

CITY OF TEHACHAPI

TITLE VI PROGRAM

June 2014



Hannah Chung
Finance Director
115 South Robinson Street
Tehachapi, CA 93561

TABLE OF CONTENTS

I.	Introduction	1
II.	Title VI Notice to the Public	2
	i. List of Locations Title VI Notice is Posted	2
III.	Complaint Procedures	3
IV.	Complaint Form	4
V.	Public Participation Plan	6
	i. Summary of Outreach Efforts 2012 – 2014	7
VI.	Language Assistance Plan	8 - 13
VII.	Statements Regarding:	14
	List of Transit-Related Title VI Investigations, Complaints, Lawsuits	
	Kern Regional Transit Non-Elected Committees & Counsels	
	Determination of Site or Location of Facilities	
VIII.	City of Tehachapi Council members – Approval of Title VI Program (Pending initial review by Cal Trans)	15

I. INTRODUCTION

This document was prepared by the City of Tehachapi and approved by its City Council to comply with Title VI of the Civil Rights Act of 1964, including new provisions detailed in U.S. Department of Transportation's FTA Circular 4702.1B, "Title VI Requirement and Guidelines for Federal Transit Administration Recipients."

Demand response transit services began in the City of Tehachapi in January 1994, under an agreement with Kern County. Today the Tehachapi Dial-A-Ride service continues to be provided by Kern County operating as Kern Regional Transit within the Greater Tehachapi area, Golden Hills and other adjacent unincorporated areas.

The Tehachapi Dial-A-Ride is owned and operated by Kern Regional Transit. The Tehachapi City Council is the policy-making body for the Tehachapi Dial-A-Ride service. It adopts the Transit Development Plan, and through the City's annual budgetary process, establishes operational and funding levels for the system. The City Council also sets operational policies and parameters for the service.

The administration, management, and operation of Tehachapi Dial-A-Ride are handled by Kern County and Kern Regional Transit. Kern Regional Transit (Kern Transit) was established in 1981 as a Division of the Kern County Roads Department. Kern Transit employs three personnel, the Transportation Manager is a Roads employee. Buses are owned and maintained by Kern Transit; however, the transit service is contracted to First Transit. Kern Transit renewed its contract with First Transit on April 1, 2014 for 5 years. Kern Transit has a fleet of 68 buses, 35 of which are in service at any given time. Service includes fixed route and demand response which is available to all riders, not just disabled. In addition to transporting riders between Kern's rural communities, Kern Transit's routes provide connections to public transit systems in the surrounding Counties. Boardings are approximately 600,000/year and buses clock revenue miles of approximately 2,000,000/yr. Kern County spans 8,000 square miles. The northern border is Delano, Southern border is Frazier Park, Eastern border is Ridgecrest and Western border is Taft.

Kern Transit provides bus service to the metropolitan Bakersfield area in as much as that ridership needs transport to a community outside metropolitan Bakersfield or to Lancaster (in Los Angeles County) to board the Metro. Kern Transit's majority ridership lives in the communities outside of metropolitan Bakersfield. Kern Transit provides bus service to those communities with a population over 1,000.

II. Title VI Notice to the Public

Your Rights under TITLE VI of the Civil Rights Act of 1964

The City of Tehachapi operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a written complaint with the City of Tehachapi, Kern Regional Transit "KRT" or with the Federal Transit Administration, or the Department of Justice. Federal and State law requires complaints be filed within one-hundred eighty (180) calendar days of the alleged incident and include the signature of the complainant.

The complaint form can be obtained at:

[City of Tehachapi](#)

or

[Kern Regional Transit](#)

115 S Robinson St
Tehachapi, CA 93561

2700 "M" Street, Suite 400
Bakersfield, CA 93301

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

i. List of Locations Title VI Notice is Posted

Tehachapi City Hall: 115 S Robinson St., Tehachapi, CA 93561

Kern County Public Works Building Break Rooms: 2700 M. St., Bakersfield, CA 93301

Kern Transit Office: 2700 M. St., Suite 275B, Bakersfield, CA 93301

First Transit Main Office: 5438 Victor St., Bakersfield, CA 93308

Mojave Dispatch: 16922 Airport Drive Building 27, Mojave, CA 93501

Lake Isabella Dispatch: 6616 Lake Isabella Blvd., Lake Isabella, CA 93240

Website: <http://www.liveuptehachapi.com/index.aspx?nid=158>

Website: <http://roads.kerndsa.com/divisions/kern-regional-transit>

III. Complaint Procedure

This excerpt is posted on Kern Transit and City of Tehachapi's website.

Kern Regional Transit 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, or national origin, as protected by Title VI of the Civil Rights Act of 1964, as amended (Title VI).

In order to request additional information on the County's non-discrimination obligations, please call Kern Regional Transit at (661) 862-8850 or write to: 2700 M Street Suite 400, Bakersfield CA 93301.

If you believe you have been subjected to discrimination under Title VI, you may file a written complaint. Please address your complaint to: Title VI Plan Coordinator, Denise Haynes, 2700 M. Street, Suite 400, Bakersfield, CA 93301

If you are unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Transportation Development Engineer at (661) 862-8850.

Procedimiento de Quejas

Kern Regional Transit se ha comprometido a asegurar que ninguna persona sea excluida de participar en, o negado los beneficios de sus servicios sobre la base de raza, color, u origen nacional protegido por el Título VI del Acto de Derechos Civiles de 1964, según enmendado.

Para solicitar información adicional sobre las obligaciones no discriminatorias del condado, por favor llame al (661) 862-8850 o escriba a: 2700 M Street Suite 400, Bakersfield CA 93301.

Si usted cree que usted ha sido sujeto a la discriminación bajo el Título VI, usted puede presentar una queja por escrito. Por favor diriga su queja a: Coordinadora del Programa Título VI, Denise Haynes, (661) 862-5078; 2700 M. Street, Suite 400, Bakersfield, CA 93301

Si usted no puede proporcionar una declaración escrita, una queja verbal de la discriminación puede ser hecha al Transportation Development Engineer al (661) 862-8850.



City of Tehachapi
TITLE VI DISCRIMINATION COMPLAINT FORM
115 South Robinson St., Tehachapi, CA 93561

Complainant's Name: _____
Street Address: _____
City/State/Zip: _____
Phone: _____ **E-Mail Address:** _____
Date of Violation: _____ **Time of Violation:** _____
Date of Complaint: _____ **Place of Violation:** _____
Bus Number: _____ **Bus Route:** _____

Discrimination because of: Race Color National Origin

Please provide the name(s) of the Kern Regional Transit employees who allegedly discriminated against you, including their job titles (if known).

Identify what Kern Regional Transit service, program, or activity did not comply with Title VI of the Civil Rights Act of 1964.

Identify individuals by name, address and phone number that has information relating to the violation.

Explain as clearly as possible what happened, how you feel you were discriminated against and who was involved. Please include how other individuals were treated differently from you.

Signature of Complainant: _____ **Date:** _____

Attachment B



City of Tehachapi
(Ciudad de Tehachapi)
FORMULARIO DE QUEJA POR DISCRIMINACIÓN CONFORME AL
TÍTULO VI
115 South Robinson St., Tehachapi, CA 93561

Nombre del que presenta la queja: _____

Dirección (calle): _____

Ciudad/Estado/Código postal: _____

Teléfono: _____ Correo electrónico: _____

Fecha del incidente: _____ Hora del incidente: _____

Fecha del incidente: _____ Lugar del incidente: _____

Número del bus: _____ Ruta del bus: _____

Causa de la discriminación: Raza Color Origen nacional

Sírvase suministrar el/los nombre(s) de los empleados de Kern Regional Transit que supuestamente le discriminaron, inclusive los cargos que ocupan (si se saben).

Identifique cuál servicio, programa o actividad de Kern Regional Transit no cumplió con el Título VI del Acta de Derechos Civiles de 1964.

Proporcione los nombres, direcciones y números de teléfono de los individuos que poseen información relacionada con el incidente.

Explique lo más claramente posible lo que ocurrió, cómo usted siente que le discriminaron y quién estuvo involucrado. Por favor incluya cómo otras personas fueron tratadas de manera diferente a usted.

Firma del que presenta la queja: _____ *Fecha:* _____

Attachment B

V. PUBLIC PARTICIPATION PLAN

The success of all public programs is absolutely dependent upon the participation of the public. In the world of public transportation, our success as a provider depends on a solid ridership. Solid ridership ensues from offering buses, routes, schedules, fares and amenities that meet the needs of our ridership. In order to learn and understand the needs of our ridership, Kern Transit currently reaches out to our ridership through four methods: public meetings, community events/forums, media, and ride-a-longs. Kern Transit also learns the needs of its ridership through daily communication with our transit provider as well as participation in our transit provider's monthly driver safety meetings.

Public Meetings

Public meetings are scheduled as needed when changes in routes, schedules or fares are planned. Public meetings are also scheduled every other year, as required, for unmet needs discussions. Kern Transit staff travel to all 18 of the rural communities served by our rural bus system. Meetings are scheduled in community buildings: senior centers, recreation centers, libraries and public meeting rooms. All facilities are located at or near a bus stop. Meetings are held in the evening in order to accommodate the working population. Staff conducting the meetings are bilingual English/Spanish.

Community Events/Forums

Kern Transit participates in several community events each year and is "a member" of organizations that promote alternative (to personal vehicles) transportation modes. The community events provide a forum for Kern Transit to distribute its information and to receive input and answer questions from current users as well as those considering bus transportation. The community organizations combine resources to educate and encourage the self-driving public about alternative transportation modes.

Media

The specific media employed includes leaflets, newspaper notices and the web site. Additionally, beginning August 4, 2014, Kern Transit has a comprehensive Regional Guide for each of the 6 geographic areas we serve. Kern Transit, via our provider, distributes leaflets on all buses for types of events: holiday hours, bus stop changes, conduct reminders, public meeting notices, special event notices, route/schedule disruptions/changes. Public meetings are also noticed in each of the local newspapers. All written materials are English and Spanish. The Kern Transit web site is up and running on August 4, 2014. The new web site is user friendly, more informative and esthetically pleasing.

Ride-a-longs

Staff rides all or part of a route or routes approximately every other month. Some ride-a-longs are done by a ghost staff in order to observe the drivers' interaction with riders and to gather unabridged information from riders. The majority of ride-a-longs are done with full knowledge of drivers and passengers. These trips are to interact with riders and gather information/opinions from the riders about the performance of our transit system.

i. Summary of Outreach Efforts 2012 – 2014

Spring 2012 – Unmet Needs Meetings – 18 Communities

Participation with Blue Sky Partners at the Following Events: Green Expo, Tune In Tune Up Free Emissions Testing, Celebrate CSUB, BC Garden Fest, eTrip Site Coordinators, Fight for Air Walk, Job & Resource Fairs, Bike to Work Week, GET Bus Health Fair, Social Service Health Resource Fair, Ride-Share Week

Lamont/Arvin/Weedpatch Collaborative

Lamont Parent Conference

Lamont Elementary School Education Health & Resource Fair

Winter 2014 – Unmet Needs Meetings – 18 Communities

March 3, 2014 – Unmet Transit Needs – City of Tehachapi

July 2014 – Community Informational Meetings, 18 sites, to educate riders about Route, Schedule & Rule changes effective August 4, 2014.

CITY OF TEHACHAPI
LANGUAGE ASSISTANCE PROGRAM

June 2014



Denise Haynes
Title VI Coordinator
Kern Regional Transit
2700 M. Street, Suite 400
Bakersfield, CA 93301

TABLE OF CONTENTS

1.	Introduction	10
2.	Language Assistance Goals	10
3.	Meaningful Access: Four Factor Analysis	10
a.	Factor 1: Kern County's LEP population statistics	10
b.	Factor 2: Frequency of use of rural transit system by LEP population	11
c.	Factor 3: Importance of the rural transit system to LEP population	11
d.	Factor 4: Kern Transit available resources	11
4.	Provision of Language Assistance / Translation of Documents	12
5.	Notice of Availability to Language Assistance	13
6.	Staff Training	13
7.	Monitoring	13

1. INTRODUCTION

This language Assistance Plan was developed during the process of preparing Kern Transit's Title VI Program to ensure that Kern Transit services are accessible to limited English Proficient (LEP) individuals. Title VI of the 1964 Civil Rights Act is one of two federal mandates that guarantees the provision of meaningful access to federally funded services for LEP individuals:

- Title VI of the 1964 Civil Rights Act prohibits federally funded agencies from discriminating against individual base do race color, and nation origin and includes meaningful access to LEP customers
- President's Executive Order 13166 "Improving Access to services for Persons with Limited English Proficiency" (August, 2000), instructs federal agencies to improve access to services by mandating that any federally conducted or assisted programs or activities must provide meaningful access to LEP customers.

2. LANGUAGE ASSISTANCE GOAL

Kern Transit will provide meaningful access to language services to riders who have limited English proficiency through a Language Assistance Plan. The Plan will be reviewed and revised as necessary for resubmission every three years with Kern Transit's Title VI Plan.

3. MEANINGFUL ACCESS: FOUR FACTOR ANALYSIS

a. **The proportion of LEP persons in Kern Transit's service area who may be served or are likely to require Kern Transit's rural bus transportation services.**

According to the U.S. Census Bureau 2008-2012 American Community Survey, 17.9% of the total population over the age of 5 years, "speaks English less than very well". Of that population 90% speak Spanish, 3% speak "other Indo-European language, 6% speak Asian & Pacific Island and 1% speak an "other" language.

Spanish is the only language that falls outside of the Department of Transportation's "Safe Harbor Provision of over 5% or 1,000 individuals (whichever is less)". The Spanish speaking population is pervasive throughout Kern County with the population centers being metropolitan Bakersfield, and communities southeast and northwest of Bakersfield. The North Kern Express services the northwest communities and comprises 9% of our ridership. Three routes service the southeast communities and comprise 21% of total system ridership.

The most spoken Asian language is Filipino/Tagalog. The majority of the Filipino population resides in Delano. The North Kern Express services Delano in addition to the cities of Bakersfield, Shafter and Wasco. That route comprises 9% of total system ridership.

The U.S. Census data provides data that allows us to assume the same proportion of LEP's in the general population use the Transit system. The Nelson Nygaard study mentioned below was a ridership survey; however, the total number of responses was a very small sampling of our ridership. Kern Transit will conduct a language assessment survey to be completed by June 2015. This survey will gather actual ridership data to be used to derive an accurate accounting of our ridership. Once the survey is completed, Kern Transit will periodically track provision of LEP services via communication with drivers and staff.

b. The frequency with which LEP persons come into contact with the program.

Our ridership accesses our services via our bus transportation, phone calls to both Kern Transit and or provider, First Transit, walk-ins to the Kern Transit office to buy tickets or ask questions and our transportation guides. The contact with our LEP population via any one of these modes is daily. A 2012 study conducted by Nelson Nygaard showed 64% of our riders use the bus 2 or more times weekly, 11% once per week, 18% 1-3 times per month and 7% less than once a month. It is feasible to conclude from those statistics, our LEP population is proportionate to the total "speak English less than very well" of 17.9%. On a biannual basis, our riders also participate in Community Meetings for unmet needs. These meetings, however, are not well attended by any population with 20 being the most people and in a community populated by only 1% Spanish speakers who speak English "less than very well". In 2012 a passenger survey was distributed by the Nelson Nygaard group to all Wednesday, Thursday, Saturday and Sunday riders in a one week span. Approximately 1,200 responses were received, 13% of those in Spanish.

c. The nature and importance of the service provided, to the people's lives.

Getting to one's destination in Kern County is relatively easy via personal vehicle. Those who have vehicles use them because road congestion and parking are non-issues. Therefore, our ridership comprises those who are non-choice. The Nelson Nygaard study showed the following breakdown for trip purpose:

Shopping	20%
Home	18%
Work	18%
Medical	17%
College	15%
K-12 School	6%
Recreation	6%

All of these activities, save Recreation, can be considered necessary and vital activities in people's lives.

d. Available resources to provide LEP outreach and associated costs.

Kern Transit employs 4 persons, 2 of whom are native Spanish speakers and 1 is bilingual (speak, read, write). Kern Transit employs who certify as bilingual upon hire, receive a \$50 per month stipend. First Transit employs 60 bus drivers, 24 of

them Spanish speaking. Additionally, in the First Transit Administrative offices there are 17 staff, 9 of whom are native Spanish speakers. Currently the transportation guides are not translated. However, beginning August 4, 2014, all the guides will be in English and Spanish. The associated cost will be approximately \$2,600 which is 50% of the total as the guides would be considerably smaller in size were there no Spanish. All written materials, other than the current guides, are distributed in English and Spanish. There is no additional cost associated with the Spanish translation as generally the documents are copied in house and done two-sided.

4. PROVISION OF LANGUAGE ASSISTANCE SERVICES / TRANSLATION OF DOCUMENTS

Based on the statistics, Kern Transit recognizes the need to provide written and oral access to Spanish speakers. Although the proportion of Filipino speakers is quite small, Kern Transit will endeavor to have oral access to Filipino speakers.

The following is a list of the LEP services currently provided:

- Spanish conversation provided by native speakers on buses, at the Kern Transit office, at the First Transit Office, both in person and via phone calls.
- Community meetings in heavily LEP populated communities conducted in Spanish.
- Community events staffed by bilingual personnel.
- Family/Friends of all ages welcomed and encouraged to assist LEP individuals to communicate with drivers.
- Leaflets/fliers to notice service changes, service alerts, community meetings, distributed in Spanish.
- Federal and State mandated postings regarding laws, policies and special programs translated to Spanish.

The following is a list of the LEP services Kern Transit will implement:

- Non-native/bilingual bus drivers on affected routes will be provided with "Ask a Question" cards in Spanish and Filipino/Tagalog.
- Transit Guides will be printed in English and Spanish.
- Title VI program and complaint form will be translated into Spanish.
- Kern Transit will work with the web designer to determine which pages of the web site should have corresponding Spanish pages.
- Vital documents will be posted on the web site in Spanish.

5. NOTICE OF AVAILABILITY OF LANGUAGE ASSISTANCE SERVICES

Currently there are no formal practices that notify the non-English, LEP populations of the availability of language assistance services. Our bilingual drivers automatically converse with the Spanish speakers in Spanish. The great majority of our documents are, as a matter of practice, published in Spanish. Spanish speakers do not have to inquire about the availability of language service, as it is automatically provided.

Notwithstanding the above, in order to comply with Executive Order 13166, Kern Transit will post notification in the buses of the availability of translation services and will provide drivers with "Ask me a Question" cards. The web site will indicate the availability of translation services.

6. STAFF TRAINING

Kern Transit's three staff members are employed by the County of Kern in the Roads Department. As County employees they have received the County's Title VI and LEP training. Kern Transit employees will provide the following training to the employees of Kern Transit's contracted service provider – First Transit:

- Information on the Title VI Policy and LEP responsibilities
- Description of language assistance services offered to the public
- Use of the "Ask Me a Question" cards
- Documentation of language assistance requests and instances of service
- How to handle a potential Title VI/LEP complaint.

7. MONITORING

Kern Transit will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated every three years concurrent with updating and submitting the Title VI Program.

Monitoring 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.
- Determination as to the need for additional translation services.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Maintain a Title VI/LEP complaint log.
- Evaluate Kern Transit's response to Title VI/LEP complaints
- Determine whether Kern Transit fully complies with Executive Order 13166

VI. END OF LANGUAGE ASSISTANCE PLAN

VII. STATEMENT REGARDING:

List of Transit-Related Title VI Investigations, Complaints, Lawsuits

Kern Regional Transit Non-Elected Committees & Counsels

Determination of Site or Location of Facilities

Kern Transit does not have a list of Transit-Related Title VI investigations, complaints or lawsuits. To the best of everyone's knowledge, there have been none of these actions initiated going back 22 years.

Kern Transit does not have any non-elected committees or counsels. Transit is a Division of the County Roads Department and is therefore subject to County Ordinances, Policies and Procedures.

Kern Transit has not made any determination as to site for facilities as defined by Title 49 CFR part 21, Appendix C, Section (3)(iv) nor constructed new facilities of any type in 10 years.