

The background is a light beige or cream color with a subtle texture. On the left side, there is a large, dark ink splatter that spreads outwards, with many smaller, scattered ink dots across the page.

# Language Access Plan for LEP Customers

# Legal Obligation to Provide Access



Entities receiving assistance from the federal government must take reasonable steps to ensure that persons with **Limited English Proficiency (LEP)** have *meaningful access* to the programs, services, and information those entities provide

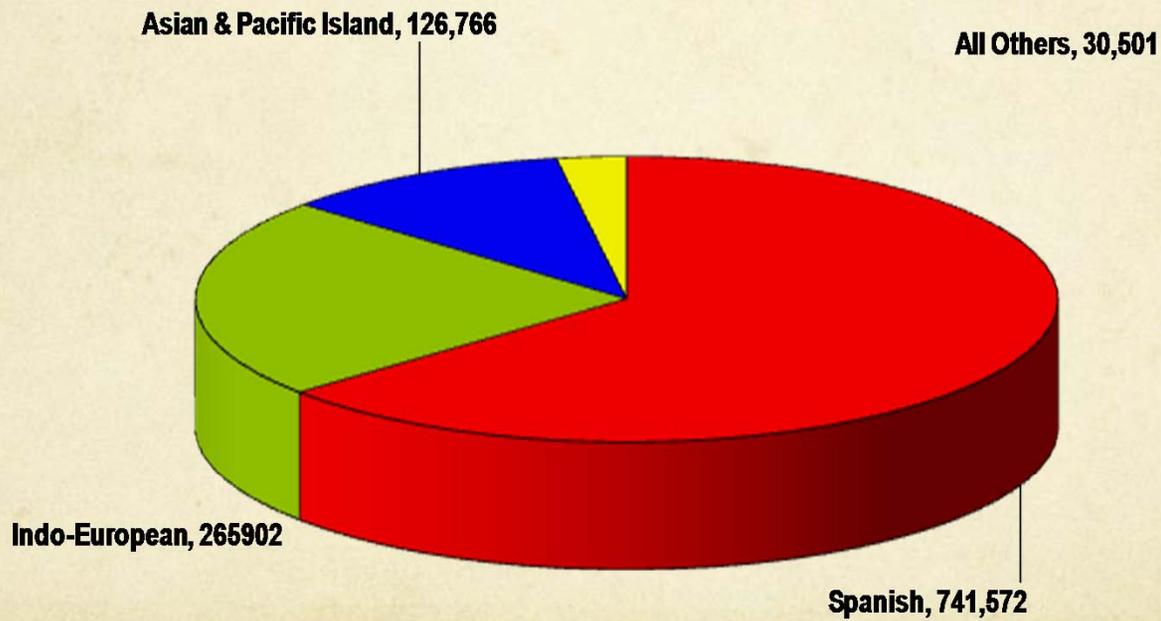
# Learning Objectives:

- Understand the need for a Language Access Plan.
- Be familiar with the laws and policies related to LEP
- Be familiar with US Department of Justice Four Factor Analysis
- Be able to identify, understand and incorporate the laws and policies regarding language access into your customer delivery services.
- Understand the need to use technology in the implementation of the language access plan.
- Know the elements of your Language Access Plan

# Why do we need Language Access?

- Illinois has a large and thriving immigrant population.
- Over 2.58 million Illinoisans over the age of 5 report spoke a language other than English at home.
- Over 1.16 millions, or 45% spoke English less than "very well" (see graph below).
- 58.4% of those that reported that they spoke English less than "very well" are Spanish speaking.

**Table 1 Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over for Illinois: 2006-2008**  
**Release Date: April, 2010**



# US Census Bureau Language Data Question

**13**

**a. Does this person speak a language other than English at home?**

Yes

No → *SKIP to question 14*

**b. What is this language?**

*For example: Korean, Italian, Spanish, Vietnamese*

**c. How well does this person speak English?**

Very well

Well

Not well

Not at all

# Why do we need to be aware of this population and its needs

- Demographic Trends
- Legal Requirements to provide services:
- Ensure the provision of quality services: Meet needs and increase satisfaction with services
- Reduce customer costs and inconvenience as a result of repeat visits.
- Avoid agency liability, malpractice and indirect costs
- It's the right thing to do

# Sources of Guidance

- Title VI of the Civil Rights Act
- Americans with Disabilities Act
- Executive Order 13166
- Department of Justice, General Guidance “Four Factors”

# Who is a Limited English Proficient Person?

*A Limited English Proficient person is a person who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient, or "LEP."*

# Language Access Terms:

- **Language Access**- refers to the rights of Limited English Proficient (LEP) individuals to receive meaningful access to federally funded programs, benefits, and services
- **Meaningful Access**- language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual

# Title VI of the 1964 Civil Rights Act

- "No person in the United States shall, on the ground 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."  
42 U.S.C. § 2000d.



# Lau v. Nichols (US Supreme Court 1974)

- National origin discrimination includes discrimination based on a person's inability to speak, read, write, or understand English.



# LEP and ADA: Section 504 Requirements

- The protections of the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973 (Section 504), apply equally to LEP individuals with disabilities or persons that are Deaf/hard of hearing (HOH). There are also many assistive technical (AT) devices that are available to LEP individuals with disabilities

# Executive Order 13166

- In August 2000, President Bill Clinton signed Executive Order 13166. This Order called for "Improving Access to Services for Persons with Limited English Proficiency". It is a directive to federal agencies to ensure people who are LEP have **meaningful access to programs, services, and benefits.**



# Executive Order 13166

- Publish guidance on how their **recipients** can provide access to LEP persons
- Improve the language accessibility of their own programs.
- Break down language barriers by implementing consistent standards of language assistance across federal agencies and amongst all recipients of federal financial assistance.



# Who Must Comply?

- State agencies
- Local agencies
- Private and nonprofit entities Sub recipients (entities that receive federal funding from one of the recipients listed above) also must comply.

# Payment for Services



- Persons with limited English proficiency **cannot** be required to pay for services required to ensure their meaningful, equitable access to programs, services, and benefits

# US. Department of Justice

## *LEP* Guidance

- To assist Federal agencies in carrying out these responsibilities, the U.S. Department of Justice has issued a Policy Guidance Document, "Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency" ( [2002 LEP Guidance](#) ).

# Four Factor Analysis for LEP

To determine meaningful access, the DOJ Guidance uses a four-factor analysis:

- 1) **Number** of LEPs eligible or likely to be encountered by your Federally funded program
- 2) **Frequency** that LEPs come into contact with program
- 3) **Nature** & importance of program to LEPs
- 4) **Resources** available and **costs** to program

# Factor 1: **Number** or Proportion of LEPs

Count LEP persons who are:

- From a particular language group;
- Eligible to be served or encountered.

The greater the number or proportion, the more services needed.

## Factor 2: Frequency of Contact

- Rule of thumb:
  - More contact = More enhanced services
- What data would you analyze?

# Factor 3:

## Nature & Importance of Program

- Rule of thumb:
  - More important = more contact
  - More contact = more likely to need language services
- For LEP persons, what are your most important services?

# Factor 4:

## Resources and Costs

- How much will it cost and what resources will we need to deliver services?

# Individualized Assessment

- Number of LEP persons eligible to be served or likely to be encountered
- Frequency of contacts
- Nature & importance of service to people's lives
- Costs & available resources



# Elements of an Effective LEP Policy



- Identifying LEP persons who need language assistance
- Identifying ways in which language assistance will be provided

# Elements of an Effective LEP Policy

- Training staff
- Providing notice to LEP persons
- Monitoring and updating LEP policy



# Language Assistance Services

- Written & oral language services
  - Bilingual staff
  - Community volunteers
  - Telephone interpreter lines
  - Translation of written materials



# I Speak Cards

2004  
Census  
Test

United States  
Census  
2010

LANGUAGE IDENTIFICATION FLASHCARD

ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.

1. Arabic

Խնդրում ենք նշում կատարեք այս բառակուսում,  
եթե խոսում կամ կարդում եք հայերեն:

2. Armenian

যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।

3. Bengali

ឈ្មួញក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។

4. Cambodian

Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.

5. Chamorro



**No smoking**



**Keep food and  
drink in closed  
containers**



**Keep feet off  
seats**



**Keep pets  
in carrier**  
(except service animals)



**Fold strollers  
after boarding**

# Web Links in Multi-languages

The screenshot shows the CalFresh Home website with a navigation bar at the top containing links for CDSS, Find Services, Care Providers, Forms/Brochures, Program Rules, Reports, Policy/Planning, and Fiscal/Funding. Below this is a banner for the Office of Governor Edmund G. Brown Jr. with a "Visit his Website" button. A left sidebar lists various service links such as "CalFresh Home", "How to Apply for CalFresh Benefits", "Eligibility and Issuance Requirements", "Pre-Screen. Eligibility Tool", "County Welfare Department List", "Frequently Asked Questions", "Rights and Responsibilities", "Did You Know?", "Contact Us", and "Site Map". At the bottom of the sidebar are "All County Info Notices" and "All County Letters".

## CalFresh Program

The CalFresh Program, formerly known as Food Stamps and federally known as the Supplemental Nutrition Assistance Program (SNAP), can add to your food budget to put healthy and nutritious food on the table. The program issues monthly electronic benefits that can be used to buy most foods at many markets and food stores.

The CalFresh Program helps to improve the health and well-being of qualified households and individuals by providing them a means to meet their nutritional needs.

**"Making America Stronger"** commemorates the 30th anniversary of the reforms achieved by the Food Stamp Act of 1977 by telling the story of how food stamps dramatically reduced the extent of severe hunger in our country, how they continue to help Americans in need, and how this essential program can achieve still more. [Watch the historical video](#)

**TO APPLY ONLINE:** [E-BENEFITS CALIFORNIA WEBSITE](#)

### APPLICATION FORMS

[CalFresh Application](#)

[استمارة طلب طابع الغذاء](#)

[Պարենային կտրոնների դիմում](#)

[食物券应用](#)

[درخواست نامه فود استمب](#)



http://www.hhsc.state.tx.us/ massachuset SNAP

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# Texas Health and Human Services Commission

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## About HHSC

### How to Get Help

### Questions about Your Benefits

### Providers and Vendors

### Research and Statistics

### Business Opportunities

### Meetings and Events

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Report Waste, Abuse and Fraud

### HHSC Projects

### Community Resources

### Transformation Waiver

### Contact Us

### Advisory Committees

### Job Opportunities



## HHSC Budget Request

HHSC has submitted its 2014-2015 Legislative Appropriations Request (LAR). The baseline request for the upcoming biennium totals \$48.8 billion. The LAR also includes 30 exceptional items. [[LAR 2014-2015](#)]

## Texas Women's Health Program

The state finalized rules for the Texas Women's Health Program, which provides low-income women with family planning services, related health screenings and birth control.

**New rules:** Questions and answers about the final rules. [[Rules Q and A](#)]

**For women:** If you need help finding a Texas Women's Health Program provider, call 1-800-335-8957. You can get more information about the program or learn how to apply at the [Women's Health Program website](#).

## Health Care Quality and Efficiency Report

## How to get help

We may be able to help your family with health care coverage, food, cash assistance, and other services.

[Find out more](#) ▶

## Questions about your benefits?

We can help you find a doctor, get a ride to the dentist, replace your Lone Star Card and more.

[Quick Answers](#) ▶

# LEP Summary Points

- Conduct Four Factor Analysis
  - Number
  - Frequency
  - Nature
  - Resources and costs
- Use results of Four Factor Analysis to develop and implement your LEP plan