

Appendix E

SCAG's Language Assistance Plan for Limited English Proficient (LEP) Populations

SCAG is the largest Metropolitan Planning Organization in the nation, representing six counties – Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura – and 191 cities. The SCAG region covers 38,000 square miles and includes a population of more than 19 million people, just under half of the total state population.

As a recipient of federal funds, SCAG follows the Circular's guidance concerning recipients' responsibilities to limited English proficient (LEP) persons. Individuals for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English are recognized as limited English proficient, or "LEP." SCAG's Language Assistance Plan for Limited English Proficient Populations is intended to guide the agency in the provision of meaningful access to its services, programs and activities by LEP persons. The plan considers the languages that are spoken in the region, which documents will be translated by the agency, special outreach methods, accommodations for oral language assistance, staff training and how SCAG will evaluate and improve its services to LEP persons.

In developing transportation plans, SCAG has employed numerous strategies to engage and seek input from traditionally underserved populations. This plan complements in many ways the goals and strategies outlined in SCAG's Public Participation Plan to engage the public in regional planning efforts. A full copy of the Public Participation Plan is included herein as **Appendix D** and can be found on SCAG's website at: <http://www.scag.ca.gov/participate/Pages/PublicParticipationPlan.aspx>.

Four- Factor Analysis of Language Assistance Measures

SCAG is required to ensure meaningful access to the benefits, services, and information regarding our programs and activities to individuals who are limited English proficient. SCAG has consulted the USDOT's LEP Guidance and performed a four-factor analysis of LEP populations in the region and the agency's level of interaction to determine the appropriate mix of services to offer. The four factors consider the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the SCAG's programs.
2. The frequency with which LEP persons come into contact with SCAG's programs, activities or services.
3. The nature and importance of the program, activity, or service provided by SCAG to people's lives.
4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

LEP Populations in the Region

To identify LEP populations in the region, SCAG looked to the U.S. Census Bureau's American Community Survey (ACS) 2019 Data Set1 using the criteria, "Language Spoken at Home, by Ability to Speak English, for Populations 5 Years and Older." In reviewing the ACS data, SCAG has made the determination that any individual who indicated they do not speak English "very well" would be classified as LEP. Out of a total population of 17,755,313 persons (ages 5 years and older) in the SCAG region, approximately 20%, or 3,537,059 persons, were identified as LEP. Spanish-speakers constituted the largest LEP group – 2,392,605 persons, or 13.5% of individuals in the SCAG region indicated that they did not speak English very well. Other large LEP populations in the region include Chinese, Vietnamese, and Korean speakers. The following table provides additional information, including LEP populations that meet the DOJ's safe harbor threshold of 1,000 persons of the total LEP population eligible to be served.

To corroborate this data, SCAG looked to information from the 2000 Census and 2011-2015 American Community Survey data. Overall, LEP populations were higher in the 2000 Census figures, with 3,752,830 persons, or 24.6% of the total population ages 5 years and older who indicated they did not speak English very well. Over the 2011-2015 period the share of LEP individuals decreased to 22% and decreased to 20% in 2019. Mirroring a shift in regional immigration, the Spanish speaking share of the region's LEP population decreased slightly from 70.0% to 67.6% while the Chinese speaking share increased from 7.5% to 8.8%.

¹ Note: Imperial County data for 2019 unavailable. 2011-2015 ACS 5-year estimates for Imperial County were joined to 2019 1-year ACS estimates for the remaining counties in the region.

LEP Populations in the SCAG Region

Language	Total LEP Persons	% of SCAG Region LEP Population	% of Total SCAG Population
Spanish	2392605	67.64%	13.48%
Chinese (incl. Mandarin, Cantonese)	311989	8.82%	1.76%
Vietnamese	173967	4.92%	0.98%
Korean	153762	4.35%	0.87%
Tagalog (incl. Filipino)	109463	3.09%	0.62%
Armenian	79396	2.24%	0.45%
Persian (incl. Farsi, Dari)	44574	1.26%	0.25%
Japanese	32989	0.93%	0.19%
Arabic	31241	0.88%	0.18%
Russian	24343	0.69%	0.14%
Thai, Lao, or other Tai-Kadai languages	22725	0.64%	0.13%
Khmer	18126	0.51%	0.10%
Ilocano, Samoan, Hawaiian, or other Austronesian languages	15939	0.45%	0.09%
Hindi	12144	0.34%	0.07%
Punjabi	11061	0.31%	0.06%
Other languages of Asia	8785	0.25%	0.05%
Bengali	7756	0.22%	0.04%
Portuguese	7489	0.21%	0.04%
Other and unspecified languages	7360	0.21%	0.04%
Other Indo-European languages	7175	0.20%	0.04%
French (incl. Cajun)	7028	0.20%	0.04%
Amharic, Somali, or other Afro-Asiatic languages	6141	0.17%	0.03%
Gujarati	5367	0.15%	0.03%
Urdu	4638	0.13%	0.03%
Hebrew	3590	0.10%	0.02%

Ukrainian or other Slavic languages	3533	0.10%	0.02%
Yoruba, Twi, Igbo, or other languages of Western Africa	3396	0.10%	0.02%
German	3271	0.09%	0.02%
Nepali, Marathi, or other Indic languages	3269	0.09%	0.02%
Italian	3075	0.09%	0.02%
Polish	2991	0.08%	0.02%
Tamil	2808	0.08%	0.02%
Greek	2785	0.08%	0.02%
Telugu	2609	0.07%	0.01%
Haitian	2045	0.06%	0.01%
Swahili or other languages of Central, Eastern, and Southern Africa	1903	0.05%	0.01%
Yiddish, Pennsylvania Dutch or other West Germanic languages	1705	0.05%	0.01%
Hmong	1556	0.04%	0.01%
Serbo-Croatian	1228	0.03%	0.01%
Malayalam, Kannada, or other Dravidian languages	691	0.02%	0.00%
Other Native languages of North America	396	0.01%	0.00%
Navajo	145	0.00%	0.00%

Frequency of Interaction

In the past, SCAG's LEP Program focused on four major activities, which included:

- Providing interpreters available at meetings and workshops, with 72-hour advance notice
- Translating selected documents into Spanish, Chinese, Korean and Vietnamese and making these documents available for download on the agency's website
- Utilization of specialty outreach consultants to engage with the LEP and minority communities for the development of the Regional Transportation Plan/Sustainable Communities Strategy
- Disseminating notices of availability and press releases to print, radio and broadcast media serving minority communities

To better assess its LEP program, the agency continues to monitor staff's frequency of interaction with LEP communities, including when SCAG receives phone calls from non-English speakers, and when language

interpretation at public meetings is requested.

SCAG has largely relied on its bilingual staff to assist in our LEP efforts. The aforementioned phone calls by non-English speakers were requests for information, and bilingual staff from SCAG was able to address the caller's needs. In the few cases where interpreters were needed at public meetings, SCAG's bilingual staff was able to accommodate the non-English speaker(s). SCAG also receives visiting delegations from China and Korea, and bilingual staff members have provided approximately 25 in-language presentations a year, for the past two years.

In conducting outreach for past cycles of the Regional Transportation Plan/Sustainable Communities Strategy, SCAG translated several key documents and made these available on the agency website.

The Importance of SCAG's Programs to LEP Populations

As the Metropolitan Planning Organization for the region, SCAG represents six counties, including 191 cities and more than 19 million residents. The agency develops long-range regional transportation plans as well as sustainable communities strategies, growth forecast components, regional transportation improvement programs, regional housing needs allocations, and a portion of the South Coast Air Quality management plans. SCAG does not implement projects, so the agency works with its partners at the County Transportation Commissions and local jurisdictions to develop the plans in a "bottom-up" process. The agency follows this process to provide local and county jurisdictions a greater voice in determining their priorities.

SCAG's planning activities have the potential to impact every person in the region and SCAG seeks to provide reasonable opportunities for interested parties to comment or provide input on these activities. SCAG evaluates the particular planning activity at hand, whether it be a planning study or a demonstration project, and assesses what level of public engagement would be the most effective. SCAG's Public Participation Plan outlines some of the strategies used to engage LEP populations, in particular those living in rural and environmental justice communities.

Resources for LEP Outreach

As listed in the Language Assistance Plan portion of this document, SCAG translates vital documents, makes available interpreters or translation services at public meetings upon request and conducts outreach to ethnic media. Outside of its main headquarters in downtown Los Angeles, SCAG maintains regional offices in the other five counties, including: Imperial, Orange, Riverside, San Bernardino and Ventura. These offices are each staffed by a liaison that provides outreach to member cities and other agencies. They play an important role in SCAG's overall public outreach efforts by working with local agencies to identify stakeholder groups that may be interested in participating in regional planning. These liaisons also provide presentations to groups on the agency's RTP/SCS.

In addition to SCAG staff resources, approximately \$40,000 per year is allocated for additional language services provided by outside consultants. This amount includes funds for consultant-led outreach to constituent groups and additional ethnic press outreach.

Conclusion

Given the size and diversity of the SCAG region, SCAG's frequency and type of interaction with LEP persons, and the resources available, SCAG determined that the agency will prioritize access to information and translation of vital documents in the four most frequently spoken languages in the region other than English – Spanish, Chinese, Korean and Vietnamese. Provided that it has the resources to do so, SCAG will also, upon request, translate documents and provide interpretation services in other languages.

SCAG's Language Assistance Plan for LEP Populations

Based on the results of the four-factor analysis, SCAG has prepared a Language Assistance Plan, utilizing a broad range of tools to engage LEP populations and provide staff procedures for providing assistance.

Translation of Vital and Non-Vital Documents

To achieve compliance with U.S. DOT guidelines, SCAG has taken into consideration the Safe Harbor Provision of the FTA Title VI Circular (4702.1B) in developing its policy on translating documents:

"DOT has adopted DOJ's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision 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 affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. 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."

SCAG's four-factor analysis reveals more than 30 languages that are spoken by more than 1,000 LEP persons in the SCAG six-county region. Spanish-speaking LEP persons are the largest group, representing 68% of the total LEP population, followed by Chinese (8.82%), Vietnamese (4.92%), Korean (4.35%), Tagalog (3.09%) and Armenian (2.24%). There is no other language that exceeds two percent of the LEP population share.

Upon review of the four-factor analysis, SCAG determined that the agency will translate documents considered "vital" into the four most frequently spoken languages other than English – Spanish, Chinese, Vietnamese and Korean. Vital documents include:

- Notices of availability
- Display ads in ethnic newspapers
- Public hearing/meeting notices with information on free language assistance services
- Title VI complaint form
- Notice of a person's rights under Title VI

The Agency will determine, on a case-by-case basis, the effectiveness and appropriateness to translate other non-vital documents – such as long-range plans (in their entirety), executive summaries of plans or fact sheets as well as flyers and announcements into Spanish, Chinese, Vietnamese or Korean.

With regard to translating vital and non-vital documents into other languages, SCAG is committed to providing reasonable access to all individuals and complying with the DOT's Safe Harbor Provision. Subject to available resources, SCAG will provide translations of the agency's vital – and non-vital documents on a case-by-case basis – by request. Requests can be made by emailing contactus@scag.ca.gov or through our online public participation form: <http://scag.ca.gov/participate/Pages/PublicComment.aspx>

Interpreting and Oral Language Assistance

SCAG will provide interpreting assistance at its public meetings and workshops with, at minimum, a 72-hour advance notice. Requests can be made by emailing contactus@scag.ca.gov or through our online public participation form: <http://scag.ca.gov/participate/Pages/PublicComment.aspx>

SCAG relies on a contracted firm to meet most of its interpreting and translation needs. To support these projects, SCAG also often enlists the help of bilingual staff for quality control purposes. These staff members are fluent in English and Spanish, Chinese, or Korean, and are well versed in planning terminology and concepts. SCAG's contracted translation service maintains a roster of certified and/or qualified interpreters and will utilize them on an as-needed basis. Interpreters will need to assess the reading level of the audience and speak to the target language group's vocabulary, phrases and/or dialects. Interpreters and translation services must also demonstrate proficiency in both English and the other language, as well as accurately communicate specialized terms or concepts in regional planning.

Outreach and Media Engagement

When engaging the public on its long-range plans and programs, SCAG has utilized traditional media outlets (print, radio and television) as a primary outreach tool. This applies to LEP populations as well. SCAG sends press releases and public meeting announcements to local ethnic media, and purchases display ads for public hearing notices in Chinese, Korean, Spanish and Vietnamese language newspapers serving the region.

As outlined in the Public Participation Plan, SCAG will outreach to local organizations to engage those who are traditionally uninvolved or under-involved in the planning process, including rural and economically disadvantaged LEP populations. SCAG will provide in-language group presentations upon request towards this effort. Group in-language presentations may be requested by emailing contactus@scag.ca.gov or through our online public participation form: <http://scag.ca.gov/participate/Pages/PublicComment.aspx>

Use of Bilingual Staff

All front-line SCAG staff are provided with the LEP Plan and educated on procedures and services available. To assist in identifying LEP individuals who need language assistance, SCAG will utilize the

U.S. Census Bureau's "I Speak" language identification list. The list translates "Mark this box if you read or speak [language name]" into 38 different languages and will be an effective tool at SCAG's reception desk, public meeting rooms and regional offices.

As mentioned previously, SCAG relies on a core group of volunteer bilingual staff to assist in providing live interpreting, light document translation, and consultant translation review. Special steps are taken during regular and special board meetings. Bilingual staff who volunteer to serve as interpreters and translators is on hand to assist with interpreting, in particular during the public comment portion of the meetings. For public hearings and workshops required by law, the bilingual staff is briefed on the content of any presentation and has access to additional resources with which to reference. Finally, the bilingual staff is provided information on the following topics:

- Understanding the Title VI LEP responsibilities
- What language assistance services SCAG offers
- Frequently used planning terms and their translated equivalents
- Use of LEP "I Speak Cards"
- How to access a staff interpreter
- Documentation of language assistance requests
- How to handle a complaint

SCAG's Human Resources Department has assessed the feasibility of utilizing a bilingual fluency examination to ensure that the volunteer bilingual staff possesses the requisite skill and proficiency to provide effective bilingual communication, and is considering the feasibility of providing additional compensation to such bilingual staff.

Monitoring and Evaluating the Plan

Ensuring fair and equal access to information is a priority for SCAG. SCAG will institute a formal procedure to document the frequency with which LEP persons come into contact with agency staff, programs, or download translated documents available on the website, in addition to the nature of the interaction (i.e. an information request, request to translate new documents, etc.).

When performing public outreach or at public hearings, SCAG will distribute a survey for LEP participants to assess the effectiveness of the agency's language services and whether alternate services may need to be employed.

SCAG will assess and evaluate its Language Assistance Plan, at minimum, every four years prior to the development of the next RTP/SCS. This will allow the agency to determine if there are sufficient resources (such as staff, technology and funding) to meet potential needs in advance of planned public outreach activities for the Plan.