Limited English Proficiency

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IANRE evaluation &
civil rights support
Today's objectives are to cover the following aspects of LEP:

**Legal Basis** (Title VI and NIFA policy)

**Needs Assessment** (4-factor Analysis)

**Definitions** (Qualified Interpreters, Vital Docs)

**Examples** (AK DOT, US HHS)

**Resources** (Map, Census, Translators, Visual)

**Folders** (how does IANRE document?)
Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq. ("Title VI") Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives Federal funds or other Federal financial assistance. -HHS.gov

Under this law, persons speaking a primary language other than English are protected from exclusion from federally funded educational programs like ours.
8) Conduct a limited English proficiency needs assessment and develop a language access plan. The language access plan should be developed in accordance with USDA guidance on NIFA’s Limited English Proficiency Implementing Strategy for Federally Assisted Programs and should include, but not be limited to, an assessment of the LEP needs of relevant service populations, procedures for securing professional translation and interpretation services, staff training requirements, and the identification and translation of vital documents.
4-Factor Analysis for LEP

(1) The number or proportion of LEP persons in target or eligible population

(2) Frequency of contact (daily, monthly, occasional, etc.)

(3) Nature and importance of program or activity ("life and death" vs. general or extracurricular information)

(4) Resources available to implement LEP and costs (small organization vs. large one; and, overall budget and resources of institution)

NIFA's recipients should apply the four factors to the various kinds of contacts that they have with the public to assess language needs and decide what reasonable steps they must take to ensure meaningful access for LEP persons. Of note, LEP services are to be provided at no cost to the LEP person (p. 10).
Definitions

(3) Limited English Proficient (LEP) Persons—Persons who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English are limited English proficient, or LEP.

(5) Qualified Interpreter: An individual who is competent to provide interpretation services at a level of fluency, comprehension, impartiality and confidentiality appropriate to the specific nature, type, and purpose of the information at issue.

(7) Vital Document. Paper or electronic written material that contains information that is critical for accessing a program or activity, or is required by law, such as consent forms, applications, and notices of rights (p.5).

Language Assistance Services

Languages on this page: Español (Spanish) | 繁體中文 (Chinese) | Tiếng Việt (Vietnamese) | 한국어 (Korean) | Tagalog | Русский (Russian) | العربية (Arabic) | Creole | Français (French) | Polski (Polish) | Português (Portuguese) | Italiano (Italian) | Deutsch (German) | 日本語 (Japanese) | فارسی (Farsi) | English

Español (Spanish)

ATENCIÓN: si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. Llame al 1-877-696-6775.

El Department of Health and Human Services (HHS, Departamento de Salud y Servicios Humanos) de EE. UU. cumple con las leyes federales de derechos civiles aplicables y no discrimina por motivos de raza, color, nacionalidad, edad, discapacidad o sexo. HHS no excluye a las personas ni las trata de forma diferente debido a su origen étnico, color, nacionalidad, edad, discapacidad o sexo.

El HHS:

- Proporciona asistencia y servicios gratuitos a las personas con discapacidades para que se comuniquen de manera eficaz con nosotros, como los siguientes:

  - Intérpretes de lenguaje de señas capacitados.

  - Información escrita en otros formatos (letra grande, audio, formatos electrónicos accesibles, otros formatos).
Examples: http://dot.alaska.gov/cvlrts/lep.shtml

LEP - Limited English Proficiency

Executive Order 13166 (EO 13166) challenges federal agencies to “implement a system by which (limited English-proficiency or “LEP”) persons can meaningfully access… services consistent with, and without unduly burdening, the fundamental mission of the agency.” When read in its entirety, and interpreted consistently with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1972, the Executive Order applies to all programs and activities of a federal agency, which is, essentially, everything the agency does.

Limited English proficiency is defined as “individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English.” LEP individuals are entitled by EO 13166 to language assistance with respect to a particular type of service, benefit or encounter. FHWA has mandated that “…recipients must take reasonable steps to ensure that such persons have meaningful access to the programs, services, and information those recipients provide, free of charge.…”

The Alaska DOT&PF enforces LEP in the same manner as Title VI. LEP is included as review criteria in all Title VI compliance reviews. The DOT&PF Civil Rights Office will continue to monitor LEP requirements.

Interpreter Resources

AK DOT&PF LEP Plan

LEP Brochures
- Spanish Brochure
- Tagalog Brochure
- Hmong Brochure
- Korean Brochure
- Yup’ik Brochure
- Inupiat Brochure
- Russian Brochure
- English Brochure
- FHWA’s “How to Engage Low-Literacy and Limited-English-Proficiency Populations in Transportation Decisionmaking”

LEP Resources
- Demographic and Language Data
- US DOJ Language Map
- EJ Screen

Federal Resources
- Federal Aviation Administration - LEP
LEP Resources

- Census Data
- DOJ LEP Data
- Kids Count Data
- Pew Research Center
- USDA Agricultural Census

Please also keep up-to-date with your office civil rights files (LEP folder)

Per NIFA: “Recipients should utilize any and all available data sources to determine the potential LEP persons in the serviced area.”
IANRE is working on a policy for how to utilize translation services. UAF currently contracts with the vendor Language Link:

https://naspo.language.link/

Sample NASPO Account Access Instructions

Step 1: Call dedicated NASPO line
Step 2: Enter Assigned Account Number, followed by # sign
Step 3: Select 1 to be connected directly to your Spanish interpreter, or
       Select 2 to be connected directly to your Russian Interpreter, or
       Select 3 to be connected directly to your Vietnamese interpreter, or
       Select 4 to be connected directly to your Somali Interpreter, or
       Select 9 for all other languages

*If you require a 3rd party call, press 9 to reach a Customer Service Representative Optional Data Collection
Step 4: Enter Numeric Data Field, followed by # sign (optional)
Step 5: Enter Numeric Data Field, followed by # sign (optional)

*see below for additional data collection options
# Interpretation Services Available

If you speak a language other than English, language assistance services, free of charge, are available to you.

<table>
<thead>
<tr>
<th>Language</th>
<th>Translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>French</td>
<td>Français</td>
</tr>
<tr>
<td>Chinese</td>
<td>繁體中文</td>
</tr>
<tr>
<td>Vietnamese</td>
<td>Tiếng Việt</td>
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<tr>
<td>Cambodian</td>
<td>ភាសាខ្មែរ</td>
</tr>
<tr>
<td>Tagalog</td>
<td>Filipino</td>
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<tr>
<td>Thai</td>
<td>ภาษาไทย</td>
</tr>
<tr>
<td>Korean</td>
<td>한국어</td>
</tr>
<tr>
<td>Japanese</td>
<td>日本語</td>
</tr>
<tr>
<td>Spanish</td>
<td>Español</td>
</tr>
<tr>
<td>Oromo</td>
<td>Oromiffa</td>
</tr>
<tr>
<td>Arabic</td>
<td>العربية</td>
</tr>
<tr>
<td>Russian</td>
<td>Русский</td>
</tr>
<tr>
<td>German</td>
<td>Deutsch</td>
</tr>
<tr>
<td>Nilotic</td>
<td>Dinka/Thuɔŋjan</td>
</tr>
<tr>
<td>Polish</td>
<td>Polski</td>
</tr>
</tbody>
</table>

**Example:** “Point to your language” visual
More Resources:

http://www.akijp.org/language-interpreter-center/

Language Interpreter Center

On September 21, 2007, the Alaska Institute for Justice opened the Language Interpreter Center. The Language Interpreter Center improves the quality of life for Alaskans with limited English proficiency by increasing access to legal, medical and social services.
5. Providing Notice of Language Assistance Services

The following series of questions will help you assess how you provide notice of language assistance services to the LEP population in your service area:

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>None of the above</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. How do you inform members of the public about the availability of language assistance services? (Select all that apply)</td>
<td></td>
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<tr>
<td>□ Frontline and outreach multilingual staff</td>
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<td></td>
<td></td>
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<tr>
<td>□ Posters in public areas</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>□ “I Speak” language identification cards distributed to frontline staff</td>
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<td></td>
<td></td>
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<tr>
<td>□ Website</td>
<td></td>
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<tr>
<td>□ Social networking website (e.g. Facebook, Twitter)</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>□ E-mail to individuals or a list server</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Other (Please specify):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Do your translated program outreach materials inform LEP individuals about the availability of free language assistance services?</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>3. Does your agency regularly advertise on non-English media (television, radio, newspaper, and websites)?</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>4. Does your agency inform community groups about the availability of free language assistance services for LEP individuals?</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>5. Does your agency inform current applicants or recipients about the availability of language assistance services?</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>6. Does the main page of your agency website include non-English information that would be easily accessible to LEP individuals?</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>7. Does your agency have multilingual signs or posters in its offices announcing the availability of language assistance services?</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>
Links to office civil rights folders

Requires UA sign-in

Please also see [https://www.uaf.edu/ianre/about/civil-rights/](https://www.uaf.edu/ianre/about/civil-rights/)

<table>
<thead>
<tr>
<th>Anchorage</th>
<th>Juneau</th>
<th>Research</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bethel</td>
<td>Kenai</td>
<td>Sitka</td>
</tr>
<tr>
<td>Business Office</td>
<td>Kodiak</td>
<td>State Office</td>
</tr>
<tr>
<td>Delta</td>
<td>Mat-Su</td>
<td>Tanana District</td>
</tr>
<tr>
<td>Dillingham</td>
<td>Northwest (Nome)</td>
<td>Tanana Chiefs Conference (TCC)</td>
</tr>
</tbody>
</table>
Discussion Questions

1. What languages other than English are used by your participants?

2. What challenges do you see in reaching LEP audiences in your area?

3. What support do you need so you can assess the LEP needs of participants in your district or program?