

*<Agency Name>*

**MODEL  
LIMITED ENGLISH  
PROFICIENCY (LEP)  
PLAN**

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# Limited English Proficiency Plan of <Agency Name>

## I. Purpose

The purpose of this plan is to ensure <Agency Name> provides meaningful access to agency information and services to survivors and other constituents limited in their English language proficiency. <Agency Name> is committed to this plan as the appropriate response to meeting survivors' needs. The plan is also consistent with federal requirements. All agencies that receive federal financial assistance from the U.S. Department of Health and Human Services (HHS) must take adequate steps to ensure that persons with limited English proficiency receive the language assistance necessary to allow them meaningful access to services, free of charge.

## II. Definitions

### A. Definitions of Terms

- 1. Effective Communication:** The Limited English Proficient individual is able to receive information about and understand the services available to him or her. Further, the individual must be able to communicate his or her situation to the service provider.
- 2. Interpretation:** The oral or spoken transfer of a message from one language into another.
- 3. Limited English Proficient (LEP):** A person, who is not able to speak, read, write or understand the English language well enough to allow him or her to interact effectively with service providers.
- 4. Meaningful Access:** The standard of access required of federally funded entities to comply with Title VI's language access requirements which includes the availability of free language assistance that results in accurate and effective communication.
- 5. Office for Civil Rights (OCR):** The civil rights enforcement agency of the U.S. Department of Health and Human Services. OCR Region VII is the regional office that enforces Title VI in Kansas for health and human services agencies and providers.
- 6. Primary Language:** Primary languages are the languages other than English that are most commonly spoken by \_\_\_% or more persons in the service area of the agency as determined by <Agency Name>'s internal survey and research process. (See page 6.) Currently there is/are (*insert number of languages at or above the percentage*): (*insert languages*)
- 7. Translation:** The written transfer of a message from one language into another language.

## III. Language Access Plan

### A. Constituents covered by the plan

This plan was developed to serve:

- 1. Survivors of sexual and domestic violence who are Limited English Proficient**

2. Advocates, administrative staff, directors, board members and volunteers of <Agency Name>
3. Allied professionals (SRS, Law Enforcement, Attorneys, CPS etc.), and
4. Other Constituents (general public) who do not speak, read, write or understand English or who do so on a limited basis

**B. <Agency Name>'s Commitment to Provide Meaningful Access**

<Agency Name>'s primary focus is to provide support and safety to victims of domestic violence and sexual assault through direct services. Therefore, <Agency Name> will develop and secure sustainable language resources as needed in both oral and written form so that no victim will be denied access to information or services.

**C. Affirmative Offer of Language Assistance**

<Agency Name> staff will initiate an offer for language assistance to constituents who have difficulty communicating in English requesting access to <Agency Name> vital documents or information.

*What are "Vital Documents or Information"?*

Vital documents or information are those that are critical for accessing federally funded services or benefits or are documents required by law. For the purposes of <Agency Name>'s services to survivors and other constituents the following are deemed vital documents (*Examples may include*):

1. Any and all sexual and domestic violence or related brochures generated by <Agency Name> for use by survivors.
2. Community education materials generated by <Agency Name> for distribution
3. Crisis information or referral information to area resources
4. Intake forms, confidentiality waivers, etc.

## IV. Utilizing the Language Access Plan

**A. Notice of Right to Language Assistance**

<Agency Name> is committed to ensuring quality services to all victims. Therefore, <Agency Name> will compile and maintain the following resources so that LEP survivors will be informed of their right to free and timely interpreter services.

1. **LEP Plan:** <Agency Name> will utilize the LEP Plan to develop and improve plans and service delivery to LEP survivors in their area.
2. **Notice of Right to Language Assistance Flier:** <Agency Name> will have fliers titled "Notice of Right to Language Assistance" available.
3. **"I Speak" Cards:** <Agency Name> will display laminated business-sized cards that say in both English and the principal languages "I need a (the appropriate language) interpreter."
4. **Language Assistance Posters:** <Agency Name> will display posters in intake areas that read "Free interpreter services are available. Please ask for assistance." This statement will be repeated in the principle languages of the service area.
5. **Other ways to provide notice to LEP individuals include:**

- Stating in outreach documents that language services are available from <Agency Name>. Announcements could be in brochures, booklets, and in outreach and recruitment information. These statements should be translated into the principle languages.
- Working with community-based organizations and other allies to inform LEP individuals of <Agency Name>'s services, including the availability of language assistance services.

## ***B. Working with Interpreters***

### ***General Guidance***

#### **1. Identify language needed**

<Agency Name> will promptly determine the language for which interpreter services are needed, if necessary, with the aid of “I Speak” Flashcards or Language Identification poster. In addition, when records are kept of interactions with clients, the language used to communicate will be included as part of the record.

#### **Do not use minor children**

#### **2. Do not use minor children**

<Agency Name> will not use minor children to interpret, in order to ensure confidentiality of information and accurate communication.

#### **3. Medium of interpretations**

<Agency Name> will assess which medium of interpretation (telephone or in person) is appropriate based on the presenting situation, available resources and preference of the individual.

#### **4. Competency Standards**

<Agency Name> will use interpreters that meet the following competency standards:

- Has a demonstrated proficiency in and ability to communicate information accurately in both English and the intended language.
- Understands and follows confidentiality and impartiality rules and is willing to sign a confidentiality agreement.
- Has a fundamental knowledge in both languages of any specialized terms or concepts.
- Has sensitivity to the client's culture.
- Understands and adheres to their role as interpreters without deviating into other roles.

### ***Interpretation Resources (by order of preference)***

#### **1. <Insert Agency Name> Bilingual Staff or Volunteers**

<Agency Name>'s first resource is its bilingual staff or volunteers. Bilingual staff and volunteers will be given the opportunity to volunteer their language skills for use as interpreters. All bilingual staff and volunteers agreeing to assist as interpreters will be assessed for level of competency and will receive training on interpreting skill and ethics.

#### **2. Telephone Interpreter Services**

- Statewide Hotline and National Hotline
- *Example:* Language Line Services (1-800-367-9559)  
www.language.com , formerly known as AT&T Language Line,

provides telephone interpretation in over 140 languages 24 hours a day, seven days a week.

○ **Helpful hints for using Telephone Interpreters**

- Identify the purpose of your call
- Enunciate and avoid contractions
- Speak in short sentences
- Speak slowly and pause frequently
- Avoid use of double negatives
- Speak in first person
- Avoid colloquialisms and acronyms
- Briefly explain technical terms
- Check in with interpreter regarding her/his understanding, your rate and pattern of speech
- Check in with caller to ensure her/his understanding
- Be Patient

**3. In-Person Interpreter Services**

Professional Services: <Agency Name> will use \_\_\_\_ as its professional interpreting service after determining that it meets the competency standards.

*(Identify the agency name with whom you have contracted or made arrangements)* have/has agreed to provide competent interpreter services. The agency's telephone number is *(insert number)* and the hours of availability are *(insert hours)*.

**4. Family and or Friends as Interpreters**

Family members or friends of the LEP individual will not be used as interpreters unless specifically requested by that person and after the LEP person has understood that they have the right to an interpreter at no cost to them. Whenever possible <Agency Name> will accommodate constituents' wishes to have family or friends serve as interpreters. However, <Agency Name> will not use minor children as interpreters. <Agency Name> will consider issues of confidentiality, privacy, conflict of interest, and interpreter competency when family members or friends have been requested.

● **Things to consider:**

- Was constituent offered free interpreter services?
- Did constituent understand their right to free services?
- What is the nature of information being shared?
- What is the level of safety risk for the constituent?

**C. Translation Resources (written materials)**

<Agency Name> has agreed that \_\_\_% or more of persons within a non-English language group will trigger translation of vital documents or information listed below:

**1. What are "Vital Documents or Information"?**

Vital documents or information are those that are critical for accessing federally funded services or benefits or are documents required by law. For the purposes of <Agency Name>'s services to survivors and other constituents the following are deemed vital documents:

- *Examples may include:*

- Any and all sexual and domestic violence or related brochures generated by <Agency Name> for use by survivors.
- Community education materials generated by <Agency Name> for distribution.
- Crisis information or referral information to area resources.
- Intake forms, confidentiality waivers, etc.

## **2. Quality Standards for Translated Materials**

<Agency Name> uses <Insert Translation Service Name> for translation services. All translated materials are sent to an independent second reader, ideally a native speaker of the intended language, for proofing, editing, and identifying colloquial terms. Whenever possible, a focus group of 3 to 5 native speakers from the linguistic community will review the document for readability, accuracy and use of jargon.

## **3. Accessing Translated Materials Online**

If <Agency Name> has a website, brochures and documents in other languages will be accessed online at <Agency Website>

## **4. Paper Copies**

KCSDV member programs can obtain paper copies in limited quantities of translated brochures and materials by contacting KCSDV at 785-232-9784. Allied professionals can order limited quantities of translated brochures and materials by contacting KCSDV at the aforementioned number.

# **IV. <Agency Name> LEP Plan Administration**

## **A. Collection of Language Preference Information**

In order to provide quality services to LEP individuals, <Agency Name> must periodically identify the language needs of its constituents. The organization will do so by recording and gathering the following information:

1. <Agency Name> will record the number of direct requests for services, training and publications in principle languages other than English from survivors and other constituents.
2. <Agency Name> will identify and track the language needs and the language tools used by and offered to their respective clients and community.
3. <Agency Name> will use Census data, statewide crisis hotline data, school data and welfare system data to assess and track the language needs in the area.

## **B. <Agency Name> Staff Training**

<Agency Name> will distribute the LEP plan to all staff and will have a current electronic copy available so all staff will be knowledgeable of LEP policies and procedures. One staff may be appointed to monitor implementation of the plan and conduct staff training as needed.

1. All staff providing technical assistance, training or receiving in-bound calls will receive annual LEP training, or training upon employment, and then annually.
2. LEP plan information will be incorporated into the <Agency Name> employee handbook.
3. LEP training will include information on the following topics:

- <Agency Name>'s legal obligation to provide language assistance;
- <Agency Name>'s LEP plan and procedures;
- Responding to LEP individuals;
- Obtaining Interpreters (phone, face-to-face, training);
- Using and working with interpreters;
- Translation procedures; and
- Documenting language requests

### **C. Monitoring**

<Agency Name> will conduct an annual evaluation of its LEP plan to determine its overall effectiveness, review the progress of stated goals and identify new goals or strategies for serving LEP constituents. The appointed staff will lead the evaluation with the assistance of other staff. The evaluation will include the following:

1. Assessment of the number of persons with LEP in our service area;
2. Assessment of the number and types of language requests collected during the past year;
3. Assessment of whether existing language assistance services are meeting the needs of constituents with LEP; and
4. Assessment of whether staff members understand <Agency Name>'s LEP plan and procedures, how to carry them out, and whether language assistance resources and arrangements for those resources are up-to-date and still accessible.

## **V. Authorities**

### **A. Federal Authorities**

1. **Title VI of Civil Rights Act of 1964**, 42 U.S.C. §2000 et seq.: 45 CFR §80, Nondiscrimination Under Programs Receiving Federal Financial Assistance through the U.S. Department of Health and Human Services Effectuation of Title VI of the Civil Rights Act of 1964
2. **Office for Civil Rights Policy Guidance**, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English proficient Persons, 68 FR 47311 (2003). <http://www.hhs.gov/ocr/lep/>
3. **Department of Justice regulation**, 28 CFR §42.405(d)(1), Department of Justice, Coordination of enforcement of Non-discrimination in Federally Assisted Programs, Requirements for Translation