

# CITY OF ATASCADERO



## TITLE VI PLAN

### Title VI of the Civil Rights Act of 1964

May 10, 2022

May 1, 2022 – April 30, 2025

Contact Information:

Anel Perez, Title VI Coordinator  
6500 Palma Avenue  
Atascadero, CA 93422

Office: 805-470-3180

Email: [APerez@atascadero.org](mailto:APerez@atascadero.org)

- To obtain services or copies in an alternate format or language, please contact Anel Perez at (805) 470-3180.

# 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).

The City of Atascadero's (City) transit services (Atascadero 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, age, disability, genetic information, pregnancy, ethnicity, family or marital status, religion, sexual orientation, gender identity or expression, language, physical or mental disability, political affiliation, socio-economic status, veteran status, or other discrimination types as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B. and prohibited by the laws enforced by FHWA, USDOT, USDOJ, or other federally funded programs.

This plan was developed to guide the City of Atascadero in its administration and management of Title VI-related activities.

Title VI Coordinator Contact information:

**Anel Perez**  
**City of Atascadero / Atascadero Transit**  
**6500 Palma Avenue**  
**Atascadero, California 93422**  
[APerez@atascadero.org](mailto:APerez@atascadero.org)

As of July 1, 2014, the City of Atascadero contracts with MV Transportation, Inc. for the driver services of Atascadero Transit. The contractor(s), by extension, will also assist and comply with the adopted Title VI policy.

## II. TITLE VI INFORMATION DISSEMINATION

Title VI information posters shall be publicly displayed in the City owned Atascadero Transit facility and on the revenue vehicles. The plan information, along the contact information for the Title VI coordinator is available on the City of Atascadero website, at [www.atascadero.org](http://www.atascadero.org). Additional information relating to nondiscrimination obligation can be obtained from the Atascadero Transit Title VI Coordinator.

Title VI information shall be provided to Atascadero Transit employees annually via the Employee Education form (see Appendix A) at the beginning of the calendar year. This form reminds employees of the Atascadero Transit 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 expectations to perform their duties accordingly.

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

Title VI information shall also be made available in non-English languages, consistent with the City's Limited English Proficiency (LEP) plan.

### **III. SUBCONTRACTS AND VENDORS**

All subcontractors and vendors who receive payments from Atascadero Transit 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 the Atascadero Transit 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.

### **V. 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 contact information (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 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 Atascadero Transit at the following address:

**Title VI Coordinator  
City of Atascadero  
6500 Palma Avenue  
Atascadero, CA 93422  
APerez@atascadero.org**

NOTE: Atascadero Transit 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. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 30 days from the alleged date of discrimination.

#### **What happens to the complaint after it is submitted?**

All complaints alleging discrimination based on race, color or national origin in a service provided by Atascadero Transit will be directly addressed by Atascadero Transit. The City shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, the City 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?**

Atascadero Transit 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 his or her right to 1) appeal within seven calendar days of receipt of the final written decision from Atascadero Transit, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within 30 working days of receipt of such complaints, if not sooner.

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**

**VI. LIMITED ENGLISH PROFICIENCY (LEP) PLAN**

Atascadero Transit has developed a Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to City 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 order to prepare this plan, the City utilized the U.S. Department of Transportation four factor LEP analysis which considers the following factors:

- 1) The number or proportion of LEP persons to be served or likely to be encountered in Atascadero Transit service.
- 2) The frequency with which LEP individuals come in contact with Atascadero Transit programs.
- 3) The nature and importance of programs, activities or service provided by Atascadero Transit to the LEP population.
- 4) The resources available to the City and overall costs to provide LEP assistance.

**VII. COMMUNITY OUTREACH**

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

The City of Atascadero in collaboration with the San Luis Obispo Council of Governments (SLOCOG), informs the public of service changes and other important activities which pertain to transit service through a specific dissemination process. The following outlines the strategies and procedures that the City uses to encourage and include public participation in its decision-making process.

The City of Atascadero holds public meetings twice per month. At these meetings the public is welcome to attend and share in discussion with a variety of Community Outreach discussions. Additionally, Atascadero Transit works with other transit agencies in the service area and other stakeholder organizations to review and discuss the planning and is involved in the decision-making process. Atascadero Transit from time to time will provide on board survey handouts to customers for their feedback about a variety of issues.

### **Public Hearing and Comment Period for Fare Increase or Major Service Change**

Atascadero Transit shall maintain an open and participative process including the consideration of public comment before any fare increase or major service change.

### **Public Noticing Requirements**

Public notices shall inform the public of proposed actions which initiated the public comment process, how comments will be received, and, if applicable, the locations, dates, and times of scheduled public hearings or workshops. Prior to any public hearing or comment period, a public notice will be prepared and sent to the local media. At a minimum, this legal notice will be published in the local newspaper of general circulation. In addition, notices will be posted on all buses to further inform the public of an opportunity to participate in any fare increase or major service change decision making process.

### **Scheduling Public Hearing or Workshop Locations and Times**

All facilities utilized for public workshops and hearings will be accessible to persons with disabilities. All major service changes and fare adjustments shall be adopted at a public hearing of the Atascadero City Council.

### **Procedure for Conducting Public Workshops**

The City of Atascadero will offer an opportunity for public comment to all attendees at any public hearing or workshop, or an alternate method, the public may submit written comments. The purpose of the public hearing, proposed actions and any alternatives will be explained. All persons wishing to comment will have the opportunity to do so.

### **Documentation of Public Hearings**

The Atascadero City Council minutes will provide record of all comments made at the public hearing on fare increases, major service changes, or any unmet transit needs. Records of all public comments will be maintained on file.

### **Addressing Public Comments Received**

All comments received, whether in writing or verbally during a public hearing, will be entered into the public record of the comment process. Staff will evaluate and analyze all relevant comments received to see whether they are reasonable to meet.

### **Outreach to Engage Minority and Limited English Proficient Populations**

Atascadero Transit will continue assessing the language needs of citizens in its service area. To the greatest extent possible, to elicit public participation from minority and Limited English Proficient (LEP) populations, Atascadero Transit will provide the following outreach opportunities:

- Schedule meetings at times and locations that are convenient and accessible for minority and LEP communities.
- Coordinate with the community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.
- Consider radio, or newspaper ads on stations and in publications that serve LEP populations.
- Provide opportunities for public participation through means other than written communication, such as personal interviews.

### **Summary of Outreach Efforts Made Since Last Title VI Program Submission**

Below is a summary of specific outreach efforts made in the last three years (since the last Title VI Program submission):

- February 2020 – participate in SLOCOG Public Hearing: Unmet Transit Needs
- February 2021 – participate in SLOCOG Public Hearing: Unmet Transit Needs
- February 2022 – participate in SLOCOG Public Hearing: Unmet Transit Needs

Atascadero Transit relies upon the SLOCOG, the Metropolitan Planning Organization (MPO) to meet the public participation requirements for the Federal Transportation (FTA) Program of Projects (POP).

### **VIII. ACTIVE INVESTIGATION, LAWSUIT OR COMPLAINT**

The City of Atascadero has had no active investigations, lawsuits or complaints alleging discrimination on the basis of race, color or national origin.

### **IX. BOARD DEMOGRAPHICS**

Atascadero Transit board of directors (the City Council) consists entirely of elected members. Therefore, this does not apply.

### **X. EQUITY ANALYSIS FOR BUILDING SITE**

No operational or maintenance facilities have been constructed. Therefore, this does not apply to Atascadero Transit.

### **XI. RESOLUTION APPROVING TITLE VI PLAN**

A copy of this resolution can be found in Appendix H of this Plan. Adoption is anticipated on May 10, 2022.

**Title VI Policy**

No person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

All employees of Atascadero Transit (and MV Transportation Inc. as contracted for driver services) are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to Dawn Patterson who is the Title VI Coordinator.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address them without regard to race, color or national origin.

**APPENDIX B      ACKNOWLEDGEMENT OF RECEIPT OF TITLE VI PLAN**

I hereby acknowledge the receipt of the Atascadero Transit 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, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B.

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

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

\_\_\_\_\_  
Date



**APPENDIX C TITLE VI COMPLAINT FORM – ATASCADERO TRANSIT**

Title VI of the 1964 Civil Rights Act requires that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” If you feel you have been discriminated against in the City of Atascadero services, please provide the following information in order to assist us in processing your complaint and send it to:

Please print clearly:

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

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

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

Telephone Number: \_\_\_\_\_(home) \_\_\_\_\_(cell) \_\_\_\_\_(work)

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

Person discriminated against: \_\_\_\_\_

Address of person discriminated against: \_\_\_\_\_

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

Please indicate why you believe the discrimination occurred:

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

What was the date of the alleged discrimination? \_\_\_\_\_

Where did the alleged discrimination take place? \_\_\_\_\_

Please explain as clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. : \_\_\_\_\_

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

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:

Federal Agency

Federal Court

State Agency

State Court

Local Agency

Please provide 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 your complaint. Then date and sign this form and send to the Title VI Coordinator at:

Anel Perez, Title VI Coordinator  
City of Atascadero  
6500 Palma Avenue  
Atascadero, CA 93422

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

\_\_\_\_\_  
Date

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

**APPENDIX C TITLE VI COMPLAINT FORM – ATASCADERO TRANSIT**

Título VI de la Ley de Derechos Civiles de 1964 requiere que “a ninguna persona en los Estados Unidos por motivos de raza, color u origen nacional, será excluido de la participación en, ni se le negarán los beneficios de, o ser objeto de discriminación en cualquier programa o actividad que reciba asistencia financiera federal.” Si usted siente que ha sido discriminado en los servicios de tránsito, por favor proporcione la siguiente información para poder ayudarle en el proceso de su queja y envíe la a:

Nombre: \_\_\_\_\_

Dirección: \_\_\_\_\_

Ciudad, Estado, Código postal: \_\_\_\_\_

Número de Teléfono: \_\_\_\_\_(casa) \_\_\_\_\_(celular) \_\_\_\_\_(trabajo)

Persona discriminada: \_\_\_\_\_

Dirección de la persona discriminada: \_\_\_\_\_

Ciudad, Estado, Código postal: \_\_\_\_\_

Favor de indicar por qué cree que la discriminación se ha producido:

- \_\_\_\_\_ Raza
- \_\_\_\_\_ Color
- \_\_\_\_\_ Origen Nacional

¿Cuál fue la fecha de la supuesta discriminación? \_\_\_\_\_

¿Dónde ocurrió la supuesta discriminación? \_\_\_\_\_

Por favor describe las circunstancias tal como fueron y incluye nombre(s) de persona(s) que fueron involucrados : \_\_\_\_\_

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

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

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

Anteriormente ha presentado una denuncia de Titulo VI con esta agencia?

- Sí  No

¿Ha presentado esta queja con cualquier otro agencia local, estatal o federal, o ocon cualquier tribunal estatal Federal?

Sí  No

Sí la respuesta es sí, marque todo lo que aplique:

Agencia Federal

Agencia Estatal

Tribunal de Justicia Estatal

Corte Federal

Agencia Local

Favor de proporcionar información acerca de una persona de contacto de la agencia/corte donde la denuncia fue presentada.

Nombre: \_\_\_\_\_

Título: \_\_\_\_\_

Organización: \_\_\_\_\_

Dirección de departamento: \_\_\_\_\_

Teléfono de departamento: \_\_\_\_\_

Por favor, juntar todos los documentos que tienen que apoyar la acusación. Firma y anote la fecha abajo y envíalo al Coordinador del Título VI en:

Anel Perez, Título VI Coordinador  
City of Atascadero  
6500 Palma Avenue  
Atascadero, CA 93422

\_\_\_\_\_  
Su firma

\_\_\_\_\_  
Fecha

\_\_\_\_\_  
Escriba su nombre

**APPENDIX D      SAMPLE LETTER ACKNOWLEDGING RECEIPT OF COMPLAINT**

[Today's Date]

Ms. Jo Doe  
1234 Main St.  
Atascadero, CA 93422

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against Atascadero Transit alleging

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An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning Anel Perez at 805-470-3180, or write to me at this address.

Sincerely,

Anel Perez  
Title VI Coordinator  
City of Atascadero  
6500 Palma Avenue  
Atascadero, CA 93422

**APPENDIX E                    SAMPLE LETTER NOTIFYING COMPLAINANT THAT THE  
COMPLAINT IS SUBSTANTIATED**

[Today's Date]

Ms. Jo Doe  
1234 Main St.  
Atascadero, CA 93422

Dear Ms. Doe:

The matter referenced in your letter of \_\_\_\_\_ (date) against Atascadero Transit 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,

Anel Perez  
Title VI Coordinator  
City of Atascadero  
6500 Palma Avenue  
Atascadero, CA 93422

**APPENDIX F                      SAMPLE LETTER NOTIFYING COMPLAINANT THAT THE  
COMPLAINT IS NOT SUBSTANTIATED**

[Today's Date]

Ms. Jo Doe  
1234 Main St.  
Atascadero, CA 93422

Dear Ms. Doe:

The matter referenced in your complaint of \_\_\_\_\_ (date) against Atascadero Transit 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, or national origin in any program receiving federal financial assistance.

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

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

You have the right to 1) appeal within seven calendar days of receipt of this final written decision from Atascadero Transit, 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,

Anel Perez  
Title VI Coordinator  
City of Atascadero  
6500 Palma Avenue  
Atascadero, CA 93422



## **Title VI Policy**

**Title VI of the Civil Rights Act of 1964 states: “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”**

**The City of Atascadero respects civil rights and operates its programs and services without regard to race, color or national origin. The City is committed to complying with Title VI requirements in all of its programs and services. For more information on the Title VI transit obligations, contact the City as listed below.**

## **Making a Title VI Complaint**

**Any person who believes he/she has been subjected to discrimination in the delivery of or access to public transportation services on the basis of race, color, or national origin, may file a complaint with Atascadero Transit. Such complaint must be filed in writing with Atascadero Transit no later than 30 days after the alleged discrimination. For information on how to file a complaint, use the form below or contact Atascadero Transit at:**

**Anel Perez, Title VI Coordinator  
City of Atascadero  
6500 Palma Avenue  
Atascadero, CA 93422  
(805) 470-3180  
APerez@atascadero.org**





## **Póliza Del Título VI**

**Derechos Civiles del Acta del estados de 1964, ninguna persona en los Estados Unidos podrá ser excluida de participar en programas que reciben asistencia financier Federal, o negar beneficios o ser sujetos a discriminación por causa de raza, color, o orgien nacional.**

**El sistema de tránsito de City of Atascadero respeta los derechos civiles y administra sus programas y servicios sin consideración a raza, color o grgen nacional. El Sistema de tránsito de City of Atascadero está comprometido a cumplir en todos sus programas con los requicitos del Título VI.**

**Para más información de las obligaciones de tránsito del Título VI comuníquese con de tránsito de City of Atascadero acuerdo a la información siguiente.**

## **Para Presentar Una Queja del Título VI**

**Qualquier persona que cree que ha sido discriminada en el servicio de o acceso a los servicios de transportación pública a base de raza, color o orgen nacional, puede presentar una queja con el sistema de tránsito do City of Atascadero. Dicha queja puede ser presentada por escrito con City a no más tardar de 30 días después de la supuesta discriminación. Para información como presentar una queja, usar la forma siguiente, o comuníquese con City a:**

**Anel Perez, Coordinador del Título VI  
City of Atascadero  
6500 Palma Avenue  
Atascadero, CA 93422  
(805) 470-3180  
APerez@atascadero.org**

**APPENDIX H**

**DRAFT RESOLUTION**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA,  
APPROVING THE UPDATED TITLE VI PLAN AND LIMITED ENGLISH PROFICIENCY PLAN  
FOR ATASCADERO TRANSIT SERVICES**

**WHEREAS**, the City of Atascadero receives funds from Federal Transit Administration (FTA) for capital and operating assistance funds; and

**WHEREAS**, the City of Atascadero provides demand response transit services within the Atascadero city limits; and

**WHEREAS**, the City of Atascadero assures that no person or group will, on the basis of race, color, national origin or limited English proficiency be subjected to discrimination in the level and quality of transportation services, programs, or activities provided by the City, whether Federally funded or not; and

**WHEREAS**, the City of Atascadero’s Title VI Plan was adopted by the City Council in May 2019; and

**WHEREAS**, the Federal Transit Administration requires transit operators to submit a Title VI Plan Update every three years as a condition of receipt of FTA funds; and

**WHEREAS**, the City of Atascadero has prepared the Updated Title VI Plan, attached hereto and incorporated herein as Exhibit “A”, in accordance with FTA Circular 4702.1B.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero:

**SECTION 1. Recitals.** The above recitals are true and correct.

**SECTION 2. Approval.** The City of Atascadero’s Title VI Plan and Limited English Proficiency Program for the Atascadero Transit Services, attached hereto and incorporated herein as Exhibit “A”, is approved.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Atascadero held this 10<sup>th</sup> day of May, 2022.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing resolution is hereby adopted in its entirety by the following vote:

AYES:  
NOES:  
ABSENT:  
ADOPTED:

CITY OF ATASCADERO  
\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:  
\_\_\_\_\_  
Lara K. Christensen, City Clerk

APPROVED AS TO FORM:  
\_\_\_\_\_  
Brian A. Pierik, City Attorney

# City of Atascadero

Source: U.S. Census Bureau 2020

	City of Atascadero, California					
	Total	Percent	Percent of specified language speakers			
			Speak English only or speak English "very well"	Percent speak English only or speak English "very well"	Speak English less than "very well"	Percent speak English less than "very well"
Population 5 years and over	28,700	(X)	27,834	97.0%	866	3.0%
Speak only English	25,426	88.6%	(X)	(X)	(X)	(X)
Speak a language other than English	3,274	11.4%	2,408	73.5%	866	26.5%
SPEAK A LANGUAGE OTHER THAN ENGLISH						
Spanish	2,261	7.9%	1,701	75.2%	560	24.8%
Other Indo-European languages	404	1.4%	286	70.8%	118	29.2%
Asian and Pacific Island languages	381	1.3%	242	63.5%	139	36.5%
Other languages	228	0.8%	179	78.5%	49	21.5%

# **ATASCADERO TRANSIT LIMITED ENGLISH PROFICIENCY (LEP) PLAN**

## **CITY OF ATASCADERO**

### **Introduction**

This Limited English Proficiency (LEP) Plan has been prepared to address the City of Atascadero'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 all state and local agencies which receive federal funds.

### **Plan Summary**

The City of Atascadero has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with Limited English Proficiency who wish to access Atascadero Transit transportation services in Atascadero. 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.

In order to prepare this plan, the City 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 in the City of Atascadero who may be served or likely to be encounter Atascadero Transit programs or service.
2. The frequency with which LEP persons come in contact with Atascadero Transit programs or services.
3. The nature and importance of programs or services provided by Atascadero Transit to the LEP population.
4. The resources available to Atascadero Transit Division and overall cost to provide LEP assistance.

A summary of the results of Atascadero Transit's four-factor analysis is in the following section.

## Four-Factor Analysis

1. The number or proportion of LEP persons in the City of Atascadero who may be served or are likely to encounter an Atascadero Transit program, activity or service.

Atascadero Transit staff reviewed the 2010 U.S. Census and current population and determined that of Atascadero's total population of 28,310, 7.5% (2,132) of the City's population speak a language other than English. Of this number, 790 (2.8%) have Limited English Proficiency; that is, they speak English "not well" or "not at all."

In the City of Atascadero, of those persons with Limited English Proficiency, 571 speak Spanish, 180 speak Asian and Pacific Island languages, and 39 speak other Indo-European languages.

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

Atascadero Transit assessed the frequency with which staff and drivers have, or could have contact with LEP persons. This includes documenting phone inquiries and surveying vehicle operators for requests for interpreters and translated documents. The most frequent contacts with LEP persons are with dispatchers, consisting of approximately 2% of the total call volume. Several City employees speak fluent Spanish and provide translation assistance for dispatchers as needed. Documents related to fares, service changes and rider rules are posted on the transit vehicles in both English and Spanish. Rider information guides are also written in both English and Spanish

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

Atascadero Transit provides demand response transit services within the City limits to locations as requested by the riders. Trips vary in nature, but typically include transportation for shopping, school, and medical appointments. While Atascadero Transit serves the general public, the ridership is primarily made up of seniors and persons with disabilities.

The largest proportion of LEP individuals in the City of Atascadero speak Spanish. The City has 2.8% of speakers who speak English less than "very well." Of these, 571 speak Spanish, 72% of the LEP's represented. Other LEP persons constitute the remaining >1% of the total City population. Due to the very small representation of other foreign languages (less than 1% Asian and Pacific Islanders, other Indo-European languages and other languages), Atascadero Transit has not historically taken special language accommodation measures for those non-Spanish speaking groups.

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

Atascadero Transit has committed resources to improving access to its services and programs for LEP persons. Today, bilingual information (English/Spanish) is distributed in the following means:

- Bilingual English /Spanish transit website
- Bilingual English/Spanish Rider's Guide to demand response services
- Bilingual English/Spanish rider alerts
- Bilingual English/Spanish customer service representatives

To date, the costs associated with these efforts have been primarily associated with material production and paid by the annual Atascadero Transit budget.

Based on the four factor analysis, Atascadero Transit will develop its LEP Plan as outlined in the following section.

### **Identification of LEP Population**

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

1. Review prior requests for language assistance to determine if language assistance might be needed at future events or meetings.
2. Have a staff person greet participants as they arrive to Atascadero Transit sponsored events. By informally engaging participants in conversation, staff will gauge each attendee's ability to speak and understand English.
3. Develop identification cards that indicate primary language spoken for use at Atascadero Transit meetings and events. This will assist the City in identifying language assistance needs for future meetings.
4. Survey bus drivers and dispatchers 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 oral and written services. There are also various ways in which City staff can respond to LEP persons, whether in person, by telephone or in writing.

- Placement of statements in notices and publications that interpreter services are available for Atascadero Transit meetings.
- Post Atascadero Transit's Title VI Policy and LEP plan on the City of Atascadero's website, [www.atascadero.org](http://www.atascadero.org)
- Survey bus drivers and dispatchers annually on their experience concerning any contacts with LEP persons during the previous year.
- When an interpreter is needed for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.

### **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.

### Staff Training

The following training will be provided to Atascadero Transit staff:

1. Information on Atascadero Transit's Title VI Procedures and LEP responsibilities
2. Description of 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

The City's website provides material in both English and Spanish. The City also provides easy access to bilingual (English and Spanish) administrative staff at Atascadero City Hall during operating hours to answer questions for those LEP passengers who use Atascadero Transit.

### Monitoring and Updating the LEP Plan

Atascadero Transit will update the LEP as required by U.S. DOT. At minimum, the plan will be reviewed and updated every three years. The most current U.S. Census data available will be used. 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 Census reports.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the needs of the LEP public.
- Determine if Atascadero Transit's financial resources are sufficient to fund needed language assistance.
- Determine if Atascadero Transit has fully complied with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the failure of Atascadero Transit to meet the needs of LEP individuals.

### Dissemination of Atascadero Transit's LEP Plan

A link to the Atascadero Transit LEP Plan and the Title VI Procedures is included on the City website at [www.atascadero.org](http://www.atascadero.org) . This link includes access to a complaint form, both in English and Spanish. Any person or agency with internet access will be able to access and download the plan from the City 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 to languages other than English and Spanish, which the City will provide as feasible.

Questions or comments regarding the LEP Plan may be submitted to the City of Atascadero, Title VI Coordinator:

Anel Perez  
City of Atascadero  
6500 Palma Avenue  
Atascadero, CA 93422

Phone: 805-470-3180  
Fax: 805-470-3181  
Email: [APerez@atascadero.org](mailto:APerez@atascadero.org) (Title VI Coordinator)