

SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

TITLE VI PLAN

2021 to 2024

Title VI of the Civil Rights Act of 1964

DRAFT DOCUMENT TO BE ADOPTED January 21, 2021

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- To obtain services or copies in an alternate format or language, please contact SBCAG at (805) 961-8900 or by email at info@sbcag.org
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TITLE VI PLAN

I. PLAN STATEMENT

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides 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" (42 U.S.C. Section 2000d). As a subrecipient of Federal aid through two of the U.S. Department of Transportation's (US DOT's) operating administrations, the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA), Santa Barbara County Association of Governments (SBCAG) is accountable for compliance with both Title VI and the following implementing regulations: US DOT's "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation" (49 CFR Part 21), FTA's "Title VI Requirements and Guidelines for Federal Transit Administration Recipients (FTA Circular 4702.1B), and FHWA's "Title VI Program and Related Statutes" (23 CFR Part 200). These regulations have expanded the original Title VI protections to incorporate subsequent related statutes, including protections against discrimination based on gender, age, and disability; and federal policies regarding environmental justice and limited-English proficiency.

Santa Barbara County Association of Governments is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, national origin, sex, age, or disability, as protected by Title VI and the implementing regulations listed above. This plan was developed to guide SBCAG in its administration and management of Title VI-related activities.

Title VI Coordinator Contact information:

Lauren Bianchi Klemann
Santa Barbara County Association of 260
N. San Antonio Road, Suite B
Santa Barbara, CA 93110

II. TITLE VI INFORMATION DISSEMINATION

Title VI information posters shall be prominently and publicly displayed in public areas of SBCAG's facility, Clean Air Express transit vehicles, and on the agency's website. The name of the Title VI coordinator is available on the SBCAG website, at www.SBCAG.org. Additional information relating to nondiscrimination obligation can be obtained from the SBCAG Title VI Coordinator.

Title VI information shall be disseminated to SBCAG employees annually via the Employee Education form (see Appendix A) at the beginning of the fiscal year. This form reminds employees of SBCAG's policy statement, and of their Title VI responsibilities in their daily work and duties.

During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and the SBCAG's expectations to perform their duties accordingly.

All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (see Appendix B).

III. SUBCONTRACTS AND VENDORS

All subcontractors and vendors who receive payments SBCAG where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV. RECORD KEEPING:

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of SBCAG's Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

1. TITLE VI COMPLAINT PROCEDURES

How to file a Title VI Complaint?

The complainant may file a signed, written complaint up to thirty (30) days from the date of the alleged discrimination. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.).
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant.

The Title VI Complaint Form (see Appendix C) may be used to submit the complaint information. The complaint may be filed in writing with SBCAG at the following address:

**Title VI Coordinator
Santa Barbara County Association of Governments
260 n. San Antonio Road, Suite B
Santa Barbara, CA 93110**

PLEASE NOTE: SBCAG encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily.

What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color, national origin, gender, age, or disability in a service provided by SBCAG will be directly addressed by SBCAG. SBCAG shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, SBCAG shall make every effort to address all complaints in an expeditious and thorough manner.

A letter of acknowledging receipt of complaint will be mailed within thirty (30) days (Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

How will the complainant be notified of the outcome of the complaint?

SBCAG will send a final written response letter (see Appendix E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of their right to 1) appeal within seven calendar days of receipt of the final written decision SBCAG, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

**Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590**

V. LIMITED ENGLISH PROFICIENCY (LEP) PLAN

SBCAG has developed a Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to SBCAG services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English. This plan has detailed procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan to determine the extent of obligation to provide LEP services, SBCAG analyzed the U.S. Department of Transportation four factor LEP, which considers the following: 1) The number or proportion of LEP persons to be served or likely to be encountered in a SBCAG program, activity, or service; 2) the frequency with which LEP individuals come in contact with SBCAG programs; 3) the nature and importance of programs, activities or service provided by SBCAG to the LEP population; and 4) the resources available to SBCAG and overall costs to provide LEP assistance.

VI. COMMUNITY OUTREACH

SBCAG is a recipient of the California Department of Transportation and Federal Transit Administration for annual allocations of Federal Transit Administration (FTA) Section 5303 revenue and occasional subrecipient of 5307. In addition, SBCAG submits grant requests for FTA Section 5304 and Section 5311 revenue.

As an agency receiving federal financial assistance, we have made the following community outreach efforts:

SBCAG holds monthly public meetings. At these meetings the public is welcome to attend and share in discussion with a variety of activities or items of interest associated with SBCAG.

Advisory Committees:

SBCAG regularly brings all transit related items to the Santa Barbara County Santa Barbara County Transit Advisory Committee, Technical Transportation Advisory Committee, Technical Planning Advisory Committee, and Measure A Citizens Oversight Committee.

- **Santa Barbara County Transit Advisory Committee (SBCTAC):** The Santa Barbara County Transit Advisory Committee (SBCTAC) assists the Santa Barbara County Association of Governments in soliciting the input of transit dependent and transit disadvantaged persons, including the elderly, disabled, and persons of limited means on transit issues, to participate in the identification of transit needs in the jurisdiction, including unmet transit needs that may exist within the jurisdiction of the council, annually review and recommend action on the existence of unmet transit needs, identify if these unmet transit needs are reasonable or unreasonable to meet, and advise SBCAG on any other major transit issues, including the coordination and consolidation of specialized transportation services. Eighteen total members serve on the Santa Barbara County Transit Advisory Committee, participants represented include:

North County Representatives:

- Local Social Service Providers for Seniors (1 member)
- Local Social Service Providers for Persons of Limited Means (1 member)
- Potential Transit Users Who is 60 Years of Age or Older (1 member)
- Agricultural Worker Representative – (1 member – vacant)
- City of Lompoc Transit (Colt) (1 member)
- Local CTSA – Smooth (1 member)
- County Transit (1 member)
- Guadalupe Transit (1 member – vacant)
- Santa Ynez Valley Transit (SYVT) (1 member)
- Santa Maria Area Transit (SMAT) (1 member)
- Transit Users from Northern Santa Barbara County (1 member)

South Coast Representatives:

- Local Social Service Providers for Persons with Disabilities (1 member)
 - LOCAL CTSA - Easy Lift (1 member)
 - Transit Users from Southern Santa Barbara County (1 member)
 - Local Social Service Providers for Seniors (1 member)
 - Santa Barbara Metropolitan Transit District (MTD) – (1 member)
 - Potential Transit Users Who Has a Disability (1 member)
 - Local Social Service Providers for Persons with Disabilities (1 member – vacant)
- **Technical Transportation Advisory Committee (TTAC):** The Technical Transportation Advisory Committee (TTAC) is a standing advisory committee, which provides professional technical advice and recommendations to the policy making board of directors of the Santa Barbara County Association of Governments on transportation issues affecting the region. TTAC also serves as a forum to exchange transportation-related information among member agencies. Committee members include staff representatives of each city within Santa Barbara County, County of Santa Barbara, Caltrans, APCD, and the Santa Barbara Metropolitan Transit District. Twelve total members serve on the Technical Transportation Advisory Committee
 - **Technical Planning Advisory Committee (TPAC):** The Technical Planning Advisory Committee (TPAC) is a standing committee which provides professional technical advice and recommendations to the board of directors of the Santa Barbara County Association of Governments on planning issues affecting the region. TPAC also serves as a forum to exchange planning-related information among member agencies. TPAC shall serve in an advisory capacity to the SBCAG board and does not have policy making authority. Committee members include staff representatives of each city within Santa Barbara County, County of Santa Barbara, Caltrans, APCD, and the Santa Barbara Metropolitan Transit District. Ten total members serve on the Technical Planning Advisory Committee.
 - **Measure A Citizens Oversight Committee:** Measure A is Santa Barbara County's local transportation sales tax measure that was approved by 79 percent of Santa Barbara County voters in 2008. The measure funds high priority transportation projects and programs to address the current and future needs of local communities, including public transit. The Measure A Citizens Oversight Committee helps ensure accountability regarding the expenditure of funds and to assist SBCAG in ensuring that all provisions, requirements, and voter mandates specified in the Investment Plan and Ordinance are properly carried out. The ordinance requires the appointment of an eleven-member advisory committee by the SBCAG Board of Directors. Members are encouraged to be comprised of an appropriate balance of transportation users representing the geographic, social, cultural, and economic interests in the county. SBCAG North County Subregional Planning Committee nominates four members, the South Coast

Subregional Planning Committee nominates four members and the remaining three are “at-large” appointments made by nomination of an ad-hoc committee of the SBCAG Board of Directors. Member recruitment efforts are extensively advertised through SBCAG’s communication channels, local news media, Chamber of Commerce organizations, local jurisdictions i.e. cities and county as well as through networks from members of the SBCAG Board of Directors.

VII. ACTIVE INVESTIGATION, LAWSUIT OR COMPLAINT

SBCAG has had no active investigations, lawsuits or complaints alleging discrimination on the basis of race, color, national origin, gender, age, or disability.

VIII. SUBRECIPIENTS MONITORING

Primary recipients shall ensure subrecipients are complying with Title VI. Subrecipient Title VI program shall be submitted every three years in line with the primary recipient’s program. Subrecipients will also submit annual complaint logs to primary recipient which will be kept in an electronic storage device for further review by FTA as necessary.

IX. BOARD DEMOGRAPHICS

SBCAG board members are all elected members. Therefore, this does not apply. The one ex-officio board member, appointed by the Governor, is usually the California Transportation Department of Transportation District 5 Director.

X. EQUITY ANALYSIS FOR BUILDING SITE

SBCAG is in the planning stage regarding purchasing property for the purposes of a regional transit support facility. Therefore, the agency is in the process of conducting an equity analysis consistent with Chapter III-11 and once complete can be found here: <http://www.sbcag.org/documents.html>.

XI. RESOLUTION APPROVING TITLE VI PLAN

A copy of this resolution can be found in Appendix H of this Plan.

XII. FIXED ROUTE TRANSIT PROVIDERS

SBCAG uses local funding, Measure A local transportation sales tax measure, to operate a fixed route commuter bus service, which provides unidirectional, peak hour, weekday-only service between North Santa Barbara County communities and Santa Barbara/Goleta. The standard level of service (pre-COVID) consists of 26 one-way trips that operate 386,644 revenue miles and about 9,000 revenue hours annually. The service carries 180,000-220,000 passengers each year. SBCAG standards and policies are found in Appendix I.

APPENDIX A: Employee Annual Education Form Title VI Policy

Santa Barbara County Association of Governments (SBCAG) is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, national origin, sex, age, or disability, as protected by Title VI and associated implementing regulations.

All SBCAG employees are expected to consider, respect, and observe this policy in their daily work and duties. All dealings with the public should be conducted with respect and impartiality, without regard to race, color, national origin, gender, age, or disability. If a member of the public approaches you with a question or complaint, direct that person to Lauren Bianchi Klemann, who is the Title VI Coordinator.

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APPENDIX B: Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of Santa Barbara County Association of Governments' (SBCAG'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 services on the basis of race, color, national origin, gender, age, or disability, as protected by Title VI and related implementing regulations.

Your signature

Print your name

Date

DRAFT

APPENDIX C: TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires that “No person in the United States shall, on the ground of race, color, national origin, gender, age, or disability, 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 in Santa Barbara Association of Governments (SBCAG) services, please provide the following information in order to assist us in processing your complaint and send it to:

Provide address here (Please print clearly):

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____ (home) _____ (cell) _____ (work)

Person discriminated against: _____

Address of person discriminated against: _____

City, State, Zip Code: _____

Please indicate why you believe the discrimination occurred:

_____ Race

_____ Color

_____ National Origin

_____ Gender

_____ Age

_____ Disability

_____ Other

What was the date of the alleged discrimination? _____

Where did the alleged discrimination take place? _____

Please describe the circumstances as you saw it: _____

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

Have you previously filed a Title VI complaint with this agency?

Yes No

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 and print the name:

State _____

Federal Agency _____

Federal Court _____

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: _____

Please attach any documents you have which support the allegation. Then date and sign this form and send to the Title VI Coordinator at:

Lauren Bianchi Klemann
Title VI Coordinator
Santa Barbara County Association of Governments
260 N. San Antonio Road, Suite B
Santa Barbara, CA 93110

Your signature

Date

Print your name

APÉNDICE C: FORMULARIO DE QUEJA DEL TÍTULO VI

El Título VI de la Ley de Derechos Civiles de 1964 exige que "Ninguna persona en los Estados Unidos será excluida, por motivos de raza, color, origen nacional, sexo, edad o discapacidad, de la participación en, se le negarán los beneficios de, o será objeto de discriminación en cualquier programa o actividad que reciba asistencia financiera federal". Si siente que ha sido discriminado en los servicios de la Asociación de Gobiernos de Santa Bárbara (SBCAG por sus siglas en inglés), por favor proporcione la siguiente información para ayudarnos a procesar su queja y envíela a:

Proporcione su dirección aquí (Por favor, escriba claramente):

Nombre: _____

Dirección: _____

Ciudad, Estado, Código Postal: _____

Numero de Teléfono: _____(casa) _____(celular) _____(trabajo)

Persona discriminada: _____

Dirección de la persona discriminada _____

Ciudad, Estado, Código Postal: _____

Por favor, indique por qué cree que se produjo la discriminación:

_____ Raza

_____ Color

_____ Origen Nacional

_____ Genero

_____ Edad

_____ Discapacidad

_____ Otro

¿Cuál fue la fecha de la supuesta discriminación? _____

¿Dónde tuvo lugar la supuesta discriminación? _____

Por favor, describa las circunstancias tal y como las vio: _____

Por favor, indique los nombres y números de teléfono de todos los testigos:

¿Ha presentado anteriormente una queja del Título VI en esta agencia?

Si No

¿Ha presentado esta queja ante alguna otra agencia federal, estatal o local, o ante algún tribunal federal o estatal?

Si No

Si es así, marque todo lo que corresponda:

Estado _____

Agencia Federal: _____

Tribunal Federal _____

Tribunal Estatal _____

Agencia Local _____

Favor de proporcionar información sobre una persona de contacto en la agencia/tribunal donde se presentó la denuncia.

Nombre: _____

Título: _____

Agencia: _____

Dirección: _____

Teléfono: _____

Por favor, adjunte cualquier documento que tenga que apoye la acusación. Luego feche y firme este formulario y envíelo al Coordinadora del Título VI al:

Lauren Bianchi Klemann
Coordinadora de Título VI
Santa Barbara County Association of Governments
260 N. San Antonio Road, Suite B
Santa Barbara, CA 93110

Su firma

Fecha

Escriba su nombre

APPENDIX D: Sample Letter Acknowledging Receipt of Complaint

[Today's Date]

Ms. Jo Doe
1234 Main St.
Santa Barbara, CA 93110

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against Santa Barbara County Association of Governments (SBCAG) alleging _____.

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 Lauren Bianchi Klemann at (805) 961-8900, or write to this address:

Title VI Coordinator
Santa Barbara County Association of Governments
260 N. San Antonio Road, Suite B
Santa Barbara, CA 93110
Phone: (805) 961-8900

Sincerely,

Lauren Bianchi Klemann
Title VI Coordinator

APPENDIX E: Sample Letter Notifying Complainant that the Complaint Is Substantiated

[Today's Date]

Ms. Jo Doe
1234 Main St.
Santa Barbara, CA 93110

Dear Ms. Doe:

The matter referenced in your letter of _____(date) against Santa Barbara County Association of Governments alleging 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 the program. ***(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,

Lauren Bianchi Klemann
Title VI Coordinator
Santa Barbara County Association of Governments
260 N. San Antonio Road, Suite B
Santa Barbara, CA 93110
Phone: (805) 961-8900

APPENDIX F: Sample Letter Notifying Complainant that the Complaint Is Not Substantiated

[Today's Date]

Ms. Jo Doe
1234 Main St.
Santa Barbara, CA 93110

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against Santa Barbara County Association of Governments (SBCAG) 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, had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, national origin, gender, age, or disability in any program receiving federal financial assistance.

SBCAG has analyzed the materials and facts pertaining to your case for evidence of their 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 1) appeal within seven calendar days of receipt of this final written decision from Santa Barbara County Association of Governments, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at

Federal Transit Administration
Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590

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

Sincerely,

Lauren Bianchi Klemann
Title VI Coordinator
Santa Barbara County Association of Governments
260 N. San Antonio Road, Suite B
Santa Barbara, CA 93110
Phone: (805) 961-8900

APPENDIX G: Samples of Narrative to be Displayed in Facilities

Public Notice: Title VI of the Civil Rights Act of 1964 Santa Barbara County Association of Governments (SBCAG)

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides 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" (42 U.S.C. Section 2000d).

Santa Barbara County Association of Governments is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, national origin, gender, age, or disability, as protected by Title VI and related implementing regulations. **If you feel you are being denied participation in or being denied benefits of the services provided by Santa Barbara County Association of Governments, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at:**

Lauren Bianchi Klemann
Title VI Coordinator
Santa Barbara County Association of Governments
260 N. San Antonio Road, Suite B, Santa Barbara, CA 93110
Phone: (805) 961-8900

For more information, visit our website at www.sbcaq.org

Aviso público: Título VI de la Ley de Derechos Civiles de 1964 Asociación de Gobiernos del Condado de Santa Bárbara (SBCAG)

El Título VI de la Ley de Derechos Civiles de 1964 prohíbe la discriminación por motivos de raza, color u origen nacional en los programas y actividades que reciben asistencia financiera federal. Específicamente, el Título VI establece que "ninguna persona en los Estados Unidos será excluida, por motivos de raza, color u origen nacional, de la participación en, se le negarán los beneficios de, o será objeto de discriminación en cualquier programa o actividad que reciba asistencia financiera federal" (42 U.S.C. Sección 2000d).

La Asociación de Gobiernos del Condado de Santa Bárbara se ha comprometido a garantizar que ninguna persona quede excluida de la participación en sus servicios o se le nieguen los beneficios de estos por motivos de raza, color, origen nacional, sexo, edad o discapacidad, según lo dispuesto en el Título VI y los reglamentos de aplicación conexos. **Si usted siente que se le está negando la participación en o se le están negando los beneficios de los servicios proporcionados por la Asociación de Gobiernos del Condado de Santa Bárbara, o que se le está discriminando de alguna otra manera por su raza, color, nacionalidad, género, edad o discapacidad, puede comunicarse con nuestra oficina en:**

Lauren Bianchi Klemann, Coordinadora de Título VI
Santa Barbara County Association of Governments
260 N. San Antonio Road, Suite B
Santa Barbara, CA 93110
Phone: (805) 961-8900

Para mas información visite nuestro sitio web: www.sbcaq.org

- To obtain services or copies in an alternate format or language, please contact SBCAG by telephone at (805) 961-8900, or by email at info@sbcaq.org
- Para obtener servicios o copias en un formato o lenguaje alternativo, por favor contacte a SBCAG por teléfono al (805) 961-8900, o por correo electrónico a info@sbcaq.org

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APPENDIX H: Resolution Approving Title VI Plan

A RESOLUTION OF THE SANTA BARBARA
COUNTY ASSOCIATION OF GOVERNMENTS

ADOPTION OF SBCAG TITLE VI)
NONDISCRIMINATION POLICY AND PROGRAM)
2021 WITH LIMITED ENGLISH PROFICIENCY)
(LEP) PLAN)
_____)

RESOLUTION NO. 20-29

WHEREAS, the Santa Barbara County Association of Governments (“SBCAG”) has a clear interest in maintaining an employment environment that is committed to an active nondiscrimination program, and ensuring that no person is excluded from participation in, denied the benefits of, or discriminated against under its projects, programs or activities on the basis on race, color, or national origin, as provided in the Title VI of the Civil Rights Act and 49 United States Code Section 5332;

WHEREAS, federal and state statutes, regulations, and orders, including but not limited to, Section 162(a) of the Federal-Aid Highway Act of 1973, Section 504 of the Rehabilitation Act of 1973, Title 49 of the Code of Federal Regulations (CFR), Part 21, Executive Order No. 12898 and 13166, and the California Transportation Development Act require adoption of a Title VI Program with a Limited English Proficiency (LEP) Plan for federal fund recipients such as SBCAG;

WHEREAS, SBCAG provided a 30-day public comment period on the Draft 2021 Title VI Program with LEP Plan updates and provided notice of the public comment period in area general circulation newspapers: Santa Barbara News-Press, Lompoc Record, Santa Maria Times, and Santa Ynez Valley News;

WHEREAS, as a federal fund recipient, SBCAG is required to sign a Title VI policy statement assuring every effort will be made to ensure nondiscrimination in all of SBCAG’s programs and activities where federally funded or not;

WHEREAS, pursuant federal regulations, orders, and policies such as the U.S. Department of Transportation (DOT) Order 1050.2, Department of Federal Transit Administration policies, and Title 2, CFR, Part 1200, SBCAG is required to make certain assurances and certifications as part of Title VI compliance;

WHEREAS, SBCAG’s 2021 Title VI Program requires that the Executive Director and Title VI Coordinator are authorized to ensure compliance with provisions of the policy and law.

NOW, THEREFORE, BE IT RESOLVED that the SBCAG Board of Directors adopts the 2021 Title VI Program with a LEP Plan as SBCAG’s nondiscrimination policy;

BE IT FURTHER RESOLVED that SBCAG’s Executive Director and Title VI Coordinator are authorized to ensure compliance with provisions of this policy and with the law, including but not limited to the requirements of Title 23 Code of Federal Regulations (CFR) 200 and Title 49 CFR 21.

BE IT FURTHER RESOLVED that SBCAG's Executive Director is authorized to make all assurances and certifications required by federal and state agencies to maintain compliance of the Title VI Program.

PASSED AND ADOPTED this 21st day of January 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Marjie Kirn
Executive Director

Holly Sierra, Chair
Santa Barbara County
Association of Governments

APPROVED AS TO FORM:
Michael C. Ghizzoni
County Counsel

Deputy

APPENDIX I: Service Standards and Policies

SBCAG Vehicle Load Standards

The load for any individual trip should not exceed vehicles’ seating capacity. If ridership on any individual trip exceeds seating capacity for two consecutive days, vehicles with the highest seating capacity shall be assigned to the trip.

Vehicle Type	Average Passenger Capacity			Maximum Load Factor
	Seated	Standing	Total	
45’ Coach	55-57	0	55-57	1.0
40’ Coach	47	0	47	1.0

SBCAG Vehicle Headway Standards

SBCAG operates unidirectional, long distance commuter bus service on weekdays. Headways for service to Santa Barbara and Goleta from origin cities of Lompoc and Santa Maria shall be no less than 60 minutes in the morning and afternoon peak periods.

POLICY HEADWAYS AND PERIODS OF OPERATION

WEEKDAY	Peak	Base	Evening	Night
Peak Express	60	NA	NA	NA

** Peak: 5-7 am and 3-6 pm;
 “NA” means no service is provided during that time period.*

SBCAG On-Time Performance Standards

- Ninety-five percent (95%) of the SBCAG’s transit vehicles will complete their established runs no more than 15 minutes early or late in comparison to the established schedule/published timetables.
- A vehicle is considered on time if it departs a scheduled timepoint no earlier than the scheduled departure time and no more than 5 minutes late. SBCAG’s on-time performance objective is 95% or greater. SBCAG continuously monitors on- time performance and adjusts timetables in response to changing conditions such as long term construction projects, signal installations, and traffic conditions.

SBCAG Service Availability Standards

SBCAG will distribute commuter bus service so that 100% of all residents in the origin cities and surrounding unincorporated areas live within six miles of the park and ride lot

SBCAG SERVICE POLICIES

SBCAG Vehicle Assignment Policy

Vehicles will be assigned to individual origin city routes such that the average age of the vehicles operated in service to each city does not exceed 24 months more than the average age of the vehicles operated in service to other origin cities.

SBCAG Transit Amenities Policy

SBCAG has no authority over installation of transit amenities along bus routes but shall work with local jurisdictions to make improvements where possible to install trash receptacles, sheltered waiting areas, lighting, and other amenities.

APPENDIX J: Demographic Tables

Table 1- Santa Barbara County: Population Distribution by Race & Ethnicity

Race/Ethnicity	Total	% Total
Non-Hispanic		
White	194,507	43.6%
Black or African American	8,739	2.0%
American Indian and Alaska Native	1,952	0.4%
Asian	25,139	5.6%
Native Hawaiian and Other Pacific Islander	370	0.1%
Some other race	604	0.1%
Two or more races	9,652	2.2%
Hispanic or Latino (of any race)	205,536	46.03%
Total population	446,499	100%

Source: American Community Survey (2019) 1-Year Estimates

Primary Racial & Ethnic Composition: Santa Barbara County Population and SBCAG Advisory Committees

Consistent with the U.S. Census 2020, race categories generally reflect social definitions in the U.S. and are not an attempt to define Race biologically, anthropologically, or genetically. SBCAG recognizes that the race categories include racial and national origins and sociocultural groups.

Please Note: The figures provided below are results from participation in a voluntary, anonymous survey. All responses were “self-identifying.” Overall County Population data is from the American Community Survey (2019) 1-Year Estimates and in the future will be aligned with the U.S. Census 2020 results.

Table 2 - Primary Racial & Ethnic Composition: Santa Barbara County Population

Category	Percentage by Group					
	Not of Hispanic, Latino, or Spanish Origin	Mexican, Mexican American, Chicano	Puerto Rican	Cuban	Other	Prefer not to Answer
Overall County Population*	53.97%	41.7%	0.7%	0.1%	3.5%	n/a
Santa Barbara County Transit Advisory Committee (SBCTAC)	77%	15%	0%	0%	8%	0%
Technical Transportation Advisory Committee (TTAC)	82%	0%	0%	0%	9%	9%
Technical Planning Advisory Committee (TPAC)	82%	0%	0%	0%	9%	9%
Measure A Citizens Oversight Committee	90%	10%	0%	0%	0%	0%

Source: 1-year American Community Survey (2019)

Table 3 - Primary Racial & Ethnic Composition: SBCAG Advisory Committees

Category	Percentage by Group								
	Asian	American Indian	Black or African American	Middle Eastern or North African	Pacific Islander	White	Other	Two or more	Prefer not to answer
Overall County Population*	5.8%	1.1%	2.2%	n/a	0.1%	76.8%	10.5%	3.5%	n/a
Santa Barbara County Transit Advisory Committee	8%	8%	8%	0%	0%	68%	8%	n/a	0%
Technical Transportation Advisory Committee (TTAC)	18%	0%	9%	0%	0%	55%	0%	n/a	18%
Technical Planning Advisory Committee (TPAC)	8%	0%	9%	0%	0%	75%	0%	n/a	8%
Measure A Citizens Oversight Committee	0%	0%	0%	0%	0%	90%	10%	n/a	0%

Source: 1-year American Community Survey (2019)

Table 4 - Languages Spoken at Home: Santa Barbara County, California

Language Spoken at Home	Native Language		Ability to Speak English	
	Total	% Total	%Very Well	% < Very Well
Population 5 years and over	419,061	100%	82.5%	17.5%
Speak only English	249,143	59.5%	n/a	n/a
Speak a language other than English	169,918	40.5%	56.9%	43.1%
Spanish	138,644	33.1%	54.4%	45.6%
Other Indo-European languages	10,284	2.5%	82.5%	17.5%
Asian and Pacific Island languages	17,837	4.3%	61.2	38.8
Other languages	3,153	0.8%	59.5%	40.5%

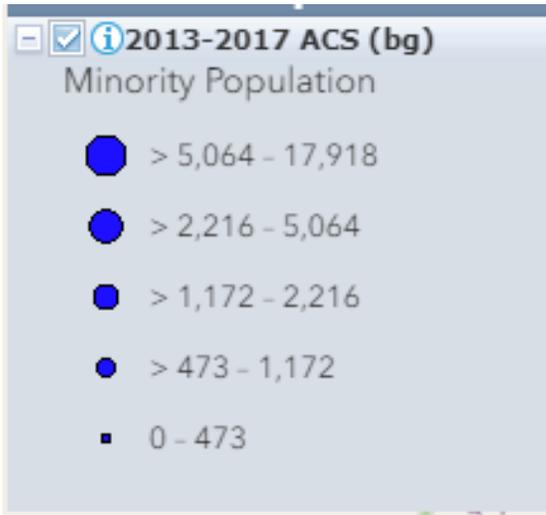
Source: 1-year American Community Survey (2019)

*Total percentages are calculated based on the total population's ability to speak English 5-years and older.

As indicated on the demographic maps below (Figures 1 to 3) of Santa Barbara County distinct subregions - North County and South Coast – minorities (as defined by the American Communities Survey) are dispersed throughout the county. Minorities reside in all cities and unincorporated areas of the county; therefore, because minorities are evenly distributed throughout Santa Barbara County there exist no disparate impacts on the basis of race, color or national origin. Minority is defined as all but Non-Hispanic White Alone.

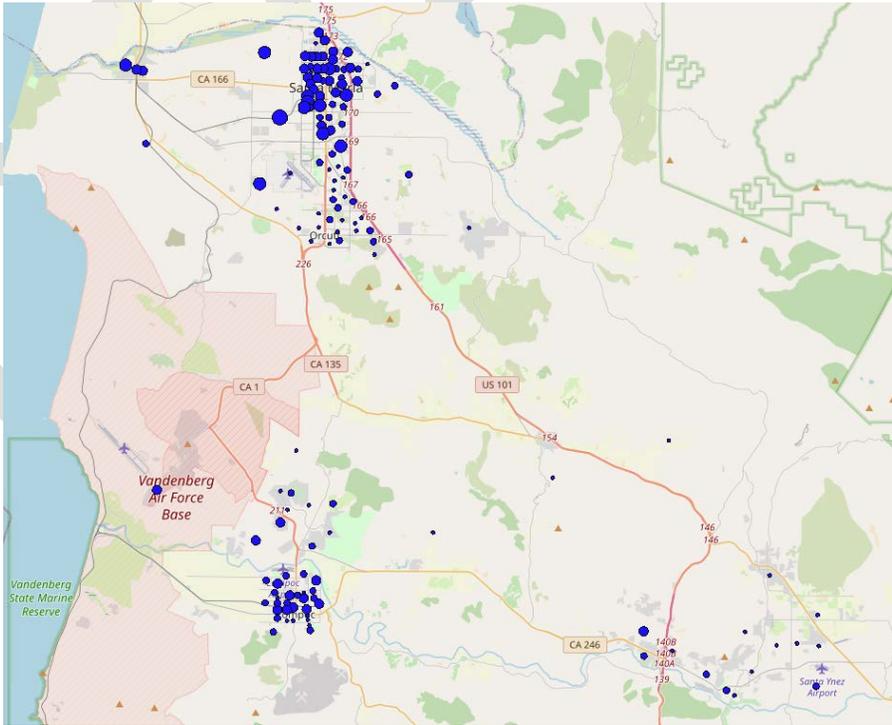
Demographic Maps

Figure 1 (Legend)



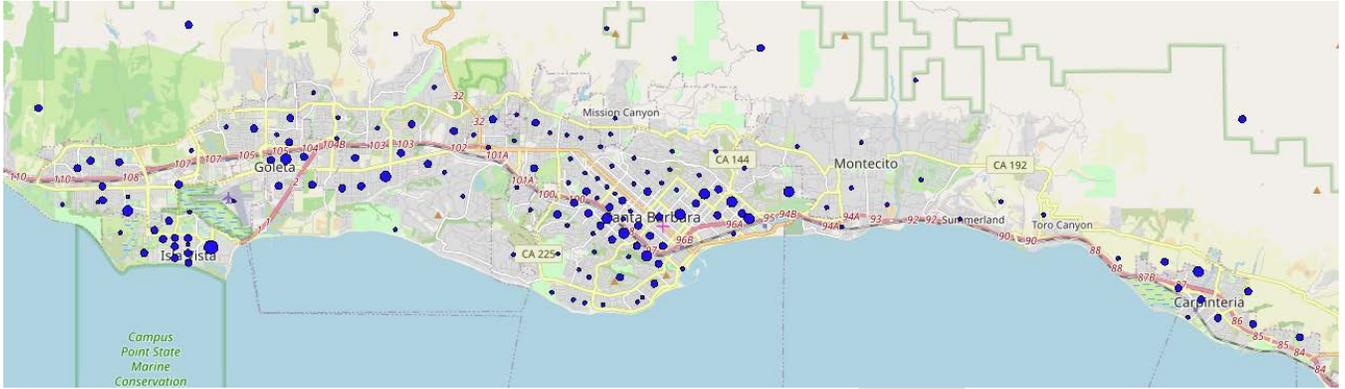
Source: 2013-2017 American Community Survey (ACS) Minority Population

Figure 2 (North County)



Source: 2013-2017 American Community Survey (ACS) Minority Population

Figure 3 (South Coast)



Source: 2013-2017 American Community Survey (ACS) Minority Population

DRAFT

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS (SBCAG)

Adopted January 21, 2020

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address Santa Barbara County Association of Governments' (SBCAG'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 on the basis of race, color or national origin.

Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency (LEP)", indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin's 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 SBCAG as both a recipient of Federal transit funds and as a programming agency responsible to distribute Federal transit funds to the different public and private transportation providers in this region.

Plan Summary

SBCAG has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with Limited English Proficiency who wish to access transportation services provided by recipients of FTA assistance for persons residing, visiting or working in the SBCAG region. As defined in 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, staff training that may be required, and how to notify LEP persons that assistance is available.

The guidance outlines four factors recipients are to consider when assessing language needs and determining appropriate steps to ensure meaningful access to services for LEP persons. In order to prepare this plan, SBCAG undertook the U.S. Department of Transportation (U.S. DOT) four-factor LEP analysis which considers the following:

1. The number or proportion of LEP persons to be served or likely to be encountered in a SBCAG program, activity or service.
2. The frequency with which LEP persons come in contact with SBCAG programs, activities or services.
3. The nature and importance of programs, activities or services provided by SBCAG to the LEP population.
4. The resources available to SBCAG and overall cost to provide LEP assistance.

A summary of the results of the SBCAG four-factor analysis is in the following section.

Four-Factor Analysis

1. The number or proportion of LEP persons in the region who may be served or are likely to encounter a SBCAG program, activity or service.

SBCAG used the 2019 1-year American Communities Survey Report and determined that 169,918 or 40.5 percent persons in Santa Barbara County speak a language other than English. Among this group, 43.1 percent is classified as a linguistically isolated household.

In Santa Barbara County, of those persons with Limited English Proficiency, 138,644 speak Spanish, 17,837 speak Asian and Pacific Island languages, and 10,284 speak Other Indo-European languages.

2. The frequency with which LEP persons come in contact with SBCAG programs, activities or services.

SBCAG's experience with engaging individuals with Limited English Proficient has been primarily with monolingual or bilingual Spanish-language individuals. When requested or deemed appropriate (such as expressed interest by Spanish speakers, ethnicity of the populations impacted, project or program purpose and need, and the expected effectiveness of reaching Spanish speaking populations), SBCAG provides varying levels of real-time or by request professional Spanish language translation and interpretation services for public outreach and engagement in areas such as: public notices, press releases, social media, public surveys and public hearings. All SBCAG legal classified advertisements in English language publications include reference to a contact phone number in Spanish. The Title VI notice, complaint procedure and complaint form can be found on the SBCAG's website in English and Spanish.

SBCAG assesses the frequency with which staff have or could have contact with LEP persons through the recorded Spanish language line and participation through public engagement opportunities such as the Unmet Transit Needs process. In 2020, SBCAG records indicate that only five calls were received that utilized the Spanish language line, one was verified of a person had a question on SBCAG services. Additionally, for the 2020 Unmet Transit Needs process SBCAG received a total 54 comments with no responses in Spanish language from all means of public input, including those identified in the efforts of the City of Santa Maria and the City of Lompoc. Comments ranged from requests for new transit routes, improved language options, and other operational changes such as increased frequency and availability of service on holidays. Numerous comments received were made for improving the transportation services available to seniors, particularly those who are ineligible for complementary Americans with Disabilities Act (ADA) services. While SBCAG widely distributes information in the Spanish language staff has not witnessed Spanish-language individuals participating in the Unmet Transit Needs process through outreach engagement strategies that offered English and Spanish (through professional translation and interpretation services) with news media press releases, classified advertisements, flyers, social media, surveys, phone, email, U.S. postal service mail and public hearings.

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

The largest proportion of LEP individuals in the SBCAG service area speak Spanish at 33.1 percent. Due to the very small representation of other foreign languages (4.3% Asian and Pacific Islanders; 2.5% other Indo-European languages; and .8% other languages), SBCAG has not historically taken special language accommodation measures for those non-Spanish speaking groups.

Providing translation services to allow LEP populations to participate in the development of SBCAG's core planning and investment policies is a routine practice for SBCAG. SBCAG works with many community advocacy groups representing LEP persons to determine their needs and concerns for planning purposes. Table 1 below outlines the general budgeted cost of language access services.

Table 1: SBCAG Public Outreach Language Services (Annual Budget)

Service	Budget
Title VI Coordinator work with advocacy groups	\$23,000
Professional Language Access Translation and Interpretation Services for public outreach purposes	\$15,000
Public Meeting Advertisements	\$3,000
Unmet Transit Needs process outreach	\$3,000

Services directly provided by SBCAG that are most likely to encounter LEP individuals are ongoing public outreach for project management (such as the Highway 101 Carpinteria to Santa Barbara project), Traffic Solutions SBCAG’s Rideshare Division, and Interregional Commuter Transit Service (Clean Air Express). Other planning activities involving surveys (bilingual forms) and public hearings such as the annual unmet transit needs public meeting and survey as well as the Regional Transportation Plan and Sustainable Communities Strategy or attendance by staff/consultant at regular events held by members of the LEP community are other venues enabling their participation in the development of transit service changes.

4. The resources available to SBCAG and overall cost to provide LEP assistance.

SBCAG assessed its available resources that could be used for providing LEP assistance, including determining how much a professional interpreter and translation service would cost on an as-needed basis, which of its documents would be the most valuable to be translated if the need should arise, and taking an inventory of available organizations that SBCAG could partner with for outreach and translation efforts. The amount of staff training that might be needed was also considered. Based on the four-factor analysis, SBCAG developed its LEP Plan as outlined in the following section.

Limited English Proficiency (LEP) Plan Outline

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

1. Review prior requests for language assistance to determine if language assistance might be needed at future events or meetings.
2. SBCAG staff will greet participants as they arrive at sponsored events. By informally engaging participants in conversation, staff will gauge each attendee’s ability to speak and understand English.
3. Contract with professional language access services and/or bilingual public outreach professionals for preparing, planning and conducting public meetings to assist SBCAG in identifying language assistance needs for future meetings.
4. Frontline staff and planners will be surveyed annually on their experience concerning any contacts with LEP persons during the previous year.

Language Assistance Measures

There are numerous language assistance measures available to LEP persons, including both verbal and written language services. There are also various ways in which SBCAG staff responds to LEP persons, whether in person, by telephone or in writing.

- Frontline staff, planners and Rideshare program coordinators will be surveyed annually on their experience concerning any contacts with LEP persons during the previous year.
- Network with local community organizations providing services to LEP individuals and seek opportunities to provide information on SBCAG programs and services within their agency setting or at jointly sponsored functions.
- Contract with a professional language-access services to support community events, public hearing and Board of Director meetings when deemed necessary. Placement of statements in notices and publications that interpreter services are available for these meetings, with 48

hours advance notice per the Ralph M. Brown Act.

- Post the SBCAG Title VI Policy and LEP Plan on the agency website, www.sbcag.org.
- When interpretation and translation services are needed for a language other than Spanish, in-person, virtually or on the telephone, staff will attempt to access language assistance services from a professional translation service.

Safe Harbor Provision

The Federal Transit Authority Circular 4702.1B states:

"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.

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. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program."

While limited English proficiency has not been an issue for clients being served by SBCAG, documents are interpreted orally by our direct service staff to help increase fair and equitable access to quality services

Staff Training

The following training will be provided to SBCAG staff:

1. Information on the SBCAG Title VI Procedures and LEP responsibilities
2. Description of SBCAG language assistance services offered to the public
3. Documentation of language assistance requests
4. How to handle a potential Title VI/LEP complaint

Outreach Techniques

When staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population. Interpreters may be available as needed.

Monitoring and Updating the LEP Plan

SBCAG will update the LEP as required by U.S. Department of Transportation. At minimum, the plan will be reviewed with updates to the Public Participation Plan to include data from new American Community Survey counts, or when it is clear that higher concentrations of LEP individuals are present in the SBCAG region. Updates will include the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area per the latest U.S. Census reports at the community level
- Determination as to whether the need for translation services has changed or whether a change in the contractor used for translation services is warranted based on geographical proximity or availability at times needed
- Determine whether SBCAG's financial resources are sufficient to fund bilingual language assistance resources needed
- Determine whether SBCAG has fully complied with the goals of this LEP Plan
- Determine whether complaints have been received concerning SBCAG's failure to meet the needs of LEP individuals

Dissemination of the SBCAG LEP Plan

A link to the SBCAG LEP Plan and the Title VI Procedures is included on the SBCAG website at www.sbcag.org.

Any person or agency with internet access will be able to access and download the plan from the SBCAG website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, e-mail or in person and shall be provided a copy of the Plan at no cost. LEP individuals may also request copies of the plan in translation which SBCAG will provide, if feasible.

Questions or comments regarding the LEP Plan may be submitted to Santa Barbara County Association of Governments, Title VI Coordinator:

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Title VI Coordinator
Santa Barbara County Association of Governments
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Santa Barbara, CA 93110
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Phone: (805) 961-8900