# Limited English Proficiency (LEP) Plan

## Introduction

It is the policy of the Workforce Development Board (WDB) of Madera County to provide meaningful access to its programs and services to persons who, as a result of national origin, are limited in English Proficiency (LEP). The Board's goal is to ensure equal access to training and employment opportunities funded under Title I of the Workforce Innovation and Opportunity Act (WIOA).

LEP persons are those whose proficiency in speaking, reading, writing, or understanding English, as a result of national origin, is such that it would deny or limit their meaningful access to programs and services provided by the WDB if language assistance were not provided.
The LEP Plan is designed to assist participants by providing guidance on translation, interpretation, and outreach services for LEP persons seeking access to workforce programs.

***Definitions:***

**Limited English Proficient person**. Any person who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English. Such person or persons shall be entitled to language assistance at no cost to themselves with respect to a particular type of service, benefit, or encounter.

**Vital document**. Any document that contains information that is critical for obtaining or maintaining the services or benefits that are supported by Federal funds, or that are required by law. Such documents may include but are not limited to applications, consent forms, notices of participant rights and responsibilities, disciplinary notices, letters or notices that require a response from the participant or beneficiary, legal notices, and notices advising LEP persons of the availability of free language services. (See attachment)

**Interpretation**. The act of listening to spoken words in one language (the source) and orally translating it into another language (the target).

**Translation**. The replacement of a written text from one language into an equivalent written text in another language. Note: Some LEP persons cannot read in their own language and back up oral interpretation services may be needed for written documents.

**Four-Factor Assessment**. This is an assessment tool used by the Recipient of federal funding to determine the extent of its obligation to provide LEP services. These four factors are: (1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee; (2) the frequency with which LEP persons come into contact with the program; (3) the nature and importance of the program, activity, or service provided; and (4) the resources available to the grantee/recipient and costs.

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**Identification of LEP Persons Who Need Language Services Assistance**

The WDB uses the following methodology and data sources to identify and determine the number of LEP persons currently using the WDB services, the number of LEP persons in the WDB area of operations who may be eligible for programs and services and the particular languages used by both groups.

The WDB will use various methods to identify LEP persons with whom they have contact. These will include:

- Monitor the demand for language assistance as obtained through the initial interview process and form.

- Alternate sources of LEP data. In addition to the latest Census data, the Department shall also analyze data from the Modern Language Association (www.mla.org) regarding languages spoken in Madera County as well as the ability to speak English "well" or "very well" as self-identified by speakers of various languages within the County.

- "I Speak _____" or "Language Identification" cards in the variety of languages found in the WDB's area of operations. The cards will also be used by staff on a day-to-day basis to determine and document the need for particular language services during routine activities and encounters.

- Staff encounters at initial screening of customers. An Accommodation Request Form is available for participants upon request. The form will ask if the family requires alternate formats of communication (i.e. large print, audio tape, electronic format, etc) and will also ask applicants and participants to self-identify their need for interpretive services.

- Self-identification through the application form. The WDB will document within the application form that the applicant has been informed of their right to language services at no cost, identify their primary language, and whether or not they would like an interpreter or prefer to receive documents translated into their primary language.

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**Frequency of Contact with LEP Persons**

The WDB provides language services in the conduct of its outreach efforts which are intended to make the general public aware of its programs and services. In this manner, LEP persons who are a part of the population in the WDB's area of operations will have an equal opportunity to learn about the WDB programs and services and to access and participate in them. The staff continues to ensure that, at a minimum, at least one bilingual-Spanish staff person is present at public events, and shall also continue to provide interpretation in other languages when arranged for in advance.

**Types of Language Services to be Provided**

The data collected under research into the various language groups in the WDB's area of operations is being specific enough to inform staff as to the variety of language groups for whom interpretation and translation services are needed.

The WDB provides language services to LEP persons by a variety of methods based upon the relative numbers of such persons and the frequency of contacts or anticipated contacts. Reasonable steps are being taken to accomplish this, but at a point at which costs approach or exceed the benefits, alternative methods of delivery of language services will be evaluated and appropriate changes made.

| **Provision of Written Language Assistance** | **Language Group(s)** | **Determination:** |
|---|---|---|
| Translate Vital Documents | Spanish | According to US Census data, 45% of the population in Madera County speak a language other than English. Of this population, 93% have identified as speaking this language with 42.4% identified as speaking English less than “very well.” |

| | | |
|---|---|---|
| Translated Written Notice of Right to Receive Free Oral Interpretation of Documents | Spanish | Based upon the WDB's staffing those are the languages available. |
| No Written Translation Required | All Others | While no written translation is required for other languages under the LEP Plan, the WDB continues its practice of providing oral Interpretation when requested by applicants/participants of its programs. |

**Policy and Procedures**

**General**. The WDB has posted a notice or poster in a conspicuous place of the general public that interpreter services are available at no charge to the individual who is seeking services or information regarding such services.

The resource room has Language Identification ("I SPEAK") cards available where participants or applicants are likely to come into contact with staff or management staff.

**Procurement of Interpretation and Translation Services for LEP Persons**

The following methods of providing interpretation and translation services shall be considered and used based upon the assessment of need for the WDB:

1. Hiring qualified interpreters and translators. (Essential when accuracy and details are important or critical.)

2. Hiring bilingual staff who receive subsequent training in proper interpretation and translation protocol. (Useful when interpretation needs are regular and ongoing, and when the importance of the encounter may be less than that required in legal action.)

3. Using telephone (or video conferencing) interpreter services. (Useful when prompt delivery of interpretation services is required.)

4. Using community volunteers (either individuals or community service agencies that provide services to one or more language groups). (Useful when language service needs are less important or informal.)

5. Using family members or friends. (Although there are some situations where this is not suitable, in others in may be useful when language service needs are least important or informal.)

6. Using computer on line translations.

The WDB staff shall explore the most cost effective means of delivering competent language services before limiting services due to resource limitations or concerns. In the process of deciding which services shall be provided.

**Training for Staff Persons**

The WDB provides training to its staff regarding its LEP Plan and Policies. A determination of the frequency of staff encounters with LEP persons shall dictate the level of detail of this training. All employees who are likely to have contact with LEP persons are trained to assure that they know LEP policies and procedures, that they work effectively with in person and telephone interpreters, and they understand the dynamics of interpretation among LEP providers and interpreters.

Staff having the greatest contact shall be trained first to effectively implement the LEP Plan and Policies through the use of standardized procedures. Those staff having the least amount of contact with LEP persons shall, at a minimum, be trained to be fully aware of the Plan and Policies so that they may reinforce its importance and ensure implementation by other staff.

LEP training is part of the orientation for all new employees who work with LEP persons. The WDB will document training and orientations on the LEP Plan and Policies for new employees with the level of detail appropriate to their assigned job responsibilities. Employees will receive periodic training on the LEP Plan which will be documented.

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**Monitoring Compliance, Assessing Performance, and Revisions**

The WDB monitors implementation of the LEP Plan and Policies on an ongoing basis, making revisions to policies and procedures as may be required periodically. The WDB also reviews (not less than annually) the overall effectiveness of its LEP Plan and Policy. This review considers information from the following sources and criteria as well as other factors as may be appropriate:

1. Changes in demographics including new language groups and changes in the proportion of existing language groups, types of services, and other needs.
2. Frequency of encounters with LEP persons.
3. Whether existing language services are meeting needs of LEP persons.
4. Availability of new resources including technology.
5. Whether identified sources for assistance are still available and viable.
6. How well staff understand and have implemented the LEP Plan and Policies
7. Feedback from the community at large and from minority language groups and persons.

Based upon findings of the periodic review, the WDB revises the LEP Plan and Policies to ensure its effectiveness in meeting the access and participation needs of LEP groups and persons. Staff documents revisions to the LEP Plan and Policies as they are necessary and the reasons therefore.

***Discrimination-Complaint Procedures***

For regularly encountered LEP language groups, LEP persons are being provided notice of their right to file a discrimination complaint in accordance with federal regulations. For infrequently encountered LEP language groups, LEP persons should be advised orally of the right to file a discrimination complaint pursuant to the regulations.

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# List of "Vital" Documents

The WDB has identified forms as "vital" documents and have translated these into Spanish. These forms are indicated in the table below:

| FORMS | LANGUAGES |
|---|---|
| 1. Equal Opportunity is the Law<br>2. What to Do if You Believe You Have Experienced Discrimination<br>3. Authorization for Release of Information Form<br>4. Customer Referral Form<br>5. Eligibility Forms:<br>a. 1-9<br>b. Applicant Statement<br>c. Household Size Verification<br>d. Verification of Residency<br>e. Nepotism<br>f. Missing Information<br>6. Occupational Skills Training Policy | Spanish |

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## LEP Staff Training

The WDB's effective commitment to LEP Plan and Policies requires a trained and knowledgeable staff. As a result, WDB staff knows their obligations to provide meaningful access to information and services for LEP persons. To be effective, the WDB LEP conducts the following training parameters:

- Staff knows about LEP policies and procedures, and how to implement them.
- Staff is aware of proper noticing requirements for LEP persons, to include posting of signs in common areas, stating in outreach documents that language services are available from the Department, and using the telephone voice mail menu, etc.
- Staff is aware of the types of language services available (i.e., interpretation and translation)
- Staff is trained on how they can obtain these services for their LEP clients
- Staff is trained on how to respond to LEP callers
- Staff is trained on how to use WDB's Language-Identification ("I Speak") cards
- Staff is trained on how to respond to written communication from LEP persons
- Staff is trained on how to respond to LEP persons who have in-person contact with recipient staff, and
- Staff is trained on how to complete the Accommodation Request Form.

WDB provides periodic trainings of these policies and procedures to all its employees. Training is being provided to new employees as part of their orientation. Staff with little or no contact with LEP persons is aware of the LEP plan. However, management staff who are not interacting regularly with LEP persons are fully aware of and understand the plan so they can reinforce its importance and ensure its implementation by staff.

The WDB has a designated LEP coordinator on site that is in charge of coordinating LEP trainings and services.

WDB of Madera County: Maiknue Vang (559) 662-4500