

# TITLE VI DOCUMENTATION

## LIMITED ENGLISH PROFICIENCY (LEP) PLAN

### CITY OF NAPPANEE

#### I. INTRODUCTION

This Limited English Proficiency (LEP) Plan for the City of Nappanee has been developed in accordance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), which provides that no person shall “on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” Federal Executive Order No. 13166, issued in August 2000 and titled, "Improving Access to Services for Persons with Limited English Proficiency," was created to "... improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP)..." As a recipient of funds from the Federal Government, this Limited English Proficiency (LEP) Plan for Nappanee has been developed to ensure compliance with Federal LEP regulations and also with the City of Nappanee’s Title VI Implementation Plan. It includes an assessment of persons who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

#### II. LIMITED ENGLISH PROFICIENCY NEEDS OF AREA

The Four-Factor Analysis developed by the FTA requires that information be included in LEP Plans regarding the following:

**1. The number or proportion of LEP persons in our service area who may be served or are likely to encounter the Nappanee program, activity or service.**

The U.S. Census provides information to assist in estimating the number of limited English speakers in the permanent population. Based on the US Census 2011-2015 American Community Survey Five-Year Estimates, it is estimated that 553 persons (8.3% of Total Population) in Nappanee are of Hispanic origin and 45 persons (0.7%) in Nappanee are of Asian origin. Of those 598 persons, it is estimated that 60 (0.9%) speak English less than “very well”. Data Analysis from review of the U.S. Census 2011-2015 American Community Survey Five-Year Estimates indicate there are low numbers and percentages of LEP persons within the City of Nappanee. The largest group of LEP who spoke English less

than “very well” was Spanish speaking and they make up only 0.8 % of the total population that are 5 years old and older.

**2. The frequency with which LEP persons come in contact with Nappanee programs, activities or services.**

Starting in August, 2016, Nappanee asked office staff at City Hall and Nappanee Police to document the frequency with which they have or could have contact with LEP persons. This includes documenting phone inquiries and visits to City Hall and Police Headquarters. The office staff have not had any calls from LEP persons requesting an interpreter or any other information to date.

**3. The nature and importance of programs, activities or services provided by Nappanee to the LEP population.**

There is no large geographic concentration of any type of LEP individuals in the Nappanee area. As a result, there are few social, service, or professional organizations within the Nappanee area that focus on outreach to LEP persons.

**4. The resources available to Nappanee and overall cost to provide LEP assistance.**

Nappanee reviewed its available resources that could be used for providing LEP assistance. Oral communication and documents would be the most valuable translations, if the need should arise. Since Spanish speaking LEP persons are, by far, the largest group that speak English less than “very well” in Nappanee, most of the resources and assistance are directed toward them. The City of Nappanee has access to an interpreter service via telephone that can assist, if the need arises. The City of Nappanee plans to work with local universities’ foreign language departments to translate the documents into Spanish when needed. The Indiana Latino Institute, in Indianapolis, may also be utilized for assistance when necessary. The Indiana Latino Institute, Inc. is the leader in the Latino community in Indiana for advocacy, resource and referral, research and community assessment and model program development for Latino adults and youth.

**III. LANGUAGE ASSISTANCE**

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to the Nappanee

programs and activities. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language. Nappanee will determine when interpretation and/or translation are needed and are reasonable.

How the Nappanee staff may identify an LEP person who needs language assistance:

- Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events.
- Nappanee staff should become familiar with Language Line Services at <http://www.language.com>. Also, a Translation Service at <http://www.languagemarketplace.com/13-indianapolis-translation-services.html>.
- When Nappanee sponsors an event, have a staff person greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English.
- Have "I Speak" Language Identification Cards available at Nappanee events near the registration table. Individuals self-identifying themselves as persons not proficient in English may not be able to be accommodated with translation assistance at the event, but it will assist the sponsoring agency in identifying language assistance needs for future events.
- Have "I Speak" Language Identification Cards available at the customer service desk and easily accessible to staff as needed.
- Post notice of LEP Plan and the availability of "I Speak" Language Identification Cards on the City of Nappanee web site.
- Nappanee staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.

Language Assistance Measures –

Although there is a very low percentage of LEP individuals in the City of Nappanee, that is, persons who speak English less than "very well", Nappanee will strive to offer the following measures:

1. Nappanee Title VI Policy and the Nappanee staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.
2. There are a few resources available to Nappanee to accommodate LEP persons.
  - i. Language assistance services available on websites.
  - ii. The foreign language department at local universities

3. If a client asks for language assistance and Nappanee determines that the client is an LEP person and that language assistance is necessary to provide meaningful access, reasonable efforts will be made to provide free language assistance. If reasonably possible, Nappanee will provide the language assistance in the LEP client's preferred language. Nappanee has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access.
4. Nappanee will periodically assess client needs for language assistance based on requests for interpreters and/or translation, as well as the literacy skills of the clients.
5. There are online translation services available online however there is a fee involved for the service.
6. When an interpreter is needed, in person or on the telephone, staff will attempt to determine what language is required and then access language assistance at one or more of the available resources identified under Section 3.A.2.

#### **IV. STAFF TRAINING**

The following training will be provided to Nappanee staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of the "I Speak" Language Identification Cards.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

Information will be distributed to all Nappanee staff and posted on the City of Nappanee website, [www.nappanee.org](http://www.nappanee.org)

#### **V. TRANSLATION OF DOCUMENTS**

- Nappanee is in the process of contacting local universities foreign language department to inquire about translating Nappanee documents into Spanish.
- Due to the very small local LEP population, Nappanee does not have a formal outreach procedure in place, as of 2016. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, Nappanee will consider the following options:
  - o When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

## **VI. FORMAL INTERPRETERS**

- When necessary to provide meaningful access for LEP clients, Nappanee will provide qualified interpreters, including any bilingual staff of the City of Nappanee, if available. At important stages that require one-on-one contact, written translation and verbal interpretation services will be provided consistent with the four-factor analysis used earlier.
- Nappanee may require a formal interpreter to certify to the following:
  - a. The interpreter understood the matter communicated and rendered a competent interpretation.
  - b. The interpreter will maintain private information. Non-public data will not be disclosed without written authorization from the client.
  - c. Bilingual City employees, when available, can provide limited assistance to Nappanee staff and LEP clients as part of their regular job duties.

## **VII. INFORMAL INTERPRETERS**

- Informal interpreters may include the family members, friends, legal guardians, service representatives or advocates of the LEP client. City staff will determine whether it is appropriate to rely on informal interpreters, depending upon the circumstances and subject matter of the communication. However, in many circumstances, informal interpreters, especially children, are not competent to provide quality and accurate interpretations. There may be issues of confidentiality, competency, or conflict of interest.
- An LEP person may use an informal interpreter of his or her own choosing and at their expense, either in place of or as a supplement to the free language assistance offered by the City. If possible, Nappanee should accommodate an LEP client's request to use an informal interpreter in place of a formal interpreter.
- If an LEP client prefers an informal interpreter, after Nappanee has offered free interpreter services, the informal interpreter may interpret. In these cases, the client and interpreter should sign a waiver of free interpreter services.
- If an LEP client wants to use his or her own informal interpreter, Nappanee reserves the right to also have a formal interpreter present.

## **VIII. OUTSIDE RESOURCES**

- Outside resources may include community volunteers
- Outside resources may be used for interpreting services at public or informal meetings or events if a timely request has been made.

## **IX. MONITORING**

### Monitoring and Updating the LEP Plan-

Nappanee will update the LEP as required by U.S. DOT. At a minimum, the plan will be reviewed when it is clear that higher concentrations of LEP individuals are present in the Nappanee area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether Nappanee's financial resources are sufficient to fund language assistance resources needed.
- Determine whether Nappanee fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

## **X. DISSEMINATION OF THE NAPPANEE LEP PLAN**

- A link to the Nappanee LEP Plan and the Title VI Plan will be included on the City's website
- Any person or agency with Internet access will be able to access and download the plan from the Nappanee website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person, and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the plan in translation, which Nappanee will provide, if feasible.
- Questions or comments regarding the LEP Plan may be submitted to the Nappanee Title VI Coordinator, Phil Jenkins, City of Nappanee, 300 W. Lincoln St., Nappanee, Indiana 46550, or by phone at (574) 773-2112.