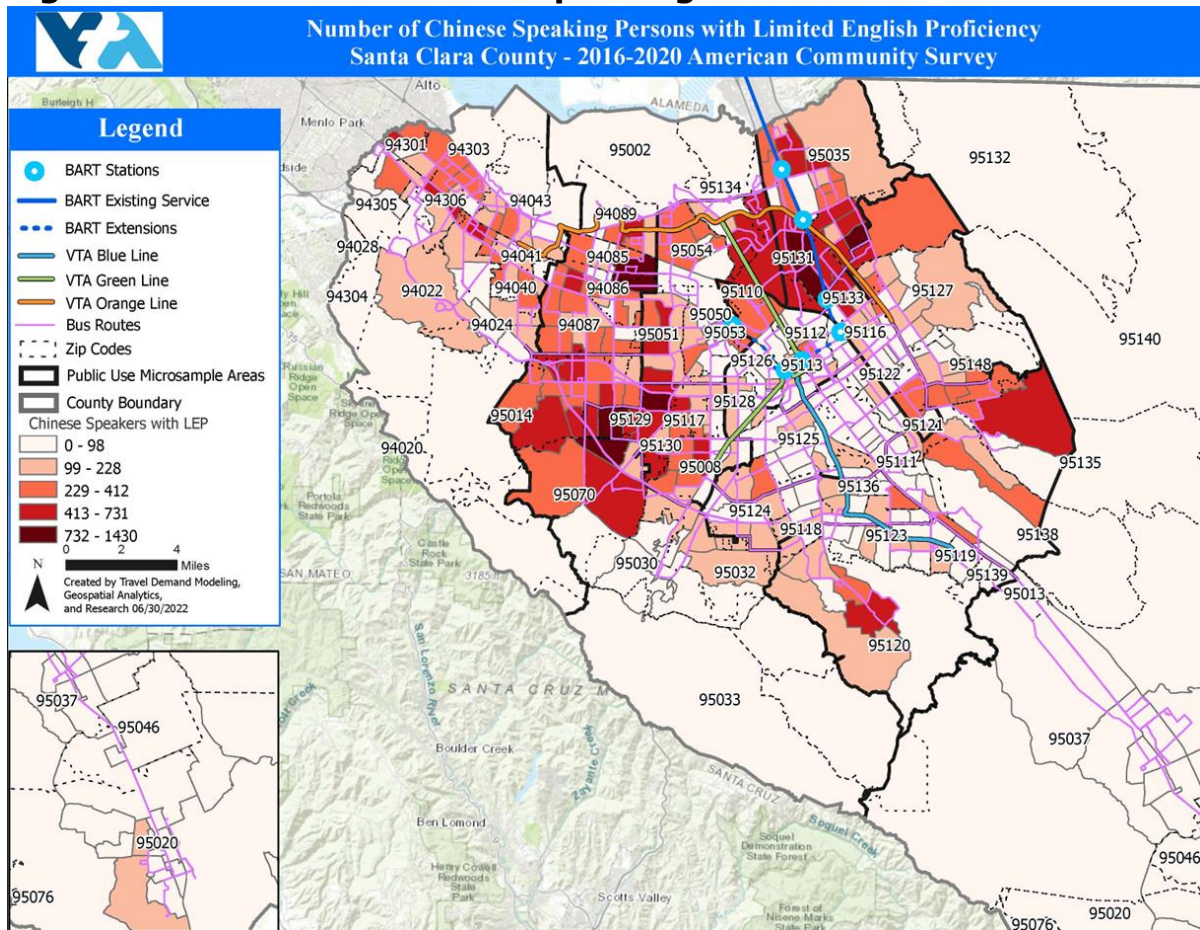


Figure 8: Number of Tagalog Speaking Persons – VTA Service Area

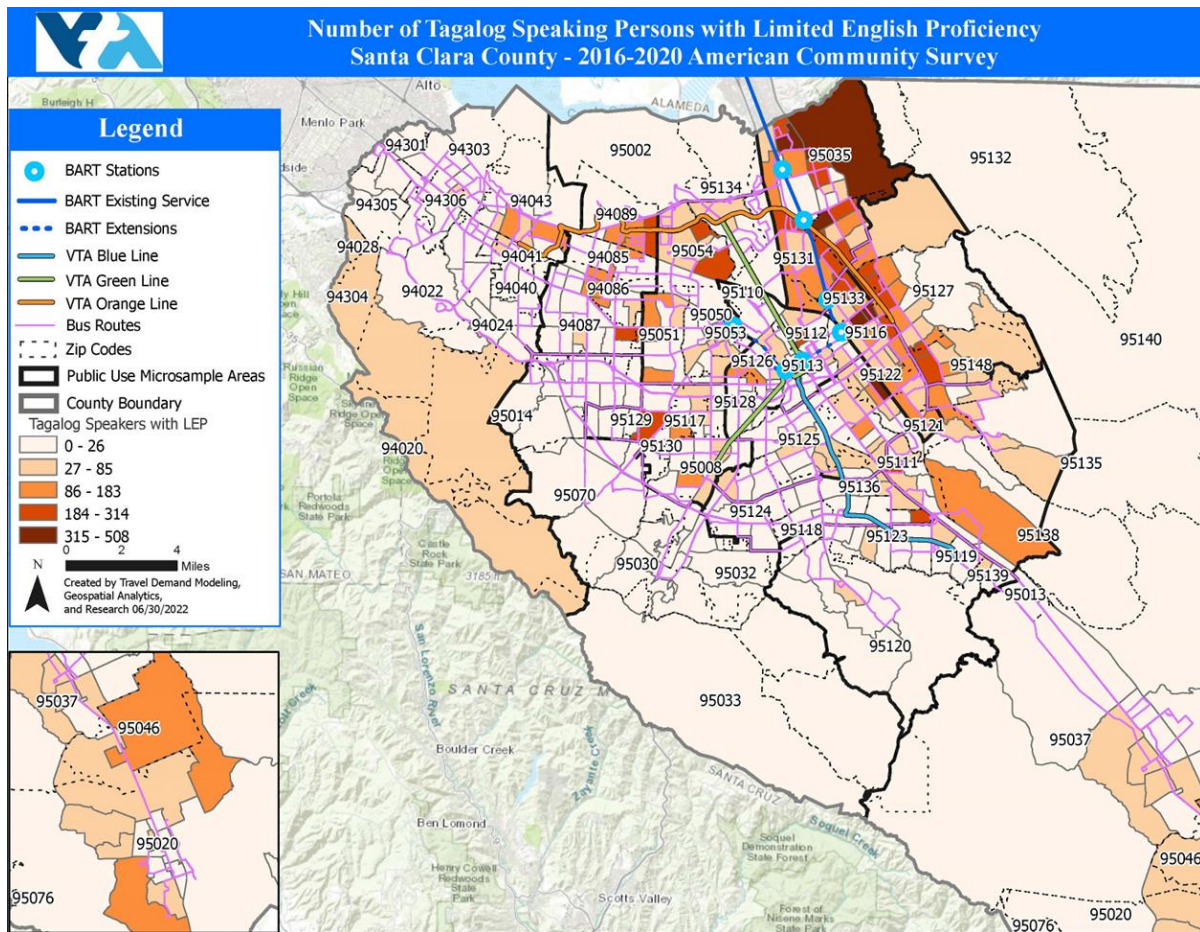


Figure 9: Number of Korean Speaking Persons – VTA Service Area

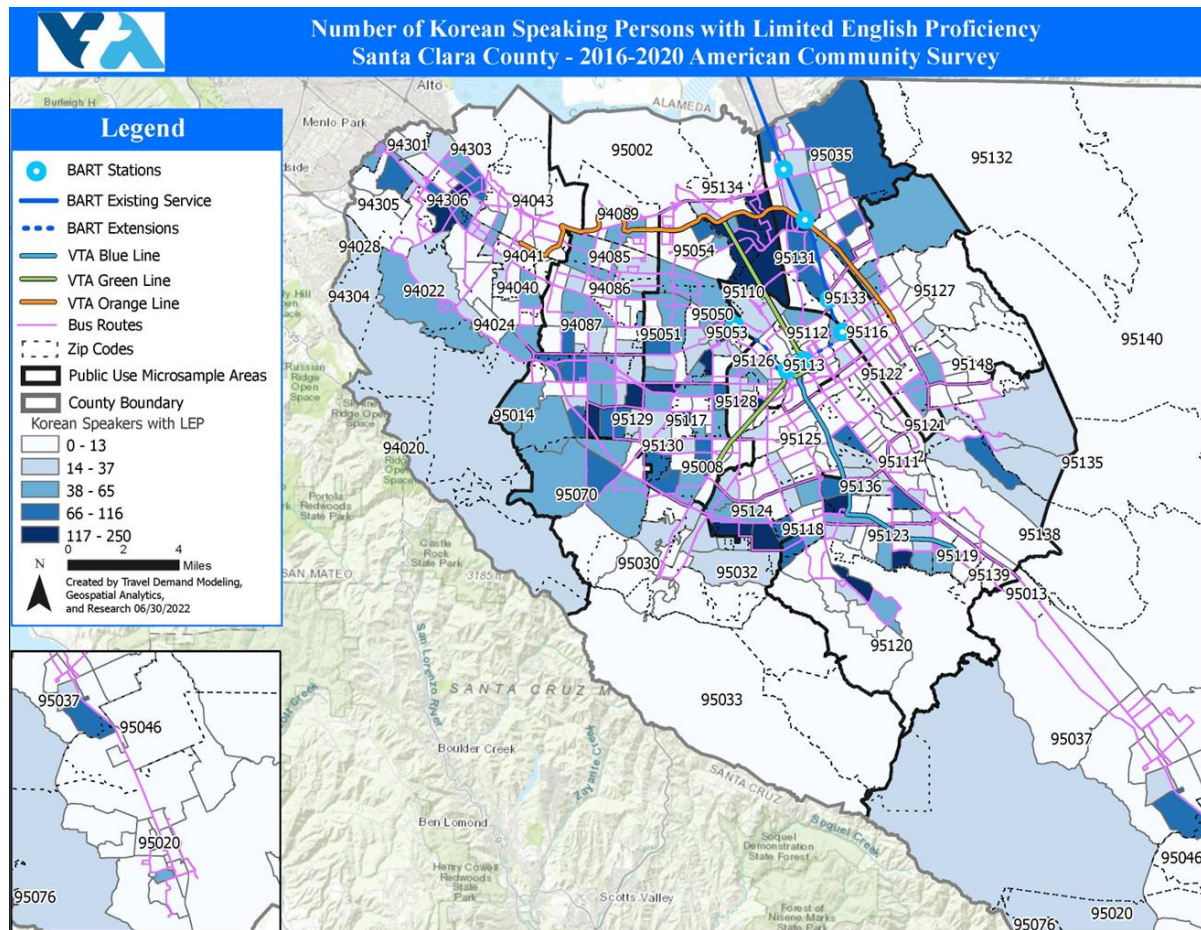


Figure 11: Concentration of Low-Income Population – VTA Transit Service Area

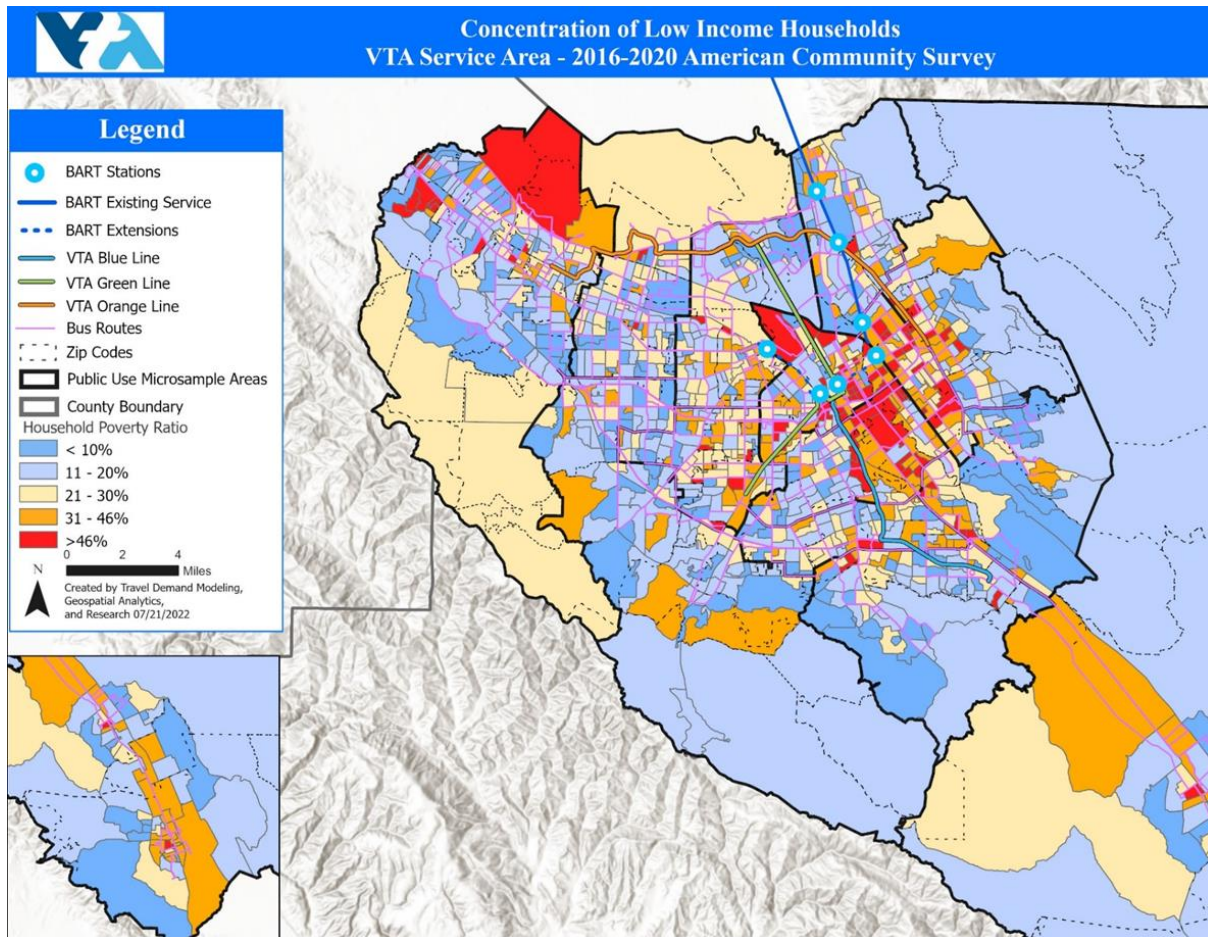


Figure 12: Concentration of Minority Population – VTA Transit Service Area

