



EL DORADO COUNTY  
TRANSPORTATION COMMISSION  
TITLE VI PROGRAM, PUBLIC  
PARTICIPATION PLAN, AND  
LANGUAGE ASSISTANCE PLAN

2021

**EL DORADO COUNTY TRANSPORTATION COMMISSION**

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## EDCTC Title VI Program

### Plan Statement

The following program was developed to guide the El Dorado County Transportation Commission (EDCTC) in its administration and management of Title VI-related activities, and details how EDCTC meets the requirements as set forth in FTA Circular 4702.1B.

Section 601 under Title VI of the Civil Rights Act of 1964 states the following:

“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.”

### Policy

EDCTC is committed to ensuring that no person on the basis of race, color, or national origin will be excluded from participation or subjected to discrimination with regard to the transportation planning and programming activities conducted by EDCTC’s employees, affiliates, and contractors.

### Governing Board

The governing board for EDCTC is made up of seven members. Four members are appointed by the El Dorado County Board of Supervisors and three are appointed by the Placerville City Council. The City of South Lake Tahoe shall appoint one City Council Member to serve as ex-officio, non-voting member and the District Director for the California Department of Transportation shall designate one ex-officio, non-voting member.

### General Reporting Requirements

Chapter III of FTA Circular 4702.1B addresses the general reporting requirements for recipients and sub-recipients of Federal Transit Administration (FTA) funding to ensure that their activities comply with Department of Transportation (DOT) Title VI regulations. Below are summaries of each requirement and how EDCTC’s Title VI Program fulfills that requirement.

1. REQUIREMENT TO PROVIDE TITLE VI ASSURANCES

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT’s Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances to FTA.

**EDCTC annually submits its Certifications and Assurances to the California Department of Transportation.**

2. REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM

Sub-recipients shall submit Title VI Programs to the primary recipient from whom they receive funding in order to assist the primary recipient in its compliance efforts.

**Once the Title VI Program is approved by the El Dorado County Transportation Commission, it will be submitted to the California Department of Transportation. The effective date will be the date of the Resolution.**

3. REQUIREMENT TO NOTIFY BENEFICIARIES OF PROTECTION UNDER TITLE VI

The Title VI Program shall include recipient's Title VI notice to the public that indicates the recipient complies with Title VI and informs members of the public of the protections against discrimination afforded to them by Title VI, include a list of locations where the notice is posted.

**EDCTC has developed a public Title VI Notice to Beneficiaries following the guidelines of Circular FTA C 4702.1B, Appendix B. A copy of the notice is found in Appendix 1 of this Title VI Program.**

4. REQUIREMENT TO HAVE TITLE VI COMPLAINT PROCEDURES AND A COMPLAINT FORM

All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website.

**EDCTC has developed a Title VI complaint procedure and form. In this Title VI Program, Appendix 2 outlines EDCTC's Title VI Complaint Procedures, and Appendix 3 is a copy of EDCTC's Title VI Complaint form.**

**The complaint procedures and form are available in English and Spanish on EDCTC's website, <https://www.edctc.org/>. Individuals who do not have access to the internet may request that EDCTC mail them a paper copy of the procedures and form.**

5. REQUIREMENT TO RECORD AND REPORT TRANSPORTATION-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

In order to comply with the reporting requirements of 49 CFR Section 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations conducted by entities other than FTA, lawsuits, and complaints naming the recipient. This list shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to, the investigation, lawsuit, or complaint.

**EDCTC will maintain a list of all investigations, lawsuits, and complaints naming EDCTC according to the guidelines of Circular FTA C 4702.1B, Appendix E. A copy of this list is provided in Appendix 4 of this Title VI Program. In addition, EDCTC will maintain permanent records of all related documents. EDCTC has not received any Title VI complaints of discrimination and therefore does not have any investigations or lawsuits to report; however, the processes are in place in the event that complaints are made.**

6. REQUIREMENT TO PROMOTE INCLUSIVE PUBLIC PARTICIPATION

The content and considerations of Title VI, the Executive Order on Limited English Proficiency (LEP), and the DOT LEP Guidance shall be integrated into each recipient's established public participation plan or process (i.e., the document that explicitly describes the proactive strategies, procedures, and desired outcomes that underpin the recipient's public participation activities).

**EDCTC's Public Participation Policy is shown in Appendix 5 of this Title VI Program. EDCTC ensures that minority and LEP populations, as with all members of the public, will be empowered to participate in decisions involved with EDCTC's transportation planning and programming activities.**

7. REQUIREMENT TO PROVIDE MEANINGFUL ACCESS TO LIMITED-ENGLISH PROFICIENT (LEP) PERSONS

Consistent with Title VI of the Civil Rights Act of 1964, DOT's implementing regulations, and Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (65 FR 50121, Aug. 11, 2000), recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.

**Please see EDCTC Language Assistance Plan attached to this Title VI Program. EDCTC's Four Factor Analysis and Action Plan are contained therein.**

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, "deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program." Recipients that have transportation-related, non-elected planning boards, advisory councils, or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.

**Appendix 6 shows EDCTC's Table Depicting Minority Representation on Committees and Councils Selected by EDCTC.**

8. REQUIREMENT TO PROVIDE ADDITIONAL INFORMATION UPON REQUEST

FTA may request, at its discretion, information other than that required by this Circular from a recipient in order for FTA to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT's Title VI regulations.

**EDCTC will fully cooperate with any FTA investigation of discrimination complaints to the extent required by Title VI regulations.**

## **Appendix 1: Title VI Notice to Beneficiaries**

The El Dorado County Transportation Commission (EDCTC) 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 been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with EDCTC.

For more information on EDCTC's Civil Rights Program and the procedures to file a complaint, contact (530) 642-5260; go online at <https://www.edctc.org/>; or visit our office at 2828 Easy Street, Suite 1, Placerville, CA 95667.

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

## Appendix 2: Title VI Complaint Procedures

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the El Dorado County Transportation Commission (hereinafter referred to as "EDCTC") may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. EDCTC investigates complaints received no more than 180 days after the alleged incident. EDCTC will process complaints that are complete.

Complaints must be in writing and signed by the complainant on the form provided. Complaints must include the complainant's name, address, and phone number and be detailed to specify all issues and circumstances of the alleged discrimination. Allegations must be based on issues involving race, color, or national origin. Title VI Complaints of Discrimination may be filed with:

EDCTC  
Attn: Title VI Coordinator  
2828 Easy Street, Suite 1  
Placerville, CA 95667

Once the complaint is received, EDCTC will review it to determine if its office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by EDCTC.

EDCTC has 30 days to investigate the complaint. If more information is needed to resolve the case, EDCTC may contact the complainant. The complainant has 15 business days from the date of the letter to send requested information to EDCTC. If EDCTC is not contacted by the complainant or does not receive the additional information within 15 business days, EDCTC can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After EDCTC reviews the complaint, it will issue one of two letters to the complainant: a closure letter or a Letter of Finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 30 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Avenue SE, Washington, DC 20590.

### Appendix 3: Title VI Complaint Form

Section 601, under Title VI of the Civil Rights Act of 1964 states 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.” **If you feel you have been discriminated against, please provide the following information in order to assist EDCTC in processing your complaint.**

**SECTION 1** (Please print clearly):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_(Home) \_\_\_\_\_(Work)

Accessible format requirements? \_\_\_\_ (Large print) \_\_\_\_ (Audiotape) \_\_\_\_ (TDD) \_\_\_\_ (Other)

**SECTION 2**

Are you filing this complaint on your own behalf? \_\_\_\_ (Yes) \_\_\_\_ (No)

If you answered yes to this question, go to Section 3.

If not, please supply the name and relationship of the person for whom you are filing this complaint:

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Please explain why you have filed for a third party: \_\_\_\_\_

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of the third party. \_\_\_\_ (Yes) \_\_\_\_ (No)

**SECTION 3**

I believe the discrimination I experienced was based on (check all that apply):

\_\_\_\_\_ Race \_\_\_\_\_ Color \_\_\_\_\_ National Origin

Date and Place of Occurrence: \_\_\_\_\_

Name (s) and Title(s) of the person (s) who I believe discriminated against me:

\_\_\_\_\_  
\_\_\_\_\_

The action or decision which caused me to believe I was discriminated against is as follows:  
*(Please include a description of what happened and how your benefits were denied, delayed or affected):*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list any and all witnesses' names and phone numbers:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What type of corrective action would you like to see taken?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 4**

Have you previously filed a Title VI complaint with this agency? \_\_\_\_ (Yes) \_\_\_\_ (No)

**SECTION 5**

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 all that apply:

Federal Agency \_\_\_\_ Federal Court \_\_\_\_ State Agency \_\_\_\_ State Court \_\_\_\_ Local Agency \_\_\_\_

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

You may attach any written materials or other information that you think is relevant to your complaint.

I believe the above information is true and correct to the best of my knowledge.

Signature and date required below:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

**Please submit this form in person at the address below or mail this form to:**

EDCTC  
Attn: Title VI Coordinator  
2828 Easy Street, Suite 1  
Placerville, CA 95667

## Appendix 4: List of Transit-Related Title VI Investigations, Complaints, and Lawsuits

Per FTA Circular 4702.1B, “all recipients are required to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin”:

- Active investigations conducted by FTA and entities other than FTA
- Lawsuits, and
- Complaints naming the recipient

Thus far, EDCTC has not received Title VI Investigations, Complaints or Lawsuits. Below is the list that will be used for tracking these incidents:

### Investigations, Lawsuits and Complaints

	<b>Date (Month, Day, Year)</b>	<b>Summary (Include basis of complaint: race, color, or national origin)</b>	<b>Status</b>	<b>Action(s) Taken</b>
<b>Investigations</b>				
1.	N/A			
2.	N/A			
<b>Lawsuits</b>				
1.	N/A			
2.	N/A			
<b>Complaints</b>				
1.	N/A			
2.	N/A			

## **Appendix 5: Public Participation Plan**

### **EL DORADO COUNTY TRANSPORTATION COMMISSION PUBLIC PARTICIPATION PLAN**

#### **GOALS**

To communicate the many functions of the El Dorado County Transportation Commission (EDCTC) to the general public, local interest groups, and partnering agencies with the intent of increasing awareness and involvement in transportation planning and projects, cultivating community and working relationships, and enhancing the effort of the EDCTC. EDCTC makes a concerted effort to solicit public input from all El Dorado County residents including under-represented groups in many aspects of transportation planning within western slope of El Dorado County. Specific examples are listed below.

#### **BACKGROUND**

The EDCTC serves as the Regional Transportation Planning Agency (RTPA) for El Dorado County. As the RTPA, the Transportation Commission is the forum for making decisions about the regional transportation system in El Dorado County. The decisions made are reflected in the Commission's planning and programming of state and federal transportation funds and the Regional Transportation Plan. Transportation plays a major role in the lives of every citizen in El Dorado County. An effective public outreach plan using systematic methods of communication will assist EDCTC in effectively achieving the desires of the public.

#### **OBJECTIVE**

Increase interest, awareness, and involvement of transportation funding, planning, projects, and processes in El Dorado County and neighboring regions.

#### **STRATEGIES**

The strategies below are designed to inform, educate, and involve the citizens of El Dorado County and will reinforce the EDCTC Goals and Objectives by:

- Increasing public understanding of transportation planning and programming
- Encouraging proactive involvement of the community
- Establishing healthy relationships with our partners and citizens

#### **OUTREACH**

- The EDCTC website will provide details and offer resources on projects, programming, and functions of the EDCTC
- The EDCTC Facebook page will identify meetings, events, and offer real-time updates with the opportunity for the community to comment, ask questions, make suggestions, and be involved in the processes
- Various email distribution lists will be maintained for specific groups interested in a particular project or area of projects
- Copies of the Draft RTP are made available for review at the main public libraries in western El Dorado County, as well as, on EDCTC website.
- Press releases are sent to the media establishments in western El Dorado County notifying them the Draft RTP was available for review and comment and noting some key findings.
- Public hearings are held and noticed in the main newspapers in western El Dorado County prior to adoption of the RTP and RTIP.

- Each year, public notifications are sent out to encourage participation in transportation planning processes, such as the annual unmet transit needs public hearing held by the Social Services Transportation Advisory Council (SSTAC) and numerous public workshops relating to the transportation projects and planning activities of EDCTC
- Citizens are encouraged to attend and speak at EDCTC Board meetings on any matter included for discussion on the agenda at that meeting
- Public meetings will be held during project outreaches in the area of the project
- Outreach materials will be translated in accordance with the EDCTC LAP
- Meetings will be held in accessible facilities
- EDCTC staff will make presentations as requested to local organizations
- Public notices will be posted on buses, at community locations, in the local newspaper as well as on the Agency Facebook page and website
- EDCTC will meet with focus groups to discuss a specific project or area discussions
- Staff will present information at regional workshops and include partner agencies
- The EDCTC will meet with local leaders to involve a variety of constituents
- Surveys will be done project specific to determine needs and desires of community vision
- Advisory committees will be formed to involve the community and regional partners
- Vision workshops may be held to reach out in innovative ways to encourage participation
- The EDCTC will make every effort to reach out to the traditionally underserved, Native American Tribes, and other specific stakeholders
- The EDCTC is committed to timely responses to questions, comments, and requests

### **Media Relations**

The EDCTC is diligent in being transparent through the media.

- Project Managers create a strategy for media releases for each project and schedule press releases into project timelines for milestones
- Press Releases for grant awards and other major accomplishments
- Public Hearing Notices

### **Other**

- The EDCTC reviews statistics of website usage and Facebook comments for outreach planning
- Comment forms are provided for questions and comments on projects and planning
- Staff produces Project Monitoring Reports semi-annually providing updates on current, pending, or stalled projects

### **Summary**

The El Dorado County Transportation Commission believes transparency in operations, using a diverse assortment of outreach tools, and utilizing the input of informed citizens will provide meaningful involvement and success in transportation planning goals.

The El Dorado County Transportation Commission will evaluate the effectiveness of the Public Outreach Plan on a regular basis.

## Appendix 6: Table Depicting Minority Representation on Committees and Councils Selected by EDCTC

This is a required table depicting racial breakdown of transit-related, non-elected planning boards, advisory councils, or committees. Also, a description of efforts made to encourage minority participation.

### SOCIAL SERVICE TRANSPORTATION ADVISORY COUNCIL

Body	Caucasian	Hawaiian/ Pacific Islander	African American	Asian American	Native American	Other
Population	87.6%	0.3%	0.8%	4.5%	0.8%	6.0%
SSTAC	11					
Language Group	English	Spanish	Asian Pacific	Indo / European	Other	
Population	87.8%	6.3%	2.7%	2.7%	0.4%	
SSTAC	10	1				

EDCTC has welcomed all who are interested in serving on the Social Services Transportation Advisory Council (SSTAC) who meet the mandates of the Transportation Development Act (TDA). EDCTC has appointed all members seeking to participate and will continue to do so. Outreach efforts are focused on the primary intent of the SSTAC, which is to meet the mandates of the TDA.

Per section 99238 of the Transportation Development Act, each transportation planning agency shall provide for the establishment of a social services transportation advisory council for each county, or counties operating under a joint powers agreement, which is not subject to the apportionment restriction established in Section 99232.

**Subdivision A:** The Social Services Transportation Advisory Council shall consist of the following members:

- One representative of potential transit users who is 60 years of age or older
- One representative of potential transit users who is disabled
- Two representatives of the local social service providers for seniors, including one representative of a social service transportation provider, if one exists
- Two representatives of local social service providers for the disabled, including one representative of a social service transportation provider, if one exists
- One representative of a local social service provider for persons of limited means
- Two representatives from the local consolidated transportation service agency, designated pursuant to subdivision (a) of Section 15975 of the Government Code, if one exists, including one representative from an operator, if one exists

The transportation-planning agency may appoint additional members in accordance with the procedure prescribed in subdivision (b).

## **Appendix 7: Employee Education Form**

### **Title VI Policy**

No person shall, on the grounds 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.

All employees of EDCTC and its affiliates are expected to consider, respect, and observe this policy. Citizen questions or complaints shall be directed to EDCTC Title VI Coordinator.

## **Appendix 8: Acknowledgement of Receipt of Title VI Plan**

I hereby acknowledge receipt of EDCTC's Title VI Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits or services delivered by the El Dorado County Transportation Commission on the basis of race, color, or national origin, as protected by Title VI.

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print your name

\_\_\_\_\_  
Date

## Appendix 9: Letter Acknowledging Receipt of Title VI Complaint

Today's Date

Ms. Jane Doe  
1234 Main St.  
Placerville, CA 95667

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against EDCTC alleging

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An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning (530) 642-5260, or write to:

El Dorado County Transportation Commission  
Attn: Title VI Coordinator  
2828 Easy Street, Suite 1  
Placerville, CA 95667

Sincerely,

EDCTC Title VI Coordinator

## Appendix 10: Letter of Finding (Notifying Complainant that Complaint is Substantiated)

Today's Date

Ms. Jane Doe  
1234 Main St.  
Placerville, CA 95667

Dear Ms. Doe:

The matter referenced in your letter of \_\_\_\_\_ (date) against EDCTC alleging a Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of this matter. ***(If a hearing is requested, the following sentence may be appropriate.)*** You may be hearing from this office, or from Federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

EDCTC Title VI Coordinator

**Appendix 11: Closure Letter (Notifying Complainant that the Complaint is Not Substantiated)**

Today's Date

Ms. Jane Doe  
1234 Main St.  
Placerville, CA 95667

Dear Ms. Doe:

The matter referenced in your complaint of \_\_\_\_\_ (date) against the El Dorado County Transportation Commission, (EDCTC) alleging \_\_\_\_\_ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, have in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving Federal financial assistance.

EDCTC has analyzed the materials and facts pertaining to your case for evidence of EDCTC's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to appeal this decision within 30 calendar days of receipt of this final written decision from EDCTC.

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to contact me.

Sincerely,

EDCTC Title VI Coordinator

## EDCTC Language Assistance Plan

### **Background**

The purpose of this Language Assistance Plan is to clarify the responsibilities of EDCTC, as a recipient of federal financial assistance from the U.S. Department of Transportation (DOT) to persons with Limited English Proficiency (LEP), pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

### **Executive Order 13166**

Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121 (August 11, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons with Limited English Proficiency." (See 65 FR 50123, August 16, 2000, DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies, and governments (such as EDCTC), private and non-profit entities, and sub-recipients.

### **Plan Summary**

EDCTC has developed this Language Assistance Plan (LAP) to help identify reasonable steps to provide language assistance for LEP persons who seek meaningful access to EDCTC services as required by Executive Order 13166. As defined by this order, a person with Limited English Proficiency is one who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English.

This plan details procedures for identifying a person who may need language assistance, the ways in which assistance may be provided, staff training, how to notify LEP persons that assistance is available, and potential future updates to the plan.

### **Four Factor Analysis**

The U. S. Department of Transportation (DOT) issued its Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient (LEP) Persons [Federal Register: December 14, 2005 (Volume 70, Number 239)]. This policy states that DOT recipients are required to take reasonable steps to ensure meaningful access to programs by LEP persons. This coverage extends to the recipient's entire program. There are four factors for agencies to consider when assessing language needs and determining what steps they should take to ensure access for LEP persons, regardless of whether or not the agency chooses not to prepare a written LEP plan. A brief description of the self-assessment undertaken in each of these areas follows.

In developing the plan, EDCTC undertook a Four Factor Analysis as required by U.S. DOT. This considers the following factors:

- 1) The number or proportion of LEP persons eligible to be served or likely to be encountered by EDCTC; and
- 2) The frequency with which LEP persons come into contact with EDCTC programs, activities, or services;
- 3) The nature and importance of the programs, activities or services provided by EDCTC to the population; and
- 4) The resources available to EDCTC for LEP outreach, as well as the costs associated with that outreach.

A summation of these considerations is provided in the following section.

### **1. The number or proportion of LEP persons eligible to be served or likely to be encountered by EDCTC.**

In order to understand the proportion of LEP persons eligible to be served or likely to be encountered by EDCTC, EDCTC examined the *2015-2019 American Community Survey Five-Year Estimates: Language Spoken at Home by Ability to Speak English for the Population Five years and Over, 2015-2019 Demographic and Housing Estimates for El Dorado County, California*. Per the *2015-2019 American Community Survey Five-Year Estimates*, the population five years and over is 179,893, or 95.4% of the population.

Using the percentages in “Languages Spoken at Home” from the *2015-2019 American Community Survey Five-Year Estimates*, EDCTC has determined the following about the Counties’ population over age five.

- 87.8% or 157,990 people speak English only.
- Approximately 12.2% or 21,903 people speak a language other than English; 3.6% or an estimated 6,432 people speak English less than “very well”.
- The largest proportion of non-English speaking language groups is Spanish: 6.3% or an estimated 11,419 people speak Spanish and 3,354 of this language group or 29.4% of the total group speak English less than “very well”.
- 2.7% or an estimated 4,946 people speak other Indo-European languages, and of these 23.9% or 1,183 people speak English less than “very well”.
- 2.7% or an estimated 4,896 people speak Asian and Pacific Island languages, and of these 35.6% or 1,742 people speak English less than “very well”.

“The ‘Safe Harbor Provision’ as defined by Department of Justice, stipulates that 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 encountered, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations.”

EDCTC further examined specific languages using the *2015-2019 American Community Survey Five-Year Estimates: Language Spoken at Home by Ability to Speak English for the Population Five Years and Over*. This data allowed EDCTC to determine whether or not those speaking languages other than Spanish fall under the ‘Safe Harbor Provision.’

All language groups other than Spanish have estimated populations of less than five percent of the total population. EDCTC will further examine providing services to these language groups in annual reviews of the Title VI Program.

**2. The frequency with which LEP persons come into contact with EDCTC programs, activities, or services.**

EDCTC regularly assesses the frequency at which staff have or could possibly have contact with LEP persons. EDCTC staff have had infrequent interactions with Spanish speakers for the planning and programming processes, regarding provision of interpretive services for persons that are not proficient in English.

**3. The nature and importance of the programs, activities or services provided by EDCTC to the population.**

Access to the transportation planning and programming processes are essential service for EDCTC's residents. EDCTC's 'transit-dependent' population includes elderly persons, people with disabilities, youth, and individuals below the poverty line and without vehicles.

According to the *2015-2019 American Community Survey Five-Year Estimates: Language Spoken at Home*, the largest geographic concentration of LEP individuals in EDCTC's service area is Spanish-speaking.

**4. The resources available to EDCTC for LEP outreach, as well as the costs associated with that outreach.**

EDCTC has assessed its available resources that could be used for providing LEP assistance. EDCTC makes provision to have translators available at transportation needs workshops.

**Language Assistance Plan Outline**

After analyzing the four factors, EDCTC developed the following Language Assistance Plan to assist persons of Limited English Proficiency.

**How EDCTC staff may identify an LEP person who needs language assistance:**

- Examine records of requests for language assistance from past meetings and events to determine the possible need for assistance at future events;
- When EDCTC-sponsored workshops or conferences are held, EDCTC provides a notice that interpretive services will be provided per request.
- Survey staff, on an annual basis at the beginning of each fiscal year regarding their experience on having any direct or indirect contact with LEP individuals.

**Language Assistance Measures**

EDCTC will continue to implement the following procedures:

- When an interpreter is needed, in person or on the telephone, EDCTC staff will first attempt to determine what language is required, and then seek services of an interpreter or utilize the telephone interpreter service – Language Line Services at <http://www.language.com/>.

**EDCTC Staff Training**

All EDCTC staff will be provided with the LAP Plan and will be educated on the following procedures. This information will also be part of the staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities
- Language assistance services EDCTC offers
- How to use the "Language Line" interpretation and translation services
- Documentation of language assistance requests
- How to handle a Title VI and/or LEP complaint

### **Outreach Techniques**

EDCTC will use the following outreach techniques:

- When staff will be hosting a meeting or workshop or will be presenting a pertinent topic, all meeting notices and flyers and agendas will give notice that interpretive service can be provided.
- When running a general public meeting notice, staff will state that a translator will be available in Spanish, or in another language as determined to be necessary. The included clause will be similar to, "A (insert alternative Language) translator will be available". For example: "Un traductor del idioma español estará disponible", or "A Spanish translator will be available".

### **Monitoring and Updating the Language Assistance Plan**

EDCTC's Language Assistance Plan is designed to be easily updated. At a minimum, EDCTC will follow the Title VI Program update schedule of submission every three years.

Each update of the LEP Plan will examine plan components including:

- How many LEP persons were encountered annually?
- Were the needs of these LEP persons met?
- What is the current LEP population in EDCTC's service area?
- Is a change needed in the types of language translation services provided?
- Is there still a need for continued language assistance for previously identified EDCTC programs? Are there other programs that should be included?
- Have EDCTC's available resources, such as technology, staff, and financial costs changed?
- Has EDCTC fulfilled the goals of the LAP Plan?
- Were any complaints received?

### **Dissemination of EDCTC Language Assistance Plan**

EDCTC will include the Language Assistance Plan along with the Title VI Program on the EDCTC website (edctc.org). Any person, including social service, non-profit, and law enforcement agencies and other community partners with internet access will be able to access the plan. Copies of the Language Assistance Plan will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request.

Any questions regarding this plan should be directed to EDCTC Title VI Coordinator:

EDCTC Title VI Coordinator  
2828 Easy Street, Suite 1  
Placerville, CA 95667  
Phone: (530) 642-5260  
<https://edctc.org/>