CITY OF ANN ARBOR

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Guidelines and Procedures
INTRODUCTION

The City is committed to making its services, programs and activities available to everyone, regardless of language barriers. As residents, workers or visitors who contribute to the quality of life in the City, LEP individuals are entitled to meaningful access to City services. As a recipient of federal funds, the City is required by federal law to plan for, and provide LEP individuals with meaningful access to City services, programs and activities. The City's LEP Plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq., and its implementing regulations, which state that no individual shall be subjected to discrimination on the basis of race, color, or national origin. Executive Order 13166, titled Improving Access to Services for Individuals with Limited English Proficiency indicates that differing treatment based upon an individual'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 Executive Order applies to all state and local agencies that receive federal funds, including all City service areas receiving federal funds.

LEP community members and advocates can refer to the City's LEP Plan to learn about the City's commitment to ensure LEP individuals have meaningful access to City services, programs and activities. The guidelines and procedures contained in this document apply to all City service areas and all City employees who interact directly or indirectly with LEP individuals.

The Director of Human Resources is responsible for developing and maintaining the City's LEP Plan. For questions about the City's LEP plan, contact (734) 794-6120 or send an email to r wilkerson@ a2gov.org.
LEP SERVICES

The City's LEP Plan governs City and City employee functions and actions, along with sub-recipients of federal funds through the City. This plan does not govern organizations that make use of City space for non-City events.

The City's LEP Plan addresses how services will be provided through general guidelines and specific procedures.

- Notification: Providing notice to LEP individuals about their right to service
- Identification: Identifying LEP populations and LEP services in City service areas
- Interpretation: Offering free and timely interpretation to LEP individuals upon request
- Translation: Providing free and timely translation of vital City documents upon request
- Training: Delivering training on LEP service to City employees

General Guidelines and Procedures for LEP Services

The City's LEP Plan will be updated as necessary by Human Resources.

Human Resources will evaluate the City's LEP Plan on a regular basis to determine its effectiveness. The evaluation will include:

- Identification of the LEP population in the City of Ann Arbor and recalculation of the City's primary language groups
- Assessment of the current level of services delivered to LEP individuals by each City service area
- Reporting on the LEP training received by City employees
- Reporting of activities by each City service area
- Feedback and comments from LEP communities, including organizations and advocacy groups serving LEP individuals, on the effectiveness of the City's LEP services.
- Evaluation of complaints
A. Notification

Guidelines

The City must proactively notify LEP individuals of their right to services, programs and activities.

City service areas and their employees must ensure that LEP individuals know they have the right to free and timely language services as it relates to the City's services, programs and activities.

Notification should be provided in a variety of ways, including, but not limited to:

- Posting signs in appropriate areas, such as waiting rooms, reception areas and other points of entry
- Standard translated content in outreach documents, such as posters or brochures, stating that services are available
- Working with LEP organizations and other stakeholders to inform City of Ann Arbor residents of their right to LEP services

Notification includes (at minimum):

- Information about available LEP services;
- Instructions on accessing services, programs and activities, including directions to City offices; and
- Assurance of free and timely service.

Notice should be provided based on a calculation of relative importance of the information or City services, programs and activities as it relates to the LEP individual.

Decisions on which signs, documents or other means of providing notice should be based on criteria such as:

- Importance or urgency of service
- Volume of contact
Procedures

City service areas should post standard signs informing LEP individuals of their right to free and timely interpretation and translation services.

Catalog current signs that are posted in public areas and decide which signs (e.g. directional, instructional, etc.) are the most important for accessing City services, programs and activities. Translate the most important signs first.

Questions about other signs should be referred to Human Resources.

Vital documents used for City services, programs and activities should include a version of the following message, translated into the City's primary languages: "Attention. If you want help translating this information, call 734 xxx-xxxx".
B. Identification

Guidelines

The City should identify the number or percentage of City of Ann Arbor residents who primarily speak a language other than English, and which languages they speak. The primary languages should be reviewed at least once a year and revised as necessary.

Immigration status is not relevant in determining whether an individual is eligible for the LEP services outlined in the City's LEP Plan. Except under special circumstances, City employees are not permitted to ask an LEP individual about their immigration status. All LEP individuals are eligible for City services, programs and activities.

City service areas will be responsible to keep detailed records of the LEP services they provide. Guidance on keeping records and the ensuing reporting will be provided by Human Resources. These records will be requested by Human Resources on a predetermined schedule. Records may also be requested on a need-to-know basis. The records may be used to determine the level of LEP services, evaluate changes and make appropriate LEP budget decisions.

Procedures

EP individuals can be identified in a variety of ways, including:

- Analyzing existing data sets, such as United States Census data or information from public agencies; or

- Asking LEP individuals to indicate their preferred language using "I Speak" cards or other mechanisms.

General population statistics are accessible on the United States Census Bureau website at [www.census.gov](http://www.census.gov).

Ways to collect information about LEP individuals served may include:

- Adapting databases used by the City to track languages spoken by clients

- Incorporating 'language spoken' fields in client intake forms and tracking responses
• Tracking telephone interpreting service usage
• Counting website 'hits' directed to translated content
• Conducting resident or customer satisfaction surveys
• Tallying the number of translated materials requested or distributed
C. Interpretation and Translation

Guidelines

The City must provide an interpreter, free of charge, to LEP individuals if needed to receive meaningful access to City services, programs and activities. The City must provide a translation of vital documents, free of charge, to LEP individuals if needed to receive meaningful access to City services, programs and activities.

Public meeting notices should include notification language that states interpreters will be provided upon request, if requested at least 5 business days prior to the meeting.

Vital documents must be available in the City's primary languages or readily translated by an interpreter, upon request. Not all documents can be translated and available in every language. City service areas must have the capacity to translate documents upon request and in a timely fashion.

Interpretation is more than the ability to speak two or more languages. Interpretation is the conversion of a spoken message from one language to another, while preserving the intent and meaning of the original message. Interpreters must be skilled and competent. Translation is more than the ability to read and write in two or more languages. Translation is the conversion of a written message from one language to another, while preserving the intent and meaning of the original message. Translators must be skilled and competent.

Competent interpreters should be able to demonstrate at least one of the following:

- Evidence of training that includes skills and ethics of interpreting;
- Ability to convey information in both languages, accurately and completely, as demonstrated by a simulated interpreting encounter; or;
- Fundamental knowledge in both languages of any specialized terms or concepts related to a City service area's service, program or activity.
- The skill of translating is very different from the skill of interpreting. An individual who is a competent interpreter may or may not be competent to translate. A translator should understand the expected reading level of the audience and where appropriate, have fundamental knowledge about the target group's vocabulary and phraseology.
A competent translator should demonstrate one or more of the following:

- Evidence of training that includes skills and ethics of translation
- Proficiency in English and the other language, as documented in an objective language proficiency test
- Ability to convey information in both languages, accurately and completely, as demonstrated by a simulated translation request
- Fundamental knowledge in both languages of any specialized terms or concepts

Interpretation and translation services for the City will be carried out by competent interpreters or translators, whether they are City employees, contractors or telephone interpreters. City employees who work as interpreters or translators must demonstrate competence as defined above. With contract interpreters and translators and telephone interpreters, contracting agencies must demonstrate how competency is assessed. Volunteers, friends or family members whose competence has not been assessed should not be relied upon to interpret or translate. The use of untrained volunteers exposes the City to liability related to its legal obligation to provide competent interpreter and translation services.

For reasons of accuracy, confidentiality and family dynamics, minor children (under 18) should not interpret or translate for family members or other LEP individuals. This guideline does not apply in serious emergency cases when a minor child is the only available potential interpreter or translator.

City employees should not urge or require those who speak little or no English to provide their own interpreter or translator. LEP individuals, however, may use their own interpreter or translator if they waive their right to an interpreter or translator provided by the City. If the effectiveness of service may be compromised or the LEP individual's privacy may be violated, a competent interpreter or translator should be used.

Individuals waiving the right to an interpreter or translator provided by the City will be asked to sign a waiver form.

Access to interpretation or translation services in all City service areas must be timely. No one may be denied access to services based on the lack of interpreter or translator availability.
Procedures

Interpretation or translation can be provided in a variety of ways:

- Bilingual City employee formally trained in interpreting or translating
- Approved City contract vendor providing interpretation or translation services
- Contract or freelance professional translators or contract interpreters providing oral, on-site translation
- Competent volunteer translators

The City maintains contracts with vendors to provide interpretation and translation services. City service areas that use these services will be charged for them. To access an interpreter or translator, City employees must contact Human Resources.

The City maintains contracts with vendors to provide telephonic interpretation services. City service areas that use these services will be charged for using them. To access a telephone interpreter, City employees must contact Human Resources.

Access to translated materials in all City service areas must be timely. No one may be denied access to services, programs and activities based on the lack of translated materials or documents.

If the City hires or contracts with an interpreter or translator, the City has the responsibility to ensure that all individuals should, at a minimum, demonstrate oral and written proficiency in each language and demonstrate familiarity with and comprehension of ethical standards for interpreters and translators.
D. Training

It is important to ensure that all City employees are given proper LEP training. City employees should know their obligations to provide LEP individuals with meaningful access to City services, programs and activities. The more frequent the contact with LEP individuals, the greater the need for in-depth training. City employees with little or no contact with LEP individuals must be aware of the City's LEP Plan. City employees in management positions, even if they do not interact regularly with LEP individuals, must be fully aware of and understand the City's LEP Plan so they can reinforce the importance and ensure the implementation of the City's LEP Plan.

LEP training on a city-wide level will be planned and carried out by Human Resources as needed.

At a minimum, the City will ensure:

- All City employees know about the City's LEP Plan;
- All City employees who are in public contact positions will be trained to work effectively with in-person and telephone interpreters and translators; and
- The City will provide training, including a copy of the City's LEP Plan, as part of the City's orientation for new City employees.
IMPLEMENTING, MONITORING AND UPDATING THE PLAN

The City's LEP Plan will be updated as necessary. Updating and maintaining the City's LEP Plan is the responsibility of Human Resources.

To ensure continuous improvement in providing LEP individuals with meaningful access to City services, programs and activities, the City will seek input from non-English or LEP communities, as well as community-based and advocacy organizations that work and interact with LEP populations.

Human Resources will work with Communications to maintain and update the City's LEP information page on the City's website.

Human Resources will evaluate the City's LEP plan on a regular basis to determine its effectiveness. The evaluation will include:

- Identification of the LEP population in the City of Ann Arbor and recalculation of the City's primary language groups
- Assessment of the current level of services delivered to LEP individuals by each City service area
- Reporting on the LEP training received by City employees
- Feedback and comments from LEP communities, including organizations and advocacy groups serving LEP individuals, on the effectiveness of the City's LEP services
- Evaluation of Human Resources responsibilities in handling complaints.
CONTRACTOR RESPONSIBILITIES

City contracted vendors and sub-recipients of federal funds through the City will be directed to read and follow the City's LEP Plan. Language to ensure compliance with language access and the City's LEP Plan should appear in City contracts. Contractors and vendors will be responsible for notifying and training their employees about LEP mandates. The City Attorney's Office will be responsible for providing City service areas with the necessary LEP language requirements to include in City contracts.
COMPLAINT PROCESS

Complaints regarding LEP services (e.g. poor customer service, timeliness or quality of interpreter services) may be made in a number of ways to Human Resources:

- Face-to-face (Complainant will be asked to fill out a complaint form)
- Telephone (City employees will be asked to fill out a complaint form on behalf of the complainant)
- In writing via the U.S. mail
- In writing via electronic mail
- In writing via fax

The Complaint should contain the following information:

- Name, mailing address, and contact information (i.e. telephone number, email address, etc.)
- How, when, where, and why complainant believes he or she received unsatisfactory service. Include the location, names, and contact information of any witnesses.
- Other information that complainant deems significant

The complaint must be sent to Human Resources at Ann Arbor City Hall, 301 E. Huron, P.O. Box 8647, Ann Arbor, Michigan 48107-8647 or via email to rwilkerson@a2gov.org or fax to (734) 794-6120.