

City of Madera Transit Services Limited English Proficiency (LEP) Plan

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address the City of Madera Grants and Transit Division's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1B dated October 1, 2012, which states that no person shall be subjected to discrimination based on race, color, or national origin.

Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency" (65 FR 50121, Aug. 11, 2000), indicated that differing treatment based upon a person's inability to speak, read, write, or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all State and local agencies which receive federal funds.

Background

The City of Madera Grants Department and Transit Division administers the Madera Metro and Dial-A-Ride transit services that are operated by a contract service provider. The current transit service provider is MV Public Transportation, Inc.

The Madera City Council is the policymaking body for the system. A seven-member Transit Advisory Board (TAB) composed of residents appointed by the City Council, acts as a study and steering committee.

The City of Madera transit services (Madera Metro) consist of a Fixed Route and a Dial-a-Ride service (DAR). The City of Madera Grants Department and Transit Division has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by Madera Metro and Dial-A-Ride. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, and how to notify LEP persons that assistance is available.

To prepare this plan, City of Madera staff undertook the U.S. Department of Transportation (U.S. DOT) four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter the City of Madera transit programs, activities, or services.
2. The frequency with which LEP persons encounter City of Madera transit services programs, activities, or services.
3. The nature and importance of programs, activities, or services provided by the City of Madera transit services to the LEP population.
4. Resources available to the City of Madera Grants Department and Transit Division and overall cost to provide LEP assistance.

A summary of the results of the City of Madera transit services' four-factor analysis is in the following section.

Meaningful Access: Four-Factor Analysis

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter City of Madera transit programs, activities, or services.

As the City of Madera population is below the 100,000-population threshold for full inclusion in the most recent American Community Survey (ACS), analysis is based on the 2020 US Census. City of Madera transit services staff reviewed the 2020 U.S. Census and determined that, out of a population of City of Madera 66,224 residents, 36,624 (55.3%) of City of Madera residents speak a language other than English. In the City of Madera 17,598 residents (26.5%) have limited English proficiency; that is, they speak English “not well” or “not at all”. In the City of Madera, of those persons with limited English proficiency, the majority speak Spanish (10,761 / 16.2% Spanish Speaking Only Residents). The City’s most current demographic analysis shows that the number or proportion of LEP served or encountered in the eligible service area is as follows:

Census Tracts

Description	5.10	5.11	5.12	5.15	6.02	6.03	6.04
Total Population	6,128	6,557	4,693	3705	4,067	6,293	5,139
Hispanic/Latino	4,779	5,311	2,815	2,593	3,782	5,349	4,470
Percentage	78%	81%	60%	70%	93%	85%	87%

Description	7.02	7.01	8.01	8.02	9.01	9.02	9.03
Total Population	6,611	5,433	2,625	4,167	3,884	3,977	3,620
Hispanic/Latino	4,098	3,748	2,126	3,708	2,835	2,823	3,294
Percentage	62%	69%	81%	89%	73%	71%	91%

Lastly, through staff contact, and feedback from the transit operator, it has been noted that not only is Spanish the primary language identified, but varying dialects of Spanish from different countries is also being experienced.

Reference

- <https://censusreporter.org/profiles/14000US06039000201-census-tract-201-madera-ca/> - Census Tract Data
- <https://data.census.gov/cedsci/table?q=Madera%20city,%20California&tid=A CSST5Y2020.S1601> – LEP Results

2. The frequency with which LEP persons come in contact with City of Madera transit services programs, activities, or services.

All transit services are provided in one or more of the above-referenced census tracts. A high percentage of Hispanic/Latino individuals therefore come into contact with the program. On-board ridership surveys conducted by the City reflect that 75 percent of riders utilize MAX or Dial-A-Ride services three to five days per week; 16 percent six to seven days per week; and 8 percent one to less than one day per week.

3. The nature and importance of programs, activities, or services provided by City of Madera transit services to the LEP population.

The largest geographic concentration of LEP individuals in the City of Madera transit services area is Spanish-speaking. On-board ridership surveys conducted by the City indicate that 83 percent are captive transit riders, and 30 percent could have made their trip by another means as a passenger. The main purposes indicated for trips were 61 percent for medical/dental; 50 percent for shopping; 42 percent for school; 20 percent for work; and 17 percent for other purposes including religious services and social outings.

4. The resources available to City of Madera Transit Division and overall cost to provide LEP assistance.

City of Madera transit staff has access to a variety of resources and collaborates with multiple organizations that help with outreach and providing LEP assistance at low or no cost. Community-based resources include:

- City of Madera Transit Advisory Board
- City of Madera Senior Centers

- City of Madera Intermodal Center
- City of Madera Transit Center
- Madera County Transportation Commission (MCTC) Social Services Transportation Advisory Committee (SSTAC)
- MCTC Board Unmet Transit Needs Process
- MCTC Public Participation Plan Committee
- Madera County Social Services Department
- Community Action Partnership of Madera County
- Camarena Health Center
- Grant-funded Consultant Services
- Translation Services

The above community resources will continue to be used on a regular basis to assist in identifying needs of the City's LEP population. They will also serve to widely disseminate bilingual transit service information and announcements and to notify the LEP population of planned workshops and outreach efforts.

Based on the four-factor analysis, the City of Madera will develop its LEP Plan as outlined in the following section.

Identification of LEP Population

The Transit Division has developed several possible ways to assist in identifying LEP populations within the City, including:

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Have a staff person greet participants as they arrive to City of Madera transit-sponsored events. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English.
3. Survey vehicle operators and other front-line staff, like dispatchers, dial-a-ride schedulers, and service development planners on their experience concerning any contacts with LEP persons.

Network with local human services organizations (such as Social Services and Public Health) to assist in identifying LEP groups and individuals most in need of LEP assistance and to further facilitate dissemination of information about Madera's transit.

Language Assistance Measures

There are plans for several language assistance options available to LEP persons, including both oral and written language services. There are also various ways in which City of Madera transit staff can respond to LEP persons, whether in person, by telephone, or in writing.

- a. Provide a bilingual City employee at community events, public hearings, and Transit Advisory Board (TAB) meetings.
- b. Placement of statements in notices and publications that interpreter services are available for these meetings.
- c. Annually survey bus drivers and other front-line staff, like dispatchers, Dial-A-Ride schedulers, and service development planners on their experience concerning any contacts with LEP persons during the previous year.
- d. Post the City of Madera Transit Services Title VI Policy and LEP plan on the City of Madera website, <https://www.madera.gov/home/departments/transit/>
- e. Require all transit operator contracts to include the following clause:
 “Personnel: CONTRACTOR shall employ and supervise all personnel, including drivers, dispatchers, managers, customer service representative and other personnel needed to operate and maintain the service provided by CONTRACTOR under this Agreement. Dispatchers and customer service representatives shall have some bilingual skills (communicate in Spanish and English, i.e., ability to understand simple directions, addresses and times). Consideration should be given to bilingual

 drivers who understand simple directions in English/Spanish. Qualified supervisory personnel shall be available during all hours of operation.”
- f. When an interpreter is needed, for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.

LEP Safe Harbor

The Safe Harbor Threshold provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals, whichever is less, of the total population or persons eligible to be served or likely to be affected or encountered) a recipient of FTA funds must provide written translation of vital documents for the non-English users. Further translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost. These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

The City of Madera – Madera Metro complies with the Safe Harbor Threshold provisions, as evidenced by the number of documents translated in Spanish. With respect to Title VI information, the following shall be made available in Spanish:

- Title VI Public Notices
- Title VI Complaint Procedures
- Title VI Complaint Form

In addition, the City of Madera will conduct marketing that incorporates translated materials that reach LEP persons. Vital bilingual or multilingual documents and key event include the following:

- Notices of free language assistance for person with LEP
- Notice of Non-Discrimination and Reasonable Accommodation
- Outreach Materials
- System Maps and Bus Schedules
- Route Changes
- Community Meetings
- Public Hearings
- Service Change Announcements
- Safety and Security Announcements

LEP Staff Training

The City of Madera ensures timely and reasonable language assistance to LEP utilizing several approaches. Customer service staff and other key staff are given instruction on (1) how to respond to an LEP caller request and (2) how to respond to written communication from an LEP person.

Instructions are provided to vehicle operators, supervisors and managers, and others who regularly interact with the public on how to respond to an LEP customer.

Options to Respond to LEP Persons

There are various ways in which the City of Madera transit staff can respond to LEP persons, whether in person, by telephone, or in writing. They include but are not limited to the following:

1. Provide writing translation of vital documents for eligible LEP language group(s) including, but not limited to:
 - Consent and complaint forms
 - Intake and application forms
 - Written notices of rights
 - Notice of denials, losses, or decreases in benefits or services
 - Notice of person's rights under Title VI
2. Provide a bilingual Community Outreach Coordinator at community events and public hearings. City of Madera has personnel to provide Spanish interpretation.
3. Place statements in notices and publications that interpreter services are available for these meetings.
4. Survey bus drivers and other front-line staff, such as dispatchers, schedulers, and service development planners on their experience concerning any contacts with LEP persons during the previous year.
5. Post City of Madera Title VI Policy and LEP plan on City of Madera Website,

<https://www.madera.gov/home/departments/transit/helpful-transit-information/#tr-city-of-madera-title-vi-policy-statement-245606>

6. Access language assistance services from a professional translation service or qualified community volunteers when an interpreter is needed to ensure information is clearly presented, including public comments.
7. Provide on-going employee training to promote better understanding of the laws that prohibit discrimination on the basis of national origin and to ensure timely and reasonable language assistance to LEP populations. LEP sensitivity training will be conducted with staff (drivers, dispatch, and management) as part of employee training and orientation and refreshers classes to ensure staff work effectively with LEP populations and provide effective language assistance services.

Outreach Techniques

When staff prepares a document or schedules a meeting for which the target audience is expected to include LEP individuals, documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the know LEP population. Interpreters will be available as needed. The City of Madera currently uses a variety of outreach approaches as described below.

1. Public Outreach Activities

The City of Madera website posts transit schedules and rider information. The City website provides material in both English and Spanish. The City also provides easy access to bilingual (English and

Spanish) administrative staff and drivers during operating hours to answer questions during their regular shift schedules for those LEP passengers who use the City's transit system.

The City also reaches out to the community directly through meetings with agency and community staff and their clients as needed. Information regarding the City's transit services is disseminated at these meetings, including schedules and appropriate fliers. Schedules also are made available at a variety of locations throughout the community and on all City transit buses. Staff utilizes different meeting sizes and formats, utilizes alternative advertising platforms and community interaction.

2. Public Meetings

The City of Madera conducts and participates in meetings that are open to the general public and can be scheduled at convenient times and accessible locations. The City collaborates with the Madera County Transportation Commission (MCTC), the Metropolitan Planning Organization (MPO), in its Unmet Transit Needs process. The Unmet Transit Needs hearings are accessible to the general public and are consistent with MCTC's comprehensive Public Participation Plan and process that ensure meaningful access to LEP throughout the service

area. The MCTC public hearing is accessible by public transit services.

The City of Madera transit staff also participates in the development of the MCTC “Public Participation Plan.” A series of meetings are conducted with participants from throughout the community. Recommendations to maximize community involvement are reflected in this plan and adopted by the MCTC Board.

3. Participation in Community Activities

The City of Madera engages in community activities that promote its transit services. These activities and sites include:

- City of Madera Senior Centers
- Madera Annual District Fair
- Madera’s Annual Pomegranate and Fruit Festival
- City of Madera Community Centers
- MCTC Annual Unmet Transit Needs Process
- Participation in updates to the Public Transit Human Services Transportation Coordination Plan for Madera County

Assurances

The City of Madera transit services will ensure that no person, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964, will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination. Further, the City will notify the public

of protections against discrimination afforded them by Title VI Regulations and will take preventive corrective and disciplinary action necessary to reduce behavior that violate the rights and privileges the regulations are designed to protect.

The City will post information on its web site, Intermodal and Transit Facility as well as all transit buses and ensure that it reflects up to date information consistent with the requirements of 49 CFR Section 21.9(d).

Monitoring and Updating the LEP Plan

Madera will update the LEP as required by U.S. DOT. At a minimum, the plan will be reviewed and updated when more data from the 2010 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the City of Madera transit services area. Updates will include the following:

- Documentation of LEP personal contacts.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether City of Madera transit financial resources are sufficient to fund

- language assistance resources needed.
- Determine whether City of Madera has fully complied with the goals of this LEP Plan.
- Determine whether complaints have been received concerning City of Madera transit services' failure to meet the needs of LEP individuals.

Determination of Site or Location of Facilities

The City of Madera will not determine the location of projects requiring land acquisition and the displacement of persons from their residences and businesses on the basis of race, color, or national origin per Title 49 CFR, Section 21.9(b)(3). In determining the site or location of facilities, the City of Madera will not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subject them to discrimination.

Facilities include, but are not limited to, storage facilities, maintenance facilities, operation center, etc. A Title VI equity analysis will be undertaken before selection of a preferred site and outreach undertake to persons potentially impacted by the siting of facilities. Compliance with regulations, the City is also determined if other facilities with similar impacts I the area will result in any cumulative adverse impacts.

If a location is determined to have a disparate impact on the basis of race, color, or nation origin, the City of Madera may only locate the project in the selected location with substantial justification and where there are no alternative locations that would have a less disparate impact. Upon consideration and analysis of alternatives, the least discriminatory analysis will be implemented.

Availability of Title VI Plans and Procedures

The City of Madera LEP Plan and the Title VI Procedures are included in the City of Madera's website at <https://www.madera.gov/home/departments/transit/>. Any person or agency with internet access will be

able to access and download the plan from the City of Madera website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the translated plan which the City of Madera will provide, if feasible. Questions or comments regarding the LEP Plan may be submitted to the City of Madera Grants Department, Transit Division, Title VI Coordinator:

City of Madera, Grants Department - Transit Division
Title VI Compliance Coordinator
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