

# Limited English Proficiency Plan



**Title VI Coordinator  
Human Resources Director  
309 North 5<sup>th</sup> Street  
Norfolk, NE 68701  
(402)844-2010**

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## **I. Introduction**

This *Limited English Proficiency Plan* (LEP) has been prepared to address the City of Norfolk's responsibilities as a recipient of Federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color or national origin in programs and activities receiving Federal financial assistance. Specifically Title VI provides that "no person shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, be subject to discrimination under any program or activity receiving Federal financial assistance."

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs Federal agencies to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including the City of Norfolk.

### **Plan Summary**

The City of Norfolk has developed this *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided. As defined Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

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, and how to notify LEP persons that assistance is available.

As part of preparing this Plan, the City of Norfolk used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by the City of Norfolk.
2. The frequency with which LEP persons come in contact with City of Norfolk services.
3. The nature and importance of services provided by the City of Norfolk to the LEP population.
4. The resources available to the City staff and overall costs to provide LEP assistance.

## **II. Meaningful Access: Analysis of the Four Factors**

### **1. The number or a proportion of LEP persons in the service area who may be served or are likely to require City of Norfolk services.**

According to the U.S. 2010 Census Report and detailed in its document 2006-2010 American Community Survey 5-Year Estimates for Norfolk, Nebraska it is determined that:

- |   |                      |
|---|----------------------|
| • 19,648 speak only English   | 88.92% of population |
| • 1,155 Speak another language(s) classified as “Speak English Very Well” | 5.23% of population  |
| • 506 Speak another language(s) classified as “Speak English Well”        | 2.29% of population  |
| • 482 Speak another language(s) classified as “Speak English Not Well”    | 2.18% of population  |
| • 304 Speak another language(s) classified as “Speak English Not at All”  | 1.38% of population  |

This data indicates that only 3.56% of the population in Norfolk, Nebraska are LEP persons.

### **2. The frequency with which LEP persons come in contact with City of Norfolk services.**

The City will continue to assess the frequency with which its employees have, or could have, contact with LEP persons. This includes documenting face-to-face contacts, telephone inquiries and applications for employment, water and sewer utility service, library services, housing services, building permits and police and fire services. The City employees have indicated that there is occasional contact with persons with LEP in regard to Spanish; however, there is very infrequent contact with LEP persons that speak a language other than Spanish as their primary language.

### **3. The nature and importance of services provided by City of Norfolk to the LEP population.**

There is no large geographic concentration of any type of LEP individuals in the service area for the City of Norfolk. The overwhelming majority of the population speaks only English. As a result there are not many social, service, professional and leadership organizations within the City of Norfolk service area that focus on outreach to LEP individuals. The City of Norfolk elected officials and staff are most likely to encounter LEP individuals through office visits, phone conversations, notifications from staff of impacts on services and attendance at meetings.

#### **4. The resources available to the City of Norfolk, and overall costs to provide LEP assistance.**

The City of Norfolk will continue to review its available resources that could be used for providing LEP assistance, which of its documents would be most valuable to be translated if the need should arise, and contact local citizens that would be willing to provide voluntary Spanish translation if needed within a reasonable time period. Other language assistance, if needed, would be provided through a telephone interpreter line for which City of Norfolk would pay a fee.

### **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 City of Norfolk services. 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.

After identification or anticipation of an LEP person who needs language assistance, the City of Norfolk may utilize any of the following:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- Provide “I Speak” cards to assist in identifying the language interpretation needed if the occasion arises.
- Provide necessary documents in the needed language.

When the City of Norfolk sponsors an informational meeting or event, a staff person may 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. Although translation may not be able to be provided at the event it will help identify the need for future events.

**A. Language Assistance Measures-**Although there is a very low percentage in the City of Norfolk of LEP individuals, that is, persons who speak English “not well” or “not at all”, it will strive to offer the following measures:

1. The City of Norfolk staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
  - i. Volunteer interpreters for the Spanish language are available and will be provided within a reasonable time period.
  - ii. Language interpretation will be accessed for all other languages through a telephone interpretation service.

**B. Periodic Reviews -** City of Norfolk staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons since the last periodic review.

### **C. Oral Interpretation Services**

The following describes the process the City of Norfolk staff will use when receiving LEP individuals through telephone communication or in-person visits. This process follows the City's Administrative Procedure for handling LEP individuals.

#### Telephone Communication

A staff member who receives a call from a LEP individual will assess the primary language needed by the individual. If that staff member is bilingual and speaks a language relevant to the LEP caller, then that staff member will assist the individual. If communication becomes difficult for any reason, the staff member will transfer the call to another City employee having language skills relevant to the LEP caller.

If a City staff member receives a call from a LEP individual and does not speak the language of the caller, the staff member will transfer the call to another member who has the relevant language skills.

If there is not a City staff member that speaks a language relevant to the LEP caller, then the staff member can use the Language Line to communicate with the caller.

#### In-Person Individual Visit

For in-person visits, staff will assess the language needs of in-person LEP visitors. Staff will be equipped with HUD's "I Speak" language card to facilitate language identification, if necessary. (Education for all City employees in customer service related positions on the appropriate use of the cards will be provided via a staff meeting or when newly hired.)

If no City staff members can effectively assist an LEP individual, then the staff member may utilize the Language Line.

Employees shall document any request made for LEP assistance as well as the action taken and notify Accounting of the use of the Language Line service.

## **IV. Staff Training**

The following training will be provided to all staff:

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

All contractors or subcontractors performing work for City of Norfolk will be required to follow the Title VI/LEP guidelines.

## **V. Translation of Documents**

- City of Norfolk weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary burden to have any documents translated.
- Due to the very small local LEP population, City of Norfolk does not have a formal outreach procedure in place, as of 2012. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, City of Norfolk will prepare documents or schedule meetings for which the target audience is expected to include LEP individuals. As is needed documents, notices, flyers and agendas will be printed in an alternative language based on the known LEP population.

## **VI. Monitoring**

The City of Norfolk will monitor and update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from next U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the City of Norfolk service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determine the current LEP population in the service area.
- Determine 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 City of Norfolk's financial resources are sufficient to fund language assistance resources needed.
- Determine whether the City of Norfolk fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the City's failure to meet the needs of LEP individuals.

## **VII. Dissemination of City of Norfolk LEP Plan**

- Post signs at City offices notifying LEP persons of the LEP Plan and how to access language services.
- The City of Norfolk's LEP Plan and Title VI complaint procedure is located on the City of Norfolk's website at [www.ci.norfolk.ne.us](http://www.ci.norfolk.ne.us). Any person or agency may request a copy of the Plan via telephone, fax, mail, or in person and will be provided a copy of the Plan at no cost. LEP individuals may request a copy of the Plan in alternative languages which will be provided if feasible.

## **VIII. Compliance/Grievance Procedures**

All complaints regarding access or alleged discrimination shall be submitted in writing to the Title VI Coordinator. The Title VI Coordinator Administrator shall establish procedures for hearing complaints, requests or suggestions from persons, regarding language barriers to accessing and participating in the public services, activities, functions, and facilities in the community on an individual basis. The Title VI Coordinator shall issue a written recommendation within thirty (30) days of notification of complaint.

If the complaint cannot be resolved to the satisfaction of the complainant, it will then be heard by the City Council. A determination shall be made within thirty (30) days of the hearing. The City Council's decision is final.

A record of the action taken shall be maintained as a part of the records or minutes at each level of the grievance process. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies nor does it preclude an individual from filing a complaint with other appropriate agencies.

Questions or comments regarding the LEP Plan may be submitted to the City of Norfolk:

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