

Limited English Proficiency

Administrative Regulation

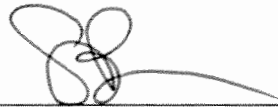
Effective Date: October 1, 2011

**PURPOSE**

The purpose of this policy is to take reasonable steps to provide meaningful access to Limited English Proficiency persons seeking to use City services, activities, and programs. This Limited English Proficiency Policy is enacted in compliance with Executive Order 13166.

**APPLICATION**

This policy applies to all divisions of the municipal government of the City of Colorado Springs.

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Steve Bach, Mayor

**LIMITED ENGLISH PROFICIENCY POLICY**

It is and shall be the policy of the City of Colorado Springs, Colorado, to provide timely meaningful access for Limited English Proficiency persons to City programs and activities. The municipal government of the City of Colorado Springs (the "City") will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and opportunity to participate in our services, activities, and programs. Municipal government staff shall provide language assistance services to LEP individuals seeking to use City services, activities, and programs whenever an LEP person requests language assistance services. All City Departments, Divisions, Agencies, Enterprises, and other units shall inform members of the public that language assistance services are available free of charge to LEP persons and that the City will provide those services to the LEP person. This Policy is intended to comply with Executive Order 13166. Each City Department, Division, Enterprise and Agency, as determined by the Mayor of the City, shall have a periodic evaluation to determine LEP qualified populations served by that Department, Division, Enterprise and Agency. Each Department, Division, Enterprise and Agency may develop its own specific implementation plan, written or otherwise, to address the provision of LEP language assistance services. The City's Senior Communications Specialist shall serve as the City's LEP Coordinator, assisted by the City's Grants Coordinator, and shall review any General City and unit specific Implementation Plans. This Policy shall remain in effect until amended, modified, or terminated by the Mayor of the City.

**LIMITED ENGLISH PROFICIENCY PLAN GUIDELINES**

This document supports the development of Limited English Proficiency Plans for City Departments, Divisions, Enterprises, and Agencies. This document provides City Departments, Divisions, Enterprises, and Agencies with non-binding guidelines for development and implementation of Limited English Proficiency Plans.

The City's Senior Communications Specialist will serve as the LEP Coordinator, assisted by the City's Grants Coordinator. Please consult the LEP Coordinator for assistance in developing individual LEP Plans and for regular informal LEP Plan review.

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**Four-Factor Needs Assessment:**

The following four factors are considered in assessing the City's balance of the needs of Limited English Proficiency persons to providing effective City services:

1) *Number or proportion of LEP persons eligible or likely to be served*

The Eligible Service Population for the City of Colorado Springs encompasses nearly 400,000 people, 87.5% of whom speak only English at home. Of the remaining 12.5%, only 4.7% speak English "less than 'very well.'" Most of the 12.5% who speak a language other than English at home speak Spanish (7.2%)<sup>1</sup>.

2) *Frequency with which LEP persons come in contact with the program*

Across all City services, the frequency of encounters with LEP individuals varies greatly. In the Police Department, for example, call-takers report encountering several LEP individuals per day on average. In the City Administration Building, Front Desk workers estimate encounters with LEP persons less than once a year. The variability of frequency in encounters with LEP individuals indicates that levels of effort to accommodate LEP individuals also vary across City units. To provide efficient provision of City services, the application of effort to accommodate LEP individuals will vary across City Divisions and Departments.

3) *Nature and importance of the program to peoples' lives*

Interaction between City government employees and the community can range from applying for a signage permit to life-and-death emergency response. Units within the City will adapt the specific application of the City's LEP policy to correlate to the urgency of service provision as can be reasonably expected.

4) *Resources available and costs to consider*

City resources are of concern in providing appropriate levels of service to LEP individuals. While it may be reasonably expected that some City units use translation services or

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<sup>1</sup> 2005-2009 American Community Survey 5-year estimates

interpreters on a daily basis, other units may go months or years without LEP considerations. Appropriate stewardship of City funds is one of the City's highest priorities.

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## Definitions

The following definitions apply with regard to Limited English Proficiency:

- **LEP Persons:** individuals who do not speak English as their primary language and those who have a limited ability to read, write, speak, or understand English.
  - **Primary Language:** the language in which an individual is most effectively able to communicate.
  - **Language Assistance Services:** the provision of interpretation and/or translation services to customers who are LEP.
  - **Interpretation:** the act of listening to a communication in one language and orally converting it to another language, while retaining the same meaning.
  - **Translation:** the replacement of written text from one language into an equivalent written text in another language.
  - **Bilingual:** the ability to speak fluently and communicate directly and accurately in both English and another language.
  - **Direct Communication:** monolingual communication in a language other than English between qualified City employees/representatives and LEP individuals.
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## LEP Plan Implementation

### 0) *Prior to LEP Encounter: Establishing LEP plans specific to City Departments, Divisions, or Agencies of the City*

The LEP Policy is intended to result in a plan for addressing the needs of LEP individuals in all City Divisions and Departments. However, each Department, Division, or Agency of the City may establish a specific plan for appropriately addressing the needs of LEP persons. The appropriate level of effort to serving LEP persons will be determined after conducting a four-factor assessment specific to that Department, Division, or Agency. City functions that are co-located or have similar four-factor assessments may establish shared LEP plans, which are to be maintained and updated regularly with direction from the Mayor.

### 1) *Identifying LEP persons and their language*

The City will promptly identify the language and communication needs of the LEP person. Bilingual staff members are recognized as valuable to the effective provision of City services to LEP individuals, both in interpreting for LEP individuals and in identifying the primary language of the LEP person.

If necessary, staff will use a language identification card or posters to determine the language spoken by the LEP individual. These materials are available at [www.lep.gov](http://www.lep.gov) for public use.

### 2) *Obtaining an interpreter*

If necessary, City employees will obtain an interpreter by:

- a) Contacting the appropriate bilingual staff member/volunteer to interpret, in the event that an interpreter is needed, if an employee/volunteer who speaks the needed language is available and is qualified to interpret;

and/or

- b) Obtaining an outside interpreter (by telephone or in-person) if necessary, and with sufficient advance notice. City Departments, Divisions, and Agencies in which contact with LEP individuals is common, severe, urgent, or appropriate should establish ahead of time methods for communication with LEP individuals and train employees in the use of those methods.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual.

3) *Providing written translations*

Each Department will ensure vital documents are made available when necessary in languages other than English. Translation services are readily available for free on the internet at several sites, including <http://translate.google.com> and other sites.

4) *Deviation from established procedures*

The City recognizes that urgent responses and stressful situations may require flexibility and best judgment at the point of contact. In general, City employees are expected to follow standard procedures. However, exigent circumstances may require employees to adapt procedures to provide the highest possible level of service. Deviations from the standard process in times of emergency are permissible, but explanation may be required after the emergency has passed, and employees are expected to return to compliance with standard procedures once the emergency has passed.

5) *Providing notice of language assistance options to LEP persons*

The City will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand through posting notices and using "I Speak" cards.

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### **Ongoing assessment**

Regular informal review of the City and individual LEP Plans will be the responsibility of the LEP Coordinator. Official review of the City's LEP Plan and each individual LEP Plan will be at the discretion of the Mayor.