

Title VI Program Plan



Roads and Airports Department

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I. SUMMARY

Title VI of the Civil Rights Act of 1964 (Title VI) is a federal law that requires no person in the United States on the grounds of race, color, or national origin, be excluded from, be denied the benefits or be subjected to discrimination under any program or activity receiving federal financial assistance. The Federal-Aid Highway Act of 1973 added the requirement that there be no discrimination on the basis of sex. Title VI applies to recipients and sub-recipients of federal financial assistance. The Civil Rights Restoration Act of 1987 makes clear that pursuant to Title VI discrimination is prohibited throughout any department of a local agency that accepts Federal financial assistance.

The County of Santa Clara periodically receives federal funding from the Federal Highway Administration (FHWA) and other federal program funding. As a recipient of such federal aid, the City is required to comply with Title VI and the related Department of Transportation regulations (Title 49 CFR Part 21).

The following Title VI Program and Language Assistance Plan guides the Roads and Airports Department (Department) in its administration and management of Title VI related activities.

II. TITLE VI PROGRAM

A. Title VI Notice the Public

The Title VI Notice to the public on the Roads and Airports departmental website.

B. Training and Enforcement - County Policy Against Discrimination, Harassment, and Retaliation

The County has well-established and strictly enforced policies against discrimination and harassment based on all categories protected under Title VI (race, color, and national origin). The County's Policy Against Discrimination and Harassment is included at **Appendix 1**. The policies are also available on the County's public internet site, the County's employee-accessible intranet site, and the public site for the County's Equal Opportunity Division (EOD) at <https://equalopportunity.sccgov.org/home>. They may also file a complaint with the Title VI Program Coordinator, identified below.

County employees receive a copy of these policies upon hire, through new employee orientation programs, and/or through regularly scheduled County training programs relating to diversity, non-discrimination, sexual harassment prevention, and other topics. The County requires staff to complete training on discrimination and harassment every two years. The Roads and Airports Department supplements the Countywide training with training to Department employees on what Title VI is, how the Department implements its Title VI program to meet federal requirements, and what steps to take for handling language interpretation and translation requests.

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C. Title VI Complaint Form and Procedure

Any person who believes they have been discriminated against on the basis of race, color, national origin, or any of the categories protected in the County's Board Policy 3.8, may file a complaint using the EOD Discrimination Complaint Form, included at **Appendix 2**.

The County's internal discrimination, harassment, and retaliation complaint procedure mirrors that of outside agencies like the Equal Employment Opportunity Commission and the California Civil Rights Department. In the County, designated and trained County staff members from EOD or retained investigators interview complainants; and where appropriate to investigate, conduct a full and fair investigation. A confidential report of the investigator's findings is generally completed, and all parties are made aware of the findings. When the County finds a policy violation, it determines appropriate corrective action, up to and including termination of employment. In this way and others, the County takes all reasonable measures to ensure unlawful conduct does not occur.

The Roads and Airports Department will forward to Caltrans any complaints it receives under Title VI.

The County has not received any complaints from members of the public against the Roads and Airports Department for discrimination or harassment based on characteristics protected under Title VI (race, color, national origin).

D. Title VI Coordinator

The Roads and Airports Department's Title VI Coordinator is responsible for coordinating the Department's compliance with Title VI. The Department's Title VI Coordinator is:

AnnaMarie Cruz
101 Skyport, San Jose, 95110
(408) 573-2407
Annamarie.cruz@rda.sccgov.org

The Title VI Coordinator's contact information is also made available to the public through the Department's online Title VI notice posting and through the online posting of this Title VI Plan.

E. Public Participation Plan

The Roads and Airports Department is committed to ensuring that projects, programs, and services delivered by the Roads and Airports Department are sensitive to the many demographic backgrounds making up Santa Clara County. The Public Participation Plan (Plan) is for use by the Roads and Airports Department to promote public participation and involvement in the planning and decision-making process of County projects, programs, and services.

The Roads and Airports Department, as a recipient of Federal funding, will integrate the Plan into its Title VI Program. The Plan establishes guidance for involving the public to ensure that all residents of Santa Clara County are represented and their needs considered.

Goal

The Plan's goal is to provide a variety of opportunities for the public to engage in planning and decision-making activities and these goals are accomplished by the following objectives:

- To determine what non-English language and/or other barriers may exist to public participation with the service area of the Roads and Airports Department.
- To provide public meeting notifications that are understandable to all populations within Santa Clara County.
- To hold public meetings at times and in locations that are accessible and reasonably welcoming to all area residents, including, but not limited to underrepresented Santa Clara County residents, limited English Proficiency (LEP), and low-income residents.
- To utilize a variety of communication methods to capture public input from populations that are not likely to attend or engage in public meetings.

Public Comment Process Offered by the Board of Supervisors and Roads Commission

The public has a right to express their opinion during the regular Board of Supervisors meetings held approximately two times per month, except the month of July, at 9:30 a.m. in the Board chambers at 70 W. Hedding Street, San Jose, CA. Members of the public may also participate in the Roads Commission meetings, which usually occur the third Wednesday of each month at 12:30 pm at the County Government Center, 70 W. Hedding Street, San Jose, CA. Members of the public may participate in person or may participate remotely by zoom.

Forms are available to attendees to register their presence and desire to speak. All agenda items are introduced with an explanation of the matter and members of the public may provide public comment during consideration of the item. The County's agenda establishes guidelines for general public comment for items not appearing on the agenda and the legislative body chair has discretion to determine the length of public comment for agenda items. The County follows all requirements of the Ralph M. Brown Act to ensure that persons requiring translation are offered extra time to make public comment. In addition, the County has translation services available for public meetings.

Outreach Efforts

The Roads and Airports Department will use multiple techniques to actively solicit policy input in the planning process for a project. The Department will engage the community through different means including, but not limited to, websites, social media, mailings, door hangers, community centers, and public spaces. The following efforts will be used by the Department to receive input from the community:

- Surveys or questionnaires;

- Articles or press release;
- Distribution of information materials;
- Collaboration with community based organizations and neighborhood associations;
- Informal presentations at community forums and other community events;
- Publication of information about public meetings on the Department’s website;
- Mailings to persons expressing interest;
- General mailings.

The Department recognizes that low-income, minority, and limited English proficient individuals can be faced with additional barriers to participation in the public decision making process. To promote reasonable opportunities to participation by low-income, minority, and LEP populations within Santa Clara County, the Department will identify these populations and engage in targeted outreach to such populations where feasible. The low-income threshold will be defined as households with a per capita income of 80 percent or less of the national average.

F. Language Access Plan

The County has a comprehensive Language Access Policy, included at **Appendix 3**, and robust Language Access Guidelines and Procedures, included at **Appendix 4**. The Language Access Policy is also publicly available online.¹

The Language Access Policy requires that every County department ensure that members of the public who are limited English proficient (LEP) have access to language interpretation services at no cost to them in order to provide them with meaningful access to County public information, benefits, and services. Further, the Language Access Policy provides that every County department must, at minimum, translate into the County’s threshold languages (Spanish, Chinese – both Mandarin and Cantonese, Vietnamese, and Tagalog) all client or public-facing vital documents, including any client or public-facing materials that are necessary for applying for or explaining services available to the public. Departments must also post notices regarding the availability of interpretation services in at least the County’s threshold languages.

Below, the Roads and Airports Department addresses the four-factor analysis outlined in the Department of Transportation (DOT) LEP Guidance.

1. Factor 1: The Number & Proportion of Persons who are LEP that are Served or Encountered in the Eligible Service Populations

Santa Clara County is a linguistically diverse community, with its residents speaking more than 100 distinct languages from across the globe. According to the 2020 U.S. Census, Santa Clara County has the highest percentage of foreign-born residents in the State and more than half of its residents speak a language other than English at home. In general, the County’s

¹ County of Santa Clara Board of Supervisors Policy Manual, Board Policy 3.58, available online at: <https://files.santaclaracounty.gov/exjcpb1586/2024-12/bos-supervisors-manual-chapter-3-january-2024.pdf?VersionId=jrHe0POdJ9hxfG.hyhlGtWrjUePovDVI>.

threshold languages based on 2020 Census data, other than English, are Spanish, Chinese (both Mandarin and Cantonese), Vietnamese, and Tagalog.

Census data from the American Community Survey (ACS) 2023 Five-year Estimates shows the following regarding households that are limited English speaking, and individuals, by language and age, that speak English either “not well” or “not at all”:

Household Language Proficiency²		
	Santa Clara County, California	
Label	Estimate	Margin of Error
Total:	665,549	±3,723
English only	260,727	±5,830
Spanish:	105,083	±3,487
Limited English speaking household	17,099	±2,481
French, Haitian, or Cajun:	5,748	±1,365
Limited English speaking household	388	±306
German or other West Germanic languages:	4,308	±929
Limited English speaking household	197	±195
Russian, Polish, or other Slavic languages:	11,519	±1,770
Limited English speaking household	1,791	±673
Other Indo-European languages:	62,690	±4,478
Limited English speaking household	5,852	±1,524
Korean:	14,650	±2,170
Limited English speaking household	5,110	±1,422
Chinese (incl. Mandarin, Cantonese):	86,024	±4,461
Limited English speaking household	24,631	±2,678
Vietnamese:	43,614	±2,921
Limited English speaking household	13,476	±1,699
Tagalog (incl. Filipino):	20,304	±2,682
Limited English speaking household	1,284	±484
Other Asian and Pacific Island languages:	39,239	±3,288
Limited English speaking household	3,212	±842
Arabic:	3,607	±943
Limited English speaking household	438	±402

² United States Census Bureau, American Community Survey, Detailed Household Language by Household Limited English Speaking Status (2023), available online at <https://data.census.gov/table/ACSDT1Y2023.B16002?g=050XX00US06085>.

Other and unspecified languages:	8,036	±1,566
Limited English speaking household	570	±356

Language Proficiency by Language and Age³		
	Santa Clara County, California	
Label	Estimate	Margin of Error
Total:	1,783,620	±386
5 to 17 years:	280,406	±390
Speak Spanish:	54,731	±4,105
Speak English "not well"	4,123	±1,470
Speak English "not at all"	708	±601
Speak other Indo-European languages:	19,915	±2,927
Speak English "not well"	1,140	±1,077
Speak English "not at all"	0	±221
Speak Asian and Pacific Island languages:	55,096	±3,812
Speak English "not well"	2,704	±908
Speak English "not at all"	53	±90
Speak other languages:	4,898	±1,735
Speak English "not well"	0	±221
Speak English "not at all"	0	±221
18 to 64 years:	1,214,766	±462
Speak only English	500,603	±9,635
Speak Spanish:	213,586	±6,657
Speak English "not well"	44,414	±4,527
Speak English "not at all"	17,171	±3,539
Speak other Indo-European languages:	135,765	±8,927
Speak English "not well"	3,587	±1,266
Speak English "not at all"	573	±606

³ United States Census Bureau, American Community Survey, Age by Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over (2023), available online at <https://data.census.gov/table/ACSST1Y2023.B16004?g=050XX00US06085>.

Speak Asian and Pacific Island languages:	345,279	±7,868
Speak English "not well"	37,432	±3,258
Speak English "not at all"	7,275	±1,479
Speak other languages:	19,533	±3,115
Speak English "not well"	398	±312
Speak English "not at all"	0	±221
65 years and over:	288,448	±463
Speak only English	144,196	±3,565
Speak Spanish:	29,901	±1,878
Speak English "not well"	4,677	±1,059
Speak English "not at all"	2,239	±732
Speak other Indo-European languages:	24,963	±2,903
Speak English "not well"	4,597	±1,289
Speak English "not at all"	1,367	±836
Speak Asian and Pacific Island languages:	86,758	±2,697
Speak English "not well"	28,848	±2,698
Speak English "not at all"	10,699	±1,844
Speak other languages:	2,630	±719
Speak English "not well"	139	±136
Speak English "not at all"	310	±284

2. Factor 2: The Frequency with which Individuals who are LEP Come into Contact with Your Programs, Activities, and Services

Roads comes into contact with LEP individuals through a variety of services. Roads does not keep official records of the number of contacts; anecdotally, Roads typically does not receive any requests for interpretive/translation services.

3. Factor 3: The Importance of Your Program, Activities & Services to Persons who are LEP

The Roads and Airports Department, provides many programs, activities, and services to individuals who are LEP.

Roads and Airports Projects

The County maintains various property and infrastructure, including roads, sidewalks, public facilities, airports, utility lines, and others that provides services to residents. The County regularly conducts work to maintain and expand this infrastructure. Roads and Airports projects affect LEP individuals residing near the work or using the infrastructure. The planning process

for infrastructure maintenance and upgrades takes place through the County's Capital Improvement Program (CIP). The CIP is presented to the Board of Supervisors for approval on an annual basis with the county budget at a publicly noticed meeting. The public has the opportunity to comment on the CIP and county budget, and the Board of Supervisors may amend it in response to those comments.

Public Meetings

The County holds a variety of public meetings, including Board of Supervisor meetings, various Commission and Committee meetings, and other meetings of official County bodies. These meetings are where the County and its elected and appointed officials conduct public business, and opportunities for residents to communicate with their government.

Service Desks

Roads and Airports operates a service desk where the public, including LEP persons, may obtain information about Department projects, programs, and other activities.

4. Factor 4: The Resources Available to the Recipient and Costs

The language access resources available to Roads are outlined in the County's Language Access Guidelines and Procedures at page 3 and include County-certified bilingual staff, a County Language Access Unit, and Countywide contracts for interpretation and translation services.

G. Title VI Data Collection

The Roads and Airports Department's Title VI data collection and analyses procedures are encompassed within the County's equity studies and Equity Roadmap and action planning, which includes as a priority area "Continuous Improvement through Data and Evaluation." (County Equity Study Session (March 25, 2025), Equity Study Session Presentation (March 25, 2025),

https://sccgov.igq2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=16795&MediaPosition=14757.893&ID=123313&CssClass=)).

H. Internal/External Title VI Reviews

The County's program to conduct internal reviews of Roads and Airports program areas includes the County's equity studies and Equity Strategic Roadmap and action planning. (County Equity Study Session (March 25, 2025) and Equity Study Session Presentation (March 25, 2025),

https://sccgov.igq2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=16795&MediaPosition=14757.893&ID=123313&CssClass=).

In addition, the Roads and Airports Department Title VI Coordinator will coordinate internal reviews of Department program areas.

The County does not have any sub-awardees to review.

I. Title VI Annual Accomplishments and Goals Report

The Roads and Airports Department's accomplishments related to its compliance with Title VI include the following:

- County's equity studies and Equity Strategic Roadmap and action planning.
- County Equity Study Session (March 25, 2025).
- Equity Study Session Presentation (March 25, 2025).
- Developing and implementing the Equity Action Plan.
- Ongoing training to Department employees on Discrimination and Harassment, including on the basis of race, color, and national origin as protected under Title VI.

The Department's goals related to its compliance with Title VI include the following:

- Data informed, community centered, and outcome driven Department services.

Appendix 1



Policy Type: Board

Category: Personnel

Policy Name: Policy Against Discrimination, Harassment, and Retaliation -
Board Policy 3.8

[← Previous Policy Manual Section](#)

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3.8 POLICY AGAINST DISCRIMINATION, HARASSMENT, AND RETALIATION (Adopted 8-5-03)

The Board of Supervisors for the County of Santa Clara is committed to providing equal opportunity in employment and equal access to programs, services, and contracting opportunities.

Therefore, it is the policy of the Board of Supervisors that:

- no person shall be subject to discrimination or harassment with regard to any aspect of recruitment or employment with the County; and,
- no person shall be denied, or provided unequal access to, programs, services or contracting opportunities

on the basis of race, religious belief, color, national origin, culture, ancestry, age, gender, sexual orientation, gender identity, pregnancy, marital status, disability, medical condition, political belief, organizational affiliation or association with any individual in any of these groups.

A person who speaks up about discrimination or harassment, or files a complaint or participates in the complaint process, is participating in a



County of Santa Clara

Policy Name: Policy Against Discrimination, Harassment, and Retaliation -

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“protected activity.” Retaliation against any person who participates in a protected activity is prohibited.

The County does not tolerate discrimination, harassment, or retaliation in any form; therefore, any violation of this policy will generate prompt and appropriate action. Those who commit acts of discrimination, harassment, or retaliation will be subject to discipline up to and including dismissal.

The Board recognizes that continuing efforts must be taken to prevent discriminatory practices and that merely prohibiting discriminatory practices will not ensure equal opportunity. Therefore, the Board assigns responsibilities pursuant to this Policy to all County employees.

The County Executive will ensure that this Policy is made known to all County employees and that procedures necessary to ensure compliance are implemented.

Agency/department heads, managers, supervisors, and leads are responsible for preventing discrimination, harassment, and retaliation. In addition, agency/department directors, managers, supervisors, and leads are responsible for upholding this Policy by:

- Avoiding participation in any form of discrimination, harassment, or retaliation. Monitoring to ensure the elimination of non-job-related barriers to employment and promotions in accordance with Department of Justice, Office of Civil Rights, regulations and guidelines governing Equal Employment Opportunity.
- Providing employees information on procedures for submitting complaints of alleged violations of this policy.



County of Santa Clara

Policy Name: Policy Against Discrimination, Harassment, and Retaliation -

Board Policy 3.8

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- Reviewing practices to remove barriers to equitable access to programs, services and contracting opportunities.
- Ensuring that the workforce is trained to recognize discrimination, harassment, and retaliation.
- Addressing and correcting issues of discrimination, harassment, or retaliation in a timely manner.
- Attaining objectives in the County's Equal Employment Opportunity Plan.

The Equal Opportunity Division is responsible for accepting, investigating, and processing complaints involving potential violations of this policy. Persons who believe they have been subject to discrimination, harassment, or retaliation should contact the Equal Opportunity Division. Employees and applicants for employment may also contact a manager, supervisor, the agency or departmental Equal Opportunity Officer or advisor, a union representative, an outside enforcement agency, or a private attorney.

Related Policies

- Policy on Diversity - Board Policy 3.7 - <https://saecommon.sccgov.org/countypolicy/Board-Policy-3.7-Policy-on-Diversity.pdf>
- Policy on Sexual Harassment - Board Policy 3.9 - <https://saecommon.sccgov.org/countypolicy/Board-Policy-3.9-Policy-on-Sexual-Harassment.pdf>
- Contracting with Individuals - Board Policy 5.13 - <https://saecommon.sccgov.org/countypolicy/Board-Policy-5.13-Contracting-with-Individuals.pdf>



County of Santa Clara

Policy Name: Policy Against Discrimination, Harassment, and Retaliation -

Board Policy 3.8

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Related Forms and Information

- Santa Clara County Restricted Travel Reference List -
[url]/sites/policies/FormsrelatedtoPolicies/Santa-Clara-County-Restricted-Travel-Reference-List.pdf

History

Date	Changes Made
3/3/2016	Related Policies and Related Forms and Information Updated (David Bruno)
1/23/2014	Policy Uploaded. (John Myers)
8/5/2003	Policy Adopted. View legislative file.

Appendix 2

DISCRIMINATION COMPLAINT FORM

SANTA CLARA COUNTY – EQUAL OPPORTUNITY DIVISION

Confidentiality: The County of Santa Clara cannot guarantee that complaints will remain confidential after an investigation has commenced because Equal Opportunity Division (EOD) records are subject to subpoena and possible discovery if a case goes to litigation, and can be subpoenaed by the Equal Employment Opportunity Commission (EEOC), a federal agency, or the California Department of Fair Employment and Housing (DFEH); however, our office will take appropriate measures to limit disclosure and maintain the confidentiality of complaints and those involved in the complaint process.

NAME of COMPLAINANT _____ Employee Applicant Client/Patient
Job Title _____ Time w/County _____ Email _____
Job Location _____ Department _____
Employee ID Number _____ Supervisor _____
Preferred method of contact (Work or Home Email, Work or Home/Cell Phone): _____
Home Address: _____
Phone: Work _____ Home _____ Cell _____

I BELIEVE I WAS DISCRIMINATED AGAINST/HARASSED BECAUSE OF MY ACUTUAL OR PERCEIVED:

Age (40 or over)	Medical Condition	Race
Ancestry	Genetic Characteristics	Retaliation*
Color	National Origin	Religious Belief
Culture	Gender Identity / Expression	Sex / Gender
Disability	Political Belief	Sexual Harassment
Pregnancy	Sexual Orientation	Organizational Affiliation
Marital Status	Military / Veteran's status	Family Care or Medical Leave

Association with any individual in any of the above groups

***If you checked Retaliation, please check what previous protected activity you engaged in:**

I filed a previous Discrimination Complaint	I participated in a Discrimination Investigation
Family Care or Medical Leave	Reasonable Accommodation

ALLEGATION(S) AGAINST: _____ Job Title _____
Phone: Work _____ Cell _____
Job Location _____ Department _____
Supervisor _____ Department Director _____

As a result of the category (box) checked above, the following actions were taken against me. Please list DATE, LOCATION, DETAILS of INCIDENT: (When, Where, What, How, Frequency, Witnesses, Who did you tell, etc.) **Attach additional pages if necessary.**

REMEDY SOUGHT BY COMPLAINANT:

If eligible, would you be interested in a conflict resolution process? **Yes** **No** **Possibly, with more information.**

Signature of Complainant _____ **Date** _____

Submit Completed Form to:
Equal Opportunity Division
70 West Hedding Street, East Wing, 9th Floor
San Jose, CA 95110
(EOD mail to 9th floor; office location on 3rd floor)
Phone: (408) 993-4840 Fax: (408) 993-4849
Email: EOD@eod.sccgov.org

Appendix 3



Policy Type: Board

Category: Administrative Practices

Policy Name: Language Access - Board Policy 3.58

Policy Owner: County Executive

[← Previous Policy Manual Section](#)

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3.58 Language Access (Adopted 3-24-15)

Santa Clara County is a linguistically diverse community, with its residents speaking more than 100 distinct languages from across the globe. According to the 2020 U.S. Census, Santa Clara County has the highest percentage of foreign-born residents in the State and more than half of its residents speak a language other than English at home. Additionally, according to the Centers for Disease Control and Prevention, 5.7 percent of U.S. adults are deaf or have serious difficulty hearing and 4.9 percent of U.S. adults have a vision disability with blindness or serious difficulty seeing even when wearing glasses.

Language access services are critical to serving Santa Clara County residents. To effectively serve its diverse community, the County of Santa Clara seeks to ensure that every resident has meaningful access to County services, programs, benefits, and information. To further this goal, the County strives to meet the language access needs of residents to help them obtain County information and reduce barriers to meaningful engagement. In general, the County's threshold languages based on 2020 Census data include English, Spanish, Chinese, Vietnamese, and Tagalog. Departments and agencies may have different threshold languages based on applicable Federal or State laws and/or data specific to the languages spoken by the members of the public that the department or agency serves.



The County reaffirmed its commitment to addressing language access needs by establishing the Language Access Unit in the County's Division of Equity and Social Justice. The Language Access Unit connects, provides, and promotes high-quality and culturally appropriate language services to County departments and agencies that interact with individuals with limited English proficiency and those who have language access needs related to a disability. The Language Access Unit partners with County departments and agencies to lead more systemic efforts to expand the provision of language services, as well as procure and manage County-wide language access services through authorized vendors. The Language Access Unit seeks to ensure all residents, regardless of their language background or ability, can access the critical information, benefits, and services offered by the County.

In furtherance of this goal, the County is committed to the following:

- (A) Every County department and agency shall ensure that members of the public who are limited English proficient are provided language interpretation services including sign language at no cost to ensure meaningful access to County public information, benefits, and services. Language interpretation services shall be available as provided in the County's Language Access Guidelines and Procedures to those attending County functions and meetings, visiting County facilities, and participating in public County programs and services. Interpretation services may be provided in person, over the phone, or via videoconferencing.
- (B) Every County department and agency shall at minimum translate into the County's threshold languages all client or public-facing vital documents, including any client or public-facing materials that are necessary for applying for or explaining services available to the public. Departments and agencies must identify the categories of



documents that are considered vital documents as provided in the County's Language Access Guidelines and Procedures.

- (C) In consultation with the Language Access Unit, every client or public-facing County department and agency shall identify public areas in which to post notices regarding the availability of interpretation services in at least the County's threshold languages. Examples of public areas departments should consider include front lobbies and other areas of departmental facilities where members of the public regularly interact with staff, as well as websites and social media (if applicable). Notices should communicate that interpretation service(s) and other language access services are available at no cost to the public and the languages for which interpretation service(s) are available. In addition, client or public-facing facilities should work to ensure that signage and wayfinding notices incorporate universal symbols and are posted in public locations. The Language Access Unit may provide template notices upon request; departments and agencies must customize the templates to their unique needs, including to comply with any legal requirements applicable to the particular department or agency.

- (D) The County values bilingualism and the ability of bilingual employees to communicate directly with members of the public who are limited English proficient. Consistent with the Dymally-Alatorre Bilingual Services Act, the Language Access Unit, in collaboration with the Employee Services Agency, shall support County departments and agencies in staffing a sufficient number of qualified bilingual persons who regularly interact with members of the public as part of their job duties. Qualified bilingual employees who regularly interact with the public may communicate directly, in their certified language, with the public about services and programs related to their roles. However, as a reminder, qualified bilingual employees may or may not be qualified to serve as interpreters or translators. Therefore, County departments



and agencies are reminded to confirm that qualified bilingual employees are trained or certified in interpretation or translation before relying on the employees to offer such services.

- (E) When planning for and responding to crisis, emergency, and public safety situations, all County departments and agencies involved shall prioritize language access services and work with the Language Access Unit to the extent feasible to ensure the appropriate staff are present and available to assist individuals with limited English proficiency and other language access needs as necessary. If the crisis, emergency, or public safety situation requires the posting of warning signs, the departments and agencies shall if feasible translate those signs to, at a minimum, the threshold languages as soon as practicable.
- (F) Client or public-facing County departments and agencies will consult with the Language Access Unit and the Office of the County Counsel to determine whether a Language Access Plan should be developed, as provided in the County's Language Access Guidelines and Procedures, which will be updated to reflect the updates made to this Policy.
- (G) Client or public-facing County departments and agencies in partnership with the Language Access Unit shall make reasonable efforts to gather and retain information relating to the language access needs of the members of the public served by the County department or agency, as well as the provision of language access services by the department or agency, as provided in the County's Language Access Guidelines and Procedures.

The above requirements and guidance are in addition to, and do not supersede, any requirements under Federal or State law that may apply to the County or certain departments or agencies within the County. To the



extent requirements in any applicable laws or regulations differ from the requirements set forth in this Language Access Policy, County departments or agencies should consult with the Office of the County Counsel.

While this Policy is not intended to address the supports and services required by the Americans with Disabilities Act and its implementing guidelines and regulations, or any other legal requirements related to supports and services for individuals with disabilities, the County is committed to supporting language access for people with disabilities. Language supports for those with disabilities include services for individuals who are deaf or hard of hearing and communicate using sign language, or who are blind or have low vision.

This section of the Board Policy Manual, in its original format, can be found at <http://www.sccgov.org/sites/bos/Legislation/BOS-Policy-Manual/Documents/BOSPolicyCHAP3.pdf>.

Related Policies

None.

Related Forms and Information

- **Language Access Unit** - <https://sccconnect.sharepoint.com/sites/lau>
- **Board Policy Amendment - Language Access** - <http://sccgov.iqm2.com/Citizens/FileOpen.aspx?Type=4&ID=238166>
- **Board Policy Resolution - Language Access** - <https://connect.sccgov.org/sites/policies/FormsrelatedtoPolicies/Board-Resolution-Language-Access.pdf>



- **Board of Supervisors Addendum to Language Access Policy -**
<https://connect.sccgov.org/sites/policies/FormsrelatedtoPolicies/Language-Access-BOS-Addendum.pdf>
- **County Sign Standards -**
<https://connect.sccgov.org/sites/policies/policypages/Pages/County-Sign-Standards.aspx>
- **Language Access Guidelines and Procedures -**
<https://connect.sccgov.org/sites/policies/FormsrelatedtoPolicies/Language-Access-Guidelines-and-Procedures.pdf>
- **Sign Standards Program - Interior -**
<https://connect.sccgov.org/sites/policies/FormsrelatedtoPolicies/Sign-Standards-Program-Interior.pdf>
- **Sign Standards Program – Exterior -**
<https://connect.sccgov.org/sites/policies/FormsrelatedtoPolicies/Sign-Standards-Program-Exterior.pdf>

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History

Date	Changes Made
6/6/2023	Policy Amended View legislative file . (Javier (Francisco) Jimenez)
1/19/2023	Revisions made. (Javier (Francisco) Jimenez)
8/23/2018	Language Access Resource Link Added.
4/30/2015	Training Documents Uploaded. (John Myers)
4/28/2015	Policy Uploaded. (John Myers)
3/24/2015	Policy Adopted. View legislative file .

Appendix 4



County of Santa Clara

Language Access Guidelines and Procedures

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I. Introduction

The Board of Supervisors adopted Board Policy 3.58 – Language Access, which seeks to ensure that all residents and visitors have meaningful access to County services, programs, benefits, and information, regardless of their English language proficiency.

Santa Clara County is a linguistically diverse community, with its residents speaking more than 100 languages. According to the 2010 U.S. Census, more than half of Santa Clara County residents speak a language other than English at home, and the county has the highest percentage of foreign-born residents of any in the state.

Other than English, the seven most widely spoken languages in Santa Clara County in 2010 were Spanish, Vietnamese, Mandarin, Tagalog, Korean, Hindi, and Japanese. More than 90 percent of residents who speak a foreign language at home speak one of these seven foreign languages.

II. Purpose and Intent

The purpose of these guidelines and procedures is to ensure that County departments and agencies provide language interpretation and translation services to members of the public with limited English proficiency (LEP) to ensure that all residents have meaningful access to County programs, services, benefits, and information. LEP refers to those people who have a limited ability to read, speak, write or understand English. To achieve this, departments must be responsive to the diverse means by which residents communicate with the County and be prepared to offer these services when requested.



III. Providing Language Interpretation and Translation Services

Departments generally are contacted by members of the public in three primary ways – in person, over the phone, or through written communication. Departments contact the public through the following forms: in written form such as brochures, forms, public notices, flyers, web pages, and other written communications; in person or via conferencing such as customer appointments, community forums, or training; or through the use of video or audio such as in public announcements.

When providing oral interpretation services or written translations, departments shall not use online translation tools, such as, Google Translate, BabelFish, FreeTranslation, or similar services. These forms of translation are literal, may not convey nuances of the original message, and may therefore lead to incorrect and potentially harmful information.

A. *Resources and Available Language Access Services*

Departments must ensure that language interpretation and translation services are available to members of the public, regardless of the manner in which they are contacted. Departments may accomplish this using any of the following means:

1. Utilize **County-certified bilingual staff members.**

Each department shall create a list or obtain a list from the Employee Services Agency of its staff members who are certified by the County as bilingual each year through the Employee Services Agency's certification process.



Departments are encouraged to utilize their own certified bilingual staff members to provide interpretation or translation services when a bilingual staff member is available and doing so will not disrupt County operations. Any such use of certified bilingual staff members to provide language access services must comply with all applicable labor laws and agreements.

Departments may not utilize staff members who are not certified by the County. Additionally, employees may not perform interpretation or translation services for which they are not certified.

2. Utilize the available **Countywide contracts**.

Many language access services are available through multiple providers. Departments need to verify with each vendor whether the specific service requested is available as the scope of services vary across the different providers. Departments may review available Countywide contracts at

<https://sccconnect.sharepoint.com/sites/occ/SitePages/Vendors.aspx>

a) Over-the-Phone Interpretation Services

The County currently has a Countywide contract with a service provider to provide oral interpretation services over the phone, which all departments and agencies may utilize.

Departments may review this contract at

<https://connect.sccgov.org/sites/policies/Formsre>



[latedtoPolicies/Voiance-Contract-5500002479.pdf.](#)

b) Document Translation Services

The County has agreements with multiple service providers for document translation services.

These services provide culturally nuanced translations for documents that are readable at the 6th grade level while conveying the intent and purpose of the original document.

Document translation services are available in over 120 languages and with expertise in the following critical areas: medical, legal, social services, technical and general translations. Verify with the vendor their available languages.

Departments may review available contracts at <https://sccconnect.sharepoint.com/sites/occ/SitePages/Vendors.aspx>

c) Video Remote Interpretation (VRI)

The County has agreements with multiple service providers for VRI services. These services provide spoken word and American Sign Language interpretation remotely using audio and video feeds. These services can be accessed at any time of the day, seven days a week. Departments may review available contracts at

<https://sccconnect.sharepoint.com/sites/occ/SitePages/Vendors.aspx>



d) Audio/Video Dubbing Services

The County has agreements with multiple service providers for audio and video related translation and interpretation services. These services provide professional voice-over dubbing of County-produced videos into a variety of languages. Other services include subtitling and transcription. Departments may review available contracts at

<https://sccconnect.sharepoint.com/sites/occ/SitePages/Vendors.aspx>

e) In-Person Interpretation Services

Provides in-person interpretation available in all threshold languages: Spanish, Vietnamese, ASL, and over 100 other languages. Areas of expertise includes: Health & Medical, Legal, Social Services, and general needs. Departments may review available contracts at

<https://sccconnect.sharepoint.com/sites/occ/SitePages/Vendors.aspx>

f) Visually and Hearing-Impaired Services

The County has agreements with multiple service providers for visually and hearing-impaired services. These services include American Sign Language (ASL) interpretation in-person and via VRI. Tactile Interpretation is available for those that may have both hearing and visual



impairments. Departments may review available contracts at

<https://sccconnect.sharepoint.com/sites/occ/SitePages/Vendors.aspx>

If available Countywide contracts do not meet a department's needs or requirements, or if a department requires specialized interpretation services beyond the scope of these contracts, the department should contact the Procurement Department to identify alternative solutions. After consulting with the Procurement Department, departments may also procure interpretation services by conducting a request for proposal, using the department's Procurement Card (P-Card), a Field Purchase Order, or a Service Agreement, as necessary and appropriate.

B. Signage in Multiple Languages

Departments with public service areas where members of the public regularly come to conduct business shall post a sign at the service area informing individuals in English, Spanish, Vietnamese, Mandarin, Tagalog, Korean, Japanese, and Hindi that, upon request, they may receive language interpretation services free of charge. Public service areas include lobbies, reception areas, and front counters.

Additionally, when contacted in person or over the phone by a member of the public whose English proficiency appears to be limited, County employees shall inform the individual that, upon request, language interpretation services are available at no cost to him or her.

Departments may not require advance notice for an individual interacting with the County in person or over the phone to receive language interpretation services. Departments will make all



reasonable efforts to provide LEP individuals with language interpretation and translation services.

C. *Web-based Translated Material*

Departments with a public website or other web-based pages that can be accessed by the public will make efforts to have their information accessible in multiple languages. Departments must ensure that any translated materials are updated regularly including any additional documents attached to the site. Contact the County Technology Services and Solutions Department for current translation and accessibility options.

Automatic machine translation software should not be used as the sole mechanism for translating County information and materials. If such software is deemed necessary, the software should be vetted through software localization testing and cultural consulting to ensure that the translation is accurate both linguistically and contextually in the target language. Note that software add-ons such as "Google Translate" do not use software localization that adapts an application into a different language while considering cultural nuances, and should not be utilized by Departments.

When the use of automatic translation software is determined to provide adequate language access where none would otherwise be available, clear disclaimer language must be provided to users to alert them about the lack of quality control with machine translation. These disclaimer messages must be in the user's primary language, translated by qualified translation providers.



D. Additional Guidelines for Written Communications

Departments distribute a wide variety of documents to the public. Departments distributing or creating documents for the public should endeavor to make available those documents, at a minimum, in

Spanish, Vietnamese, and Chinese. Demographic census information indicates that these are the most common non-English languages spoken within Santa Clara County. Departments are also encouraged to translate documents into additional languages, such as, Hindi or Tagalog, as appropriate. Some departments may have Federal or State language access requirements to meet due to specific services provided and must ensure compliance with those requirements.

County forms or other materials that are routinely provided to the public are recommended to be translated in advance, at a minimum, in Spanish, Vietnamese, and traditional Chinese language. Departments should plan to provide a vendor with sufficient time to complete a proper translation and conduct quality assurance (e.g., providing a request to a vendor at minimum a week before the anticipated release of the materials). Departments should also verify with the service provider and/or County Certified bilingual staff that the translated materials convey the intended information and is properly nuanced to the community of Santa Clara County.

Forms or documents that contain material not owned by the County may be subject to copyright laws. These forms or documents may be issued by Federal, State, or local organizations. Departments should contact the owner of the material to verify that the material has not already been translated or to request permission to translate and publish the material. Contact County Counsel for additional information on copyrighted material.



IV. Providing Language Interpretation Services at Board and Committee Meetings

The Clerk of the Board shall be responsible for ensuring language interpretation services are available at all Board and Board Policy Committee meetings. Language interpretation at Board and Committee meetings must be simultaneous with the event. The Clerk of the Board shall not require members of the public to provide any equipment or to cover any of the costs associated with the interpretation services.

Because language interpretation services at Board and Committee meetings often require additional setup, the Clerk of the Board may require advance notice in order to provide language interpretation services for individuals at meetings and events. Any such advance notice requirement cannot be longer than three business days prior to the meeting or event. The Clerk of the Board shall make reasonable efforts to obtain language interpretation services even in the event that a member of the public makes a request after the deadline for advance notice.

Departments are encouraged to offer similar simultaneous interpretation services at any meetings, events, or other public outreach events.

V. Notifications and Signage

Language interpretation services will only help the County accomplish its goal of ensuring meaningful access for all residents if residents are properly informed of these services. Departments should provide notices wherever feasible to inform members of the public of the



option to obtain language interpretation and translation services. For example, notices may be included:

- On the department's website;
- On departmental handouts, forms, brochures, pamphlets, meeting agendas, flyers, or other informational handouts; and/or
- On a sign posted at the department's reception area.