

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Purpose:

The purpose of the Limited English Proficiency (LEP) Plan is to clarify the responsibilities of the City's departments receiving federal financial assistance and to assist them in fulfilling their responsibilities to LEP persons. This plan also serves to show the City's commitment to ensure its departments communicate effectively with Limited English Proficiency individuals and provide persons with limited English proficiency access to all City programs.

An LEP individual is a person who does not speak English as his or her primary language and who has a limited ability to speak, read, write, or understand English.

All City department heads or elected officials overseeing programs or activities receiving federal financial assistance must make a meaningful attempt to provide LEP persons with a means of effective communication.

LEP Policy Statement:

It is the policy of the City of Harlingen to provide timely meaningful access for LEP persons to all City programs and activities. Language assistance services shall be provided to persons with LEP whenever a person with LEP requests language assistance services, as set forth herein.

LEP Plan Summary:

The City of Harlingen has developed the Limited English Proficiency Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services, programs, and/or activities provided by the City of Harlingen. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, how to notify LEP persons that assistance is available, and information for future plan updates.

In order to decide what reasonable steps City departments/offices should take to ensure meaningful access for LEP persons, the City of Harlingen considers the following:

1. The number or proportion of LEP persons eligible to be served or likely encountered by the City program, activity, or service;
2. The frequency with which LEP individuals come in contact with the City program, activity, service;
3. The nature and importance of the program, activity, or service provided by the City;
4. The resources available to the City and overall costs to provide the LEP assistance.
5. A brief description of the above considerations is provided in the following section.

Four-Factor Analysis:

The following Four-Factor Analysis will serve as the guide for determining which language assistance measures the City will undertake to guarantee access to their programs, activities, or services.

1. Number or proportion of LEP persons eligible to be served or likely encountered by the City program, activity, or service.

The City of Harlingen and its departments/offices will use various methods to identify LEP persons with whom they have contact. These may include:

- Current or past experiences with LEP persons encountered by the department’s staff:
 - The number and type of such encounters must be periodically analyzed by the department to determine the breadth and scope of the language services required.
- Most recent U.S. Census Bureau data:
 - Departments shall analyze data from the most recent U.S. Census Bureau data, regarding languages spoken in the City of Harlingen as well as those who self-identified that they spoke English less than “very well.”

The City of Harlingen has examined the U.S. Census Bureau’s American Community Survey (ACS) data, 2011-2015 ACS 5-year Estimates, for the City of Harlingen, Texas, and was able to make the following approximations:

Table 1: Limited English Proficiency Summary

| Subject | Total | People who speak only English at home | | Distribution of people who speak a language other than English at home | | | |
|-------------------------|---------------|---------------------------------------|--------------|--|--------------|------------|-------------|
| | | Est. count | Approx. % | Spanish | | Other | |
| | | | | Est. count | Approx. % | Est. count | Approx. % |
| Total population | 59,256 | 30,445 | 51.4% | 27,920 | 47.1% | 891 | 1.5% |

Table 2: Distribution of People who Speak English “less than very well”

| Language | people who speak a language other than English at home | People who speak English least than very well | |
|----------------|--|---|--------------|
| | | Est. count | Approx. % |
| Spanish | 27,920 | 10,049 | 17.5% |

| | | | |
|---------------------------------|------------|------------|--------------|
| Other Indo-European | 207 | 17 | 0.02% |
| Asian and Pacific Island | 568 | 245 | 0.4% |
| Other/Unspecified | 116 | 38 | 0.06% |

Table 2 reflects LEP groups who speak languages other than English at home and who speak English less than very well.

The information reflected on Table 1 and Table 2 are calculations derived from a combination of data from various segments of information collected by the U.S. Census Bureau American Community Survey.

Approximately 10,349 persons (or 17.5%) of the City’s overall population speak English less than “very well”, of which 10,049 (or 17% of the overall population) are Spanish speaking persons and 300 (or 0.5% of the overall population) speak Indo-European, Asian/Pacific Island, or another unspecified language.

2. Frequency with which LEP individuals come in contact with the City of Harlingen programs, activities, or services.

In addition to research conducted to identify LEP persons in the City of Harlingen, all city departments/offices must also annually compile information regarding the frequency of contact with LEP persons. The more frequent the contact and/or the number of requests for other languages other than English, the more likely that language services for a specific language will be needed.

Actions taken for a department/office that serves a LEP person one time or occasionally will be different from those that serve LEP persons every day.

All City departments/offices will assess the frequency at which staff has or could possibly have contact with LEP persons. This includes documenting phone inquiries and in person inquiries for LEP assistance or materials, requests for language interpreters or translated material, and may include surveying public meeting attendees.

3. Nature and importance of the program, activity, or service provided by the City.

The City of Harlingen recognizes that within a range of programs and services it provides, the nature of some programs and services may be more important to the LEP persons than others.

To determine the nature and importance of City program, activity, or service provided to LEP persons, City departments/officers are to:

- a. Identify the programs, services, and activities that could have a serious consequence if language barriers prevent LEP persons from accessing those programs, services, or activities.
- b. Determine the potential impacts that inability to access City services, programs, or activities may have on the LEP person.

City departments/offices whose projects have a significant impact on LEP residents may be required by the City to develop a Language Access Plan for the program/project.

4. The resources available to the City of Harlingen and overall costs.

City departments/offices shall assess their available resources that could be used for providing LEP assistance. This must include identifying the following:

- what staff and/or volunteer language interpreters are readily available;
- how much a professional interpreter and translation service would cost;
- which documents should be translated;
- which organizations the department/office could partner with for interpreter and translation services or outreach efforts;
- which financial resources could be used to provide assistance; and
- what level of staff training is needed.

After analyzing the four factors, the City of Harlingen developed the LEP Plan outlined in the following section for assisting LEP persons.

How to Identify an LEP person who need Language Assistance:

Below are tools that may be used by City departments/offices to help identify persons who may need language assistance:

- Have language identification cards or Census Bureau “I speak cards” at customer service counters in City departments/offices which invite LEP persons to identify their language needs to staff. While staff may not be able to provide translation assistance at the initial contact with an LEP person, the cards are an excellent tool to identify language needs for future contacts.
- Posting notices in commonly encountered languages notifying LEP persons of language assistance to encourage LEP to self-identify.

Language Assistance Measures:

When an interpreter is needed, in person or on the telephone, staff should first determine what language is required. Bilingual staff may be able to assist with communications with LEP persons.

Each department/office should complete an employee language report and return it to the Title VI/Nondiscrimination Coordinator.

The Coordinator will compile a list of individuals who fluently write or speak a language other than English and distribute to the department heads and elected officials. If staff cannot assist, private interpreter services can provide translation services for a reasonable fee.

Use of informal interpreters, such as family or friends of the LEP person seeking services, or other customers, **is discouraged**, with minor children generally prohibited from acting as interpreters.

The use of informal interpreters shall be allowed at the insistence of the LEP person or in emergencies, but shall be documented and subject to approval of a supervisor.

No staff may suggest or require an LEP person provide an interpreter in order to receive services.

Staff Training:

City departments heads and elected officials are required to fully understand, direct staff to comply, and must implement the Title VI/Nondiscrimination Plan including the LEP Plan and to reinforce its importance.

The City of Harlingen Executive Office is also available to assist with information and training requests.

All staff will be provided with the LEP Plan and will be educated on procedures and services available. LEP Plan information will also be a part of the staff orientation process for new employees. Training topics may include the following:

- City LEP Policy and procedures
- Understanding of Title VI LEP responsibilities
- What language assistance services the City of Harlingen offers
- Use of LEP Interpreter Services
- Documentation of language assistance requests; and
- How to handle a complaint

Translation Services:

The City of Harlingen's Title VI/Nondiscrimination Coordinator, in coordination with city departments/offices, will create and maintain a list of bilingual staff (and the languages they speak) to assist with translations.

Written materials routinely provided in English should be provided in frequently encountered languages. Documents, meeting notices, flyers, or agendas for which the target audience is expected to include LEP individuals, must be printed in an alternative language based on the known LEP population.

Vital documents or information contained within a document, as determined at the discretion of the department, should be translated when a significant number or percentage of LEP population is likely to be affected by the program/activity and it contains information that is critical for obtaining services and/or benefits, if the fee is reasonable and the department has the available resources.

Public service announcements should be provided in regularly encountered languages.

Providing Notice of Available Language Services to LEP Persons:

City departments/offices are encouraged to post signs that language assistance is available in public areas such as intake areas, customer service areas and other entry points to the department.

Statements may be placed in outreach documents indicating that language services are available from the City of Harlingen.

Monitoring and updating the LEP Plan:

The LEP Plan will be re-evaluated on a regular basis. At a minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is available or when the City of Harlingen's Title VI/Nondiscrimination Coordinator begins acquiring statistically significant requests for interpretive or translation services in the City's service area.

Consideration will be given to changes in demographics, types of services, or other needs when determining the frequency of the LEP Plan reevaluations. Each reevaluation should examine all Plan components and assess the following:

- How many LEP persons were encountered and what languages?
- Were their needs met?
- What is the current LEP population in the City of Harlingen?
- Has there been a change in the types of languages where translation services are needed?
- Is there still a need for continued language assistance for previously identified City of Harlingen programs? Are there other programs that should be included?
- Has the City's or a specific city department's available resources, technology, staff, and financial costs changed?
- Has the City fulfilled the goals of the LEP Plan?
- Are identified sources of assistance still available and viable?

City department heads must maintain the data annually.

Dissemination of the LEP Plan:

For more information regarding the City's policies on LEP, a copy of the LEP Plan can be found on our website at <http://www.myharlingen.us>. Copies of the LEP Plan will be provided to any person or agency requesting a copy. Any questions or comments regarding this plan should be directed to the City of Harlingen Title VI Coordinator at:

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