



City of East Wenatchee

Community Development Block Grant Program Community Development Department

Limited English Proficiency Plan

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INTRODUCTION

The Limited English Proficiency Plan (LEP Plan) addresses Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on national origin. In 1974, the U.S. Supreme Court affirmed that the failure to ensure a meaningful opportunity for national origin minorities, with limited-English proficiency, to participate in a federally funded program violates Title VI regulations. Additionally requirements are outlined in Executive Order 13166 and directives from the U.S. Department of Justice and U.S. Department of Transportation. Recipients of federal funds are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

The Executive Order also requires that federal agencies work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries. Executive Order 13166 requires agencies to: (1) examine services provided, (2) identify specific needs necessary to provide meaningful access for Limited English Proficiency (LEP) persons, and (3) implement a system to provide meaningful access to such services.

It is the policy of the City of East Wenatchee (City) to ensure that LEP persons will not be discriminated against nor denied meaningful access to, and participation in, the Community Development Block Grant (CDBG) programs and services provided by the Community Development Department (Department). In order to ensure meaningful access and participation for LEP persons, the Department will notify such persons that language services are available to them at no cost and will take reasonable steps to see that language services are provided according to the provisions of this LEP Plan.

The Community Development Department of the City administers the Community Development Block Grant (CDBG) Program. The Department does not operate or manage any housing assistance programs. Predominantly the CDBG funds are utilized for public facility improvement projects. The Department does use sub-recipients for a homeownership assistance program. Any sub-recipients will be responsible for compliance with this LEP.

The LEP Plan will apply to all CDBG administered programs, services and facilities. It is the intent of the Department, in providing language services to LEP persons, to achieve a balance that ensures meaningful access to programs and services while not incurring undue burdens on City resources.

The LEP Plan works in concert with the CDBG overall Citizen Involvement Plan, which identifies specific tactics for outreach and involvement of the citizens of the community in the process of developing and implementing the Community Development Block Grant (CDBG) Program (i.e. public notification, information dissemination, and public involvement activities).

This Department will respond to requests for language assistance in the manner described in this plan, which includes:

- ◆ A mechanism to provide ongoing assessment of needs, programs, and activities of target audiences, along with the organization’s capacity to meet these needs using the Limited English Proficiency Plan
- ◆ Translation of vital written materials in Spanish
- ◆ Oral language assistance to Limited English Proficiency (LEP) persons for programs, where such assistance is requested and/or anticipated
- ◆ Identified procedures and a designated representative from the Department responsible for implementing activities related to the Limited English Proficiency Plan
- ◆ Notification of the availability of free language services to those persons in the target audience, through oral and written notice in the relevant primary language assistance activities
- ◆ Staff training on policies and procedures of the organization’s language assistance activities

Full implementation strategies and estimated costs are described in more detail below.

FOUR-FACTOR ASSESSMENT

To ensure individuals with limited English proficiency have meaningful access to the CDBG Program process, the Department conducted a self-assessment in areas relevant to the development of an effective LEP Plan. The Four-Factor Assessment is a tool used to determine the extent of the City’s obligation to provide LEP services. The four factors are: (1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee; (2) the frequency with which LEP persons come into contact with the program; (3) the nature and importance of the program, activity, or service provided the program to people’s lives; and (4) the resources available to the grantee/recipient and costs.

Factor 1 - The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee

The first part of the City’s self assessment involved collecting data on the number of LEP persons eligible to be served, likely to be served, or likely to be encountered by the Department through programs, services, or activities.

To determine the number and proportion of potential LEP persons, relevant demographic information has been collected to identify the number of individuals speaking a language other than English and their proficiency. The information has been collected for the City and Douglas County since the service area for some of the CDBG programs includes City and county residents. The following demographic information illustrates the language abilities for persons over 5 years of age for both jurisdictions. It should be noted that the Douglas County demographics include the City.

LANGUAGE SPOKEN AT HOME	City of East Wenatchee		Douglas County	
	Percent of Total	Persons	Percent of Total	Persons
English only	79.4%	9,658	73.3%	25,775
Language other than English	20.6%	2,505	26.7%	9,378
Speak English less than "very well"	9.6%	1,162	12.6%	4,421
Spanish	18.3%	2,224	24.6%	8,646
Speak English less than "very well"	9.1%	1,111	12.3%	4,336
Other Indo-European languages	1.5%	179	1.2%	407
Speak English less than "very well"	0.2%	28	0.2%	53
Asian and Pacific Islander languages	0.3%	39	0.6%	203
Speak English less than "very well"	0.2%	23	0.1%	31
Other languages	0.5%	63	0.3%	122
Speak English less than "very well"	0.0%	0	0.0%	1

Source: ACS 2011

According to the demographic information above, those persons over 5 years of age speaking a language other than English at home make up approximately 20.6 – 26.7% of the population. Of those individuals, 9.6 to 12.6% speak English less than “very well” and would be considered to have Limited English Proficiency.

Spanish-speaking individuals make up the largest percentage of persons that could potentially qualify as having a Limited English Proficiency. Between 18.3 and 24.6% of those individuals are Spanish speaking and 9.1 – 12.6% speak English less than “very well”.

Persons speaking other languages at home make up less than 5% of the population. Of that population those persons indicating that they speak English less than “very well” make up less than 1% of the total area population.

Since Spanish is the most common language encountered, the target audience for materials and outreach will be to Spanish speaking individuals.

Factor 2 - Frequency with which LEP individuals come in contact with the Department

Although specific numbers have not been recorded in the past, this Department has contact with Spanish-speaking individuals and some individuals with LEP. Those contacts are unpredictable and infrequent and they are typically associated with building permit questions or some other code compliance issue rather than being associated with the CDBG Program. As mentioned previously, the Department does not operate or manage any housing assistance programs. Public contacts regarding CDBG activities are generally at public meetings held in preparation for an annual plan development or performance reporting period.

Implementation Plan

- To more accurately assess the frequency with which the Department has contact with an LEP individual, the Department will initiate a simple

tabulation procedure to document the number and type of encounters with LEP individuals. This will help the Department better document and analyze the scope of language services required.

Factor 3 - Nature or importance of programs or services deemed vital

In general vital documents are considered to be those critical for obtaining or maintaining the services or benefits offered under the CDBG Program. As mentioned above, the Department does not utilize CDBG Program funds for internally administered programs. However, the Department recognizes the importance and benefit of outreach and communication with LEP individuals during the planning, monitoring, and implementation of the CDBG Program.

In addition to the Community Development & Housing Consolidated Plan that is prepared or updated at least every 5 years, there are documents prepared on a yearly basis that include the Annual Action Plan and the Consolidated Annual Performance and Evaluation Report.

The Department utilizes sub-recipients for existing housing assistance programs. The subrecipient will be required to comply with this LEP.

Implementation Plan

- All program documents will contain a notice that alternative format versions will be made available if requested.
- All legal notices and publications intended to inform the public of meetings, the availability of documents, or opportunities for public comment will be published in English and Spanish. In addition to the legal notices published in the City's official newspaper, notices and public service announcements will be transmitted to the local Spanish language paper and radio stations.
- Any application forms for direct assistance utilizing CDBG funds whether through the Department or a subrecipient must be provided in English and Spanish.
- All public notices will contain a notification that translation services and/or documents in an alternate format will be made available upon request.
- Posting signs in intake areas and other entry points regarding the availability of free language services to those persons in the target audience
- Stating in outreach documents that language services are available from the agency.
- Working with community-based organizations and other stakeholders to inform LEP individuals of the agency's services, including the availability of language assistance services

Factor 4 - Resources available to the Department and associated costs

Prior experiences with LEP individuals, the City utilized the services of bilingual staff available from the Municipal Court. Since that opportunity is not a consistently available service, the City will be contracting with an on-call translation service that will enable this Department and other City departments to utilize translation services via telephone.

Implementation Plan

- Contract with Language Line Services or equivalent service provider for on-call translation services. The cost for the service is estimated at \$1.00 per minute.
- Staff will be trained on policies and procedures of the organization's language assistance activities.
- The Department will make available the "I Speak" cards provided to identify individuals with limited English proficiency. Use of the cards will be tabulated. This identification provides a means to monitor changing demographics in the community to better anticipate future needs.
- The City's Website portal will provide opportunities to instantly translate pages as well as links to English and Spanish versions of any materials posted.
- The cost to dual publish notices is anticipated to add approximately \$75.00 per notice.

COMPLAINT PROCEDURE

For persons included in a regularly encountered Limited English Proficiency (LEP) group, written notification of the opportunity to file a discrimination complaint in accordance with federal regulations will be provided. For infrequently encountered groups, Limited English Proficiency persons may be advised orally of the opportunity to file a discrimination complaint pursuant to federal regulations.

LANGUAGE ACCESS COORDINATOR

The City will appoint a language access coordinator. This individual is responsible for ensuring that the Department adheres to its language access plan, policy directives, and procedures to provide meaningful access to LEP persons. Responsibilities include coordinating and facilitating delivery of related services, staff training on the plan's policies and procedures, and ongoing monitoring and assessment of the plan's effectiveness. The coordinator is responsible for language assistance services and may delegate duties but should retain ultimate responsibility for oversight, performance, and implementation of the language access plan.

The City designates Lori Barnett, Community Development Director, as the individual responsible for oversight and implementation of the Limited English Proficiency Plan.

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The language access coordinator will report to the Mayor.

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DEFINITIONS

Limited English Proficiency Person: Persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English can be limited English proficient, or “LEP,” and may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

Recipient of Federal Financial Assistance: Includes grants, training, use of equipment, donations of surplus property, and other assistance. Sub-recipients are also covered, when federal funds are passed from one recipient to a sub-recipient.

Vital Communication: Any document that contains information that is critical for obtaining or maintaining the services or benefits that are supported by Federal funds, or that are required by law. Such documents may include but are not limited to, legal notices, applications, and notices advising LEP persons of the availability of free language services.

Interpretation: The act of listening to spoken words in one language (the source) and orally translating it into another language (the target).

Translation: The replacement of a written text from one language into an equivalent written text in another language