**LIMITED ENGLISH PROFICIENCY**

**FOUR-FACTOR ANLAYSIS AND LANGUAGE ACCESS PLAN**

**COUNTY**

**DATE:**

# Policy:

It is N.C. Cooperative Extension,       County Center’s policy that no person is to be subjected to prohibited discrimination based on national origin in any Extension program or service. It is our policy that reasonable steps are taken to provide timely, meaningful access and equal opportunity, to individuals whose first language is not English to participate in services, activities, programs, and other benefits. All interpreters, translators and other aids needed to comply with this policy will be provided at no cost to the person(s) being served.

# Purpose:

This Language Access Plan sets forth the policy and procedures for ensuring that persons with limited English proficiency (LEP) have meaningful access to our programs and activities. The following four factor analysis will serve as a guide for determining which language assistance measures will be undertaken to provide access to Extension services in       county.

# Authorities:

Title VI of the Civil Rights Act of 1964, Section 601; 42 U.S.C. 2000d et seq.; and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance. The Supreme Court, in Lau v. Nichols, 414 U.S. 563 (1974), interpreted Title VI regulations to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination. Executive Order 13166, “Improving Access to Services to Persons with Limited English Proficiency,” states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. The Executive Order recommended uniform guidance to recipients on the preparation of a plan to improve access to its federally assisted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the U.S. Department of Justice’s Policy Guidance Document entitled, “Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.” Consistent with the DOJ LEP Guidance, USDA published its Final “Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency.” 7 CFR Part 15 Subpart A effectuates the provisions of Title VI of the Civil Rights Act of 1964.

# Definitions/Key Terms:

Interpretation. Listening to communication in one language and orally converting it to another language while retaining the same meaning.

Limited English Proficient (LEP) Persons. Persons who do not speak English as their primary language and self-identifies as having a limited ability to read, speak, write, or understand English.

Meaningful Access. Denotes access to programs, activities and services that are not significantly restricted, delayed or inferior as compared to programs or activities provided to English proficient persons.

Reasonable Steps. The affirmative and appropriate measures and resources used to mitigate access barriers to information and participation in educational programs.

Translation. The process of transferring ideas expressed in writing from one language to another language.

Vital Document. Paper or electronic written material that contains information that is critical for accessing a program or activity, or is required by law, such as consent forms, applications, and notices of rights.

**4-Factor Analysis:**

Factor 1: Number or proportion of LEP persons served or encountered in the eligible service population

N.C. Cooperative Extension,       County Center assessed the number of LEP individuals eligible to be served or encountered by gathering information from community organizations and Extension employees that typically come in contact with LEP individuals, by identifying members of the public who are LEP that had previous interactions with Extension, and by reviewing census report C16001 “Language Spoken at Home by the Ability to Speak English” (persons who speak English less than “very well.” (attach C16001) Our assessment identified the following language groups in our county:

Factor 2: The frequency with which LEP persons come into contact with our programs, activities or services

We reviewed programs, activities and services and identified the following as ones LEP persons come into contact with and therefore, where future contacts with LEP persons are most likely to occur:

We have considered that outreach to LEP persons may increase the frequency of contact with the following LEP language groups and interest in the following programs

Language groups with potential increased LEP participation:

Programs with potential increased LEP participation:

Factor 3: The importance of the program, activities or services we provide to the LEP persons

We identified the following compulsory Extension activities, programs or services.(For example: required applications, consent, and/or interviews prior to participation in programs; compulsory education/other mandatory programs or activities.) or  No compulsory activities, programs or services are provided

We identified the following Extension activities, programs or services where denial or delays in the provision of services or participation in programs and/or activities could have serious consequences for an LEP customer.(For example: health, safety, economic, environmental, educational, housing, food, shelter, transportation, etc.)or No denials or delays in activities, programs or services would have serious consequences

Factor 4: The resources available and costs

The following resources are available to provide language interpretation (attach names, contact information, language spoken, and any additional information)

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| --- | --- |
| Bilingual employees  Bilingual volunteers  Contract interpreters  Telephone interpretation services  Interpreters from other county departments | Interpreters from community-based organizations  I Speak cards  Online translation/interpretation (google translate etc.)  Other |

The following written materials available to the public in languages other than English (list materials available at your county office, sent by mail or electronically, or on your county webpage)

# LEP Individuals Who Need Language Assistance:

N.C. Cooperative Extension,       County Center conducted an assessment of the number or proportion of LEP individuals eligible to be served or encountered and the frequency of encounters in the four-factor analysis. Assessment methods used are identified in Factor 1 of the Four Factor Analysis and frequency of contacts are identified in Factor 2 of the Four Factor Analysis. The following language groups were identified in our service area based on our assessment:

# Language Assistance Measures:

In response to the needs of LEP persons, N.C. Cooperative Extension,       County Center will provide oral language assistance, including interpretation assistance by qualified interpreters, employees or private agencies in face-to-face and telephone encounters. At the point of first contact with an LEP person, the Extension employee will determine whether the person has limited English proficiency by determining his or her primary language and implement or procure the appropriate language assistance service. “I speak” language identification cards are posted in the County Extension Office and are available to all employees to assist with language identification. Persons providing translation/interpretation services will either be native speakers and/or qualified interpreters. Extension employs various persons statewide who are proficient in specific languages and are able to provide assistance to customers who speak those languages. Two-way microphones and headsets are available for simultaneous interpretation at programs and events. LEP individuals have the option to use the free services provided or they may identify a family member or other person to interpret for them. Extension also provides telephone interpretation services provided by Linguistica International. Use of these services may be initiated by Extension employees. Based on the four-factor analysis, contracts/agreements for local interpretation services  are  are not needed.

We have the following contracts/agreements in place

Any identified vital documents will be submitted to NC State Extension for written translation. Requests for translation of statewide publications, curriculums and documents will also be submitted to NC State Extension. Based on the four-factor analysis, translation of county outreach materials, program announcements, newsletters, etc.  is not needed  will be translated locally using an employee, volunteer or translation service  will be requested through to NC State Extension (NC A&T publication translation requests should be submitted to NC A&T).

# Staff Training:

Staff members responsible for contact with the general public will be knowledgeable about our Language Access Plan and how to provide services to persons that are limited English proficient in the languages identified through the assessment. All employees will receive an overview training and refresher information will be provided to our staff when updates are made to the LAP to ensure consistency.

# Vital Document Translation:

# N.C. Cooperative Extension abides by the “Safe Harbor” provision for translation of vital written materials. The provision outlines the circumstances that can provide a “Safe Harbor” for compliance with LEP requirements (meaning no translation is required) which is considered strong evidence of compliance with written translation obligations.

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| **SAFE HARBOR PROVISIONS** | |
| **Size of Language Group** | **Written Language Assistance Required** |
| 1,000 or more of the eligible population | Translated vital documents |
| 5% or more of the eligible population and 50 or more in number | Translated vital documents |
| 5% or more of the eligible population and less than 50 in number | Translated written notice of right to receive free oral interpretation of documents |
| Less than 5% of the eligible population and less than 1,000 in number | No written translation is required |

In accordance with the Safe Harbor Provisions and because the size of our language group is less than 5% of the eligible population and less than 1,000 in number, no written translation is required.

**OR**

The following documents have been identified as vital documents and will be translated into the language groups identified in Part 1 and using the safe harbor provisions.

We will request that the following vital documents to be translated:

# Notice to LEP Persons:

We will provide notice to the public that language services are available and the services are free of charge. Notices will be provided by making the I Speak Cards available at the County Extension Center. Additional methods of notification used our staff may include:

* Stating in outreach documents that language services are available from the recipient. Announcements could be in brochures, booklets, and outreach and recruitment information.
* Working with community-based organizations and other stakeholders to inform LEP individuals of the recipients’ services, including the availability of language assistance services.
* Including notices in local newspapers in languages other than English, as well as established community papers published in languages other than English.
* Providing notices on non-/English language radio and television stations about the available language assistance services and how to obtain them.
* Providing presentations and/or notices at schools and religious organizations.

**Monitoring and Updating:**

We will review the LAP to ensure it remains current to the LEP populations in our service area as needed, including any time new census data reveals a significant increase in LEP persons in our service area OR if a significant increase in contacts or inquires with LEP persons is evidenced. At a minimum, the language access plan will be reviewed every 5 years to ensure out LEP policies and procedures remain current and result in effective language services and meaningful access.