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Typical Elements in Limited English Proficiency Plans

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Typical Elements in Limited English Proficiency Plans



Typical Elements in Limited English Proficiency Plans

I. Introduction/Purpose

- a. Purpose/Legal Basis
 - i. This section outlines the purpose of the policy and the legal basis for its existence. This would include Title VI of the Civil Rights Act and Executive Order 13166.
- b. Background
 - i. This should include a discussion of demographics of the region, including information on its foreign-born population. Additional information about the development of the Limited English Proficiency Plan (LEPP) can be included here as well.

II. Identifying LEP individuals/Needs Assessment

This is typically one of the first sections included in an LEPP. This section outlines the initial evaluation process that individual agencies should conduct to determine what language services, and to what extent, should be provided by the agency. This section should include who will perform this assessment and timelines in which this assessment should be completed by each agency.

- a. Four Factor Analysis
 - i. The Department of Justice has outlined a four factor analysis that agencies should implement to determine the obligations they have in offering language accessibility and the appropriate avenue for offering those services. This analysis includes:
 - How many LEP individuals live in the geographic location in which the agency provides services?
 - How many LEP individuals come into contact with the agency?
 - How important the service is that is provided by the agency?
 - And the cost to the agency of providing that service.

Each federal department has established an individual guidance for implementing this measure. Direct links to these Federal Registers can be accessed at

http://www.lep.gov/guidance/guidance_Fed_Guidance.html.

Additionally, a sample self-assessment can be accessed at http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf - Appendix B.

b. Identifying Top Languages

- i. As a part of the initial analysis, information on the demographics or top languages spoken within the region's population should be provided in this section. In doing this analysis, the planners may want to use a variety of sources including census data, public school data, and refugee resettlement data. This information is vital to provide within the LEPP. These languages will provide guidance to individual agencies when making decisions about, not only what services should be provided, but in what languages should be readily available. Routine monitoring of changes in these languages should take place to accommodate changes in trends of immigration and resettlement. How this monitoring will be conducted and at what time frame should be outlined.

III. Services Offered

a. Bilingual Staff

- i. Outlines the role of bilingual staff for the delivery of language services. This should include information on preferences and incentives of hiring bilingual staff, the integration of providing interpreting and translation services into their job descriptions, and to what extent language services delivery should be a part of their role within the organization.

b. Oral interpreting

- i. This section should provide general protocols for when oral face-to-face interpreting is required, when it is appropriate to use alternate technologies, and to what extent these services are available. Additionally, expectations must be outlined on the use of children, family, and friends acting as interpreters.

c. Translation

- i. This provides information on the availability of translated documents, including what types of documents should be translated and into what languages. Additionally, this includes information as to what documents or notices need to include a language block.

d. Funding

- i. This outlines funding source for obtaining language services.

IV. Language Access Procedures

- a. Identifying LEP individuals
 - i. Defines who is considered an LEP individual within the policy. The federal government defines an LEP individual as “Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English” (see www.lep.gov).
- b. Protocol for Offering Interpreting Services
 - i. Procedures that must be taken when an agency comes into contact with an LEP individual. This includes distinction of procedures between telephone, in-person, and other contact. Additional protocol should be outlined for accessing bilingual staff.
- c. Protocol for Translation of Documents
 - i. What documents or notices are translated and into what languages they are available. The process of obtaining a translation, including timelines for receiving that translated document.
- d. Resources
 - i. Manual
 1. This section includes information on the development of a resource manual that should be readily available for staff. This includes location of the manual and how to access its contents. The contents should include information on bilingual staff that work within the agency and how to contact them if needed for language services. Information should be provided on how staff may access interpreting and translation services and contact information to providers approved as contractors for these services. Additionally, information should be provided on who to contact in case an issue arises when dealing or providing services to an LEP client. The manual should also include community resources and agencies, and basic cultural competency information about the larger foreign language populations.
- e. Documentation
 - i. How languages will be documented for specific clients. How this information will be tracked and the system to do so, should be included as well.

V. Implementation

- a. Training of Staff
 - i. Bilingual staff
 1. What credentials or training would be required of bilingual staff in order to offer appropriate language services. Included in this should be an outline of what trainings may be offered by the organization and what trainings will be required outside the agency (including whether funding may be available to receive these outside trainings).
 - ii. New Staff
 1. What cultural competency and language access trainings will be provided to new staff and who shall conduct those trainings. This includes outlining collaborative relationships that exist with outside community agencies and the protocols to accessing those services.
 - iii. Existing Staff
 1. What types of training will be provided (ie: cultural competency, working with an interpreter, language services education, etc).
 - iv. Volunteers
 1. Expectations and procedures regarding the training of volunteers that may come in contact with LEP populations should be specified here.
 - v. Ongoing training
 1. What additional trainings will be conducted and on what basis, and, possibly, who is approved to provide those trainings.
- b. Appointing a language services compliance officer within the agency
 - i. Many LEPPs require the appointment of a person within the agency to handle all issues related to the implementation and ongoing monitoring of the plan. Additionally, each agency should develop unique duties in which this person is responsible. Information needs to be provided on how this person will be introduced to staff and where that contact information can be easily accessed.

VI. Notice to the Public

This section typical outlines how county agencies make these services known and available to the public. Agencies have a responsibility to inform the public of the services available to prevent discrimination based on language.

- a. Signage
 - i. What signage is needed to convey the availability of language services. Information on what languages should be included and where that information should be placed should be included at the discretion of the individual agency. This includes signage that specifically advertises language services.
- b. Outreach materials (brochures, notices, etc)
 - i. This defines what education or notice of availability of new services needs to be translated. Additionally, informational brochures on the availability of language services within agencies that are translated into top languages should be required here. The scope of this outreach should be defined and outline through what mediums the information will be delivered (ie: website, television, print, on-site presentations, etc).

VII. Evaluation

- a. Monitoring services offered
 - i. This section should include information that addresses the following questions:
 1. How will language service delivery be monitored?
 2. What tools or measurements will be used to evaluate those services?
 3. What information should be tracked?
 4. How often this information should be reviewed or collected?
 5. Who should be collecting this information?
- b. Quality Assurance of interpreting
 - i. This section will outline what credentials are needed to provide language services within a given agency.
- c. Complaints
 - i. This section should outline how complaints will be processed both by the agency and by the client.