

ST. CHARLES COUNTY REGION

LIMITED ENGLISH PROFICIENCY PLAN

Per guidance from OWD Issuance 04-2021 and Section 188 of WIOA, the St. Charles WDB will ensure individuals with Limited English Proficiency (LEP) have meaningful access to aids, benefits, services, or training under WIOA regardless of their ability to speak, read, write, or understand English. Meaningful access includes quality language services available to LEP participants enabling effective communication with workforce system staff.

Language Assistance Plan

The St. Charles WDB adopts the Missouri Workforce Services Language Access Plan (OWD Issuance 04-2021 Attachment 1) to address the LEP population in our service area.

Community Outreach and Dissemination Language Assistance Services Information

The St. Charles County Job Center staff will inform all LEP customers of their right to timely and complimentary interpreter services. The “Your Right to An Interpreter” poster is displayed in our Job Center Resource Area.

“I Speak” cards and poster

“I Speak” cards will be distributed to customers with LEP, or posters will be displayed in the St. Charles Job Center so that customers with LEP can signal their language and need for assistance.

Notice of Right to Language Assistance

The “Notice of Right to Language Assistance” poster will be displayed in our resource area to inform LEP speakers of their right to an interpreter once they enter our Job Center.

Using a Translator or Interpreter

St. Charles WDB will access the list of contracted vendors of spoken language interpreter services at <https://archive.oe.mo.gov/purch/contracts/> or the State of Missouri’s Language Line Services at <https://language.link/telephonic-interpretation/> or 855-295-9177 as appropriate when needed.

General Customer Service Requirements

The St. Charles WDB will ensure the following:

1. Customer identity is verified
2. Use of an interpreter is documented in the customer’s file
3. Minor children will not be used as interpreters
4. Staff will arrange to have an interpreter available at a time and place convenient for the interpreter and the customer
5. Confidentiality and accuracy of interpretation
6. Free services will be offered

ATTACHMENT 22
St. Charles Region
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Policies

7. If the customer insists on using a family member as an interpreter, document the offer and refusal and accommodate the customer's wishes
8. Missouri Job Center contracted interpreters or bilingual staff are preferred in circumstances when a customer is giving information that may negatively affect his/her eligibility for services
9. MJC contracted interpreters or bilingual staff are preferred in situations where a customer must answer complicated or detailed questions
10. When interpreter services are requested for an uncommon language, staff will be coordinated with the Local EO Officer or the State EO Officer or access:
<https://archive.oa.mo.gov/purch/contracts/>

Utilizing Bilingual Staff

St. Charles WDB staff will ensure job seekers have meaningful and effective access to aids, benefits, and training by evaluating the skill level and training of any bilingual staff, if available, to determine whether the specialized skills of an interpreter or translator are required when providing services.

Emergencies

When programs or the assistance requested requires immediate action, St. Charles WDB staff will take the necessary steps to ensure that all customers have access to services or information within the appropriate time frames.

Translating Requirements for Documents

Vital documents or information (those that are critical for accessing federally funded services or benefits) will be a priority for translation. Forms and other documents will be translated as necessitated by our customer base.

LEP Training Requirements for Staff

The St. Charles WDB will distribute the LEP Access Plan to staff electronically and will provide training and education to all staff to make them aware of our LEP policies and procedures.

LEP Data Requirements

The St. Charles WDB will record and track the preferred language of each participant in the statewide case management system. Quarterly reports will also be pulled from MoJOBS detailing this information and stored in a filing cabinet. To ensure confidentiality, no identifying information will be associated with this data.

Missouri Workforce Services Language Access Plan
(Issuance 04-2021, Attachment 2)

Missouri Workforce Services Language Access Plan

Each year the State and Local Equal Opportunity Officers will analyze Limited English Proficiency (“LEP”) data to determine if outreach needs and to update policies and procedures to ensure equal access to LEP population in Missouri. Each WIOA recipient must develop and implement a Language Access Plan/Policy to address the LEP population in its service area. The Language Assistance Planning Self-Assessment Tool for Recipients of Federal Financial Assistance provides the framework for organizations to develop a comprehensive plan that supports Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency (LEP).” While there is considerable flexibility for recipients in development of a comprehensive Language Access Plan, the ultimate goal is to provide meaningful access to LEP individuals.

No person will be denied access to any WIOA program, activity, or service because he/ she does not speak English or communicates in English on a limited basis. WIOA recipients will foster effective communication between its staff and customers with LEP by making appropriate language assistance services available when needed. This will be done in a timely manner and at no cost to the customer. A person has LEP when he/she is not able to speak, read, write, or understand the English language at a level that allows him/her to interact effectively with WIOA recipients and partners.

This plan covers all programs or activities of recipients of federal financial assistance. This includes OWD and all WIOA recipients and partners. WIOA funded staff will initiate an offer for language assistance to customers who have difficulty communicating in English. When customers ask for language assistance, staff must offer free interpretation and/or translation services in a language they understand, in a way that preserves confidentiality, and in a timely manner. Whenever possible, staff is encouraged to follow a customer’s preference. WIOA recipients operate under Section 188 of WIOA regulations as the State. The State has responsibility to guide and work with WIOA recipients and partners to determine the extent of their responsibility.

LEP Assessment Requirements

Assessment involves identification of the languages that are likely to be encountered in the provider's service area, estimating the number of LEP individuals that are eligible to receive services or benefits who are directly affected by the provider's program or activity. It is required that the following four factors are considered to determine the nature of language assistance provided and to ensure the most effective, meaningful access for LEP individuals, participating in or seeking benefits from, the program or activity:

1. The number or proportion of LEP individuals served or encountered in the eligible service population or likely to be *directly or significantly* affected by program or activity;
2. The frequency with which LEP individuals come in contact with the program or activity;
3. The nature and importance of the program, activity, or service provided by the recipient; and
4. The resources available to the recipient and costs in carrying out the program or activity.¹

In cases where language barriers may have impeded access (i.e., LEP individuals did not know of the rights and/or the availability of free language assistance), statistics on past participation will not capture the true need. The proportion of LEP individuals in the overall program service population should correlate with the proportion of LEP individuals participating in or seeking benefits from the program or activity using the Four-Factor Analysis (i.e., Civil Rights Center; Enforcement of the Title VI of the Civil Rights Act of 1964; Policy Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting LEP Persons; Pages 32294-32295).

Using an Interpreter or Translator

To provide effective services to LEP individuals, OWD and WIOA recipients will use competent interpreters. "Competency" requires that interpreters will have demonstrated proficiency in both English and the intended language; training that includes the skills and ethics of interpreting; fundamental knowledge in both languages of any specialized terms or concepts; and sensitivity to the customer's culture.

Because the skill of translating is very different from the skill of interpreting, and a person who is a competent interpreter may or may not be competent to translate, OWD obtains translation services only from vendors who have a master contract with the Missouri Office of Administration. Vendors who have a master contract were selected through an extensive Request for Proposal (RFP) process. These vendors must adhere to a code of conduct and proficiency standards

The Office of Administration maintains statewide master contracts with qualified vendors of spoken language interpreter services. The vendors offer in-person, videoconferencing, and telephone interpreting. Availability and rates vary by vendor and the urgency of the request. To access the list of contracted vendors of spoken language interpreter services, visit the Office of Administration's Web site at: <https://archive.oa.mo.gov/purch/contracts/>.

The following requirements should be met when it is necessary to utilize a language interpreter to provide meaningful access to WIOA programs, services and activities.

General Customer Service Requirements

1. Verify customer identity - before releasing case-specific information, job center staff must verify the identity of the customer. Bilingual staff, Language Line Services staff, or vendors providing interpretation or translation services through contracts with the state may assist job center staff in making verifications.
2. Document use of interpreter – job center staff must always document in the customer's case file or keep appropriate records when an interpreter is used or when a customer makes use of another form of language assistance. Accurate documentation is especially important for direct service staff.
3. Do not use minor children – job center staff must never use minor children as interpreters.
4. In-person interpreter services - if an interpreter is needed in-person, rather than over the telephone, staff will arrange to have an interpreter available at a time and place that is convenient for both the interpreter and the customer. Staff may arrange for in-person interpreting by contacting vendors directly.
5. Uncommon languages - when interpreter services are needed for a language not commonly spoken in Missouri, staff should coordinate with the Local EO Officer or the State EO Officer or use the other interpreter resources provided on the Office of Administration vendor service list at: <https://archive.oa.mo.gov/purch/contracts/>.

Telephone Interpreter Service

The State of Missouri's Language Line Services provides telephone interpretation in over 240 languages, 24 hours a day, seven days a week. Staff should use Language Line Services when bilingual staff is not available, when the language is one not commonly encountered in Missouri, or when staff is not sure what language a customer speaks. Missouri Job Center staff should familiarize themselves with the Language Line Services interpreting process before they actually use it. For a demonstration, call Language Line Services at 855-295-9177 or visit their Web site at: <https://language.link/telephonic-interpretation/>.

Utilizing Bilingual Staff

One of the primary ways that a bilingual job center staff can be used as part of a broader effort to ensure meaningful access is to have them conduct business with LEP job seekers directly in the job

seeker's primary language.² Many individuals have some proficiency in more than one language, but are not completely bilingual. These individuals may be able to greet a limited English proficient individual in his or her language, but not provide job center services in that language. The distinction is critical in order to ensure meaningful communication and appropriate allocation of resources. As valuable as bilingualism and ability to conduct monolingual communication in a language other than English can be, interpretation and translation require additional specific skills in addition to being fully fluent in two or more languages. A bilingual person can learn to become a translator or an interpreter, but is not automatically so qualified by virtue of his or her language abilities.³

When selecting services, consider the strengths and limitations of various language service providers. For an example, a bilingual person may be fluent and well-suited to having direct conversations (e.g., Spanish to Spanish and English to English conversations) in more than one language, but may not be skilled at converting those conversations from one language to another. In addition, some of the bilingual job center staff may be less than fully bilingual. However, their language skills may still be helpful for limited purposes such as outreach activities and basic conversation to set people at ease or to provide simple directions in ways that do not have significant consequences if accuracy is not perfect.⁴

Professional interpreters and translators are generally required to have undergone rigorous and specialized training. The job center services are very important and ensuring a job seeker has meaningful and effective access to aids, benefits and training is critical. WIOA recipients should evaluate the skill level and training of the bilingual job center staff, and the complexity of the communication, to determine whether the specialized skills of an interpreter or translator are required when providing services.⁵

Use of Family, Friends, or Minor Children as Interpreters

A provider may expose itself to liability under Title VI and Section 188 of WIOA if it requires, suggests, or encourages the use of friends, family member, or minor children as interpreters. Use of such persons could result, due to the close personal relationship, in a breach of confidentiality or a client's reluctance to disclose personal information critical to the client's situation. In addition, there may be a concern about the relative's competency in communication. Where precise, complete, and accurate interpretations or translation of information and/or testimony are critical for adjudicatory or legal reasons, or where the competency of the interpreter requested by the LEP individual is not established, WIOA recipients should provide its own independent interpreter, even if an LEP individual wants to use their own interpreter as well.⁶

While staff may accommodate customers' wishes to have family or friends serve as interpreters whenever possible, staff must keep in mind issues of customer confidentiality and interpreter competency. Follow these rules:

- Protection of confidentiality and accuracy of interpretation should always be of highest concern, particularly if the interview concerns topics that may negatively affect eligibility for services.

- Always offer free interpreter services, as customer may not be aware of interpreter services.
- If a customer prefers to have a family member or friend serve as an interpreter, ask if the customer will allow a trained interpreter to listen in to ensure accuracy of interpretation. If the offer is refused, document the offer and refusal and accommodate the customer's wishes.
- Minor children should never be used as interpreters.
- Missouri Job Center contracted interpreters or bilingual staff should be used in circumstances when a customer is giving information that may negatively affect his/her eligibility for services, including deadlines or certifications.
- Missouri Job Center contracted interpreters or bilingual staff are preferred in situations where a customer must answer complicated or detailed questions. If family or friends handle the interpreting, follow-up calls or letters should be done by bilingual staff, Language Line Services staff, or contractors.

Emergencies

When programs or the assistance requested requires immediate action, WIOA recipients must take the necessary to ensure that all customers, including customers with LEP, have access to services or information within the appropriate time frames. For example, when a customer needs an interpreter or other language assistance services to obtain expedited program services, OWD's goal is to make the services accessible within the required time frame, whether that means using an interpreter or any other appropriate type of language assistance.

Translating Requirements for Documents

Section 188 of WIOA defines vital information as information necessary for an individual to obtain any aid, benefit, service, and/or training; or required by law as whether written, oral or electronic. Examples of documents containing vital information include, but are not limited to:⁷

- applications,
- consent and complaint forms;
- notices of rights and responsibilities;
- notices advising LEP individuals of their rights under Section 188 of WIOA, including the availability of free language assistance;
- rulebooks;
- written tests that do not assess English language competency, but rather assess competency for a particular license, job, or skill for which English proficiency is not required; and
- letters or notices that require a response from the beneficiary or applicant, participant, or employee.

Vital documents or information should be a priority for translation, particularly when the four-factor analysis reveals a need for these documents to be translated. Vital documents or information are those that are critical for accessing federally funded services or benefits or are documents required by law.

For Vital information:

1. For languages spoken by a significant number or portion of the population eligible to be served, or likely to be encountered, a recipient must translate vital information in written materials into these languages and make the translations readily available in hard copy, upon request, or electronically such as on a Web site. Written training materials offered or used within employment-related training programs as defined under §38.4(t) are excluded from these translation requirements. However, recipients must take reasonable steps to ensure meaningful access as stated in §38.9(b).
2. For languages not spoken by a significant number or portion of the population eligible to be served, or likely to be encountered, a recipient must take reasonable steps to meet the particularized language needs of LEP individuals who seek to learn about, participate in, and/or access the aid, benefit, service, or training that the recipient provides. Vital information may be conveyed orally if not translated.
3. Recipients must include a “Babel notice,” indicating in appropriate languages that language assistance is available, in all communications of vital information, such as hard copy letters or decisions or those communications posted on Websites.⁸

Babel notice means a short notice included in a document or electronic medium (e.g., Web site, “app,” email) in multiple languages informing the reader that the communication contains vital information, and explaining how to access language services to have the contents of the communication provided in other languages.⁹ Babel Samples are found at: <https://jobs.mo.gov/sites/jobs/files/babel-notice-samples-ui.pdf>.

The U.S. Department of Labor (USDOL) has not provided direct guidance for WIOA recipients in determining when to provide written translations of vital documents. They have, however, referenced the U.S. Department of Justice’s (DOJ) guidance, which designates the safe harbor for providing written translations.

According to the DOJ’s safe harbor guidance, the following actions will be considered strong evidence of compliance with OWD’s written-translation obligations:

- a) The recipient provides written translations of vital documents for each eligible language group with LEP that constitutes five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or
- b) If there are fewer than 50 persons in a language group that reaches the five percent trigger as described in the preceding paragraph, the recipient does not translate vital

written materials but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials at no cost.

Forms and other documents should be translated into any or all of the ten primary languages, as necessitated by the customer base, unless the translation of a certain document(s) would be burdensome enough to defeat the legitimate objectives of its program. OWD's primary languages include Spanish, Chinese, and German according to the Missouri Economic Research and Information Center (MERIC). For more information on languages spoken in Missouri can be found at: <https://meric.mo.gov/data/many-languages-missouri>. When analyzing the language participant data, the top languages accessed through Missouri Job Centers are Spanish, Somali, and Arabic.

OWD has made the documents and forms available at: <https://jobs.mo.gov/dwdeo>.

Assisting Customers with Various Levels of Literacy

Some LEP customers may not have the ability to read and understand written materials; therefore, oral interpretation of written materials may be necessary. Interpreters should be aware of variances within a language and should be able to communicate with clients using the appropriate everyday speech.

Missouri Job Center staff must assist customers with LEP who cannot read their preferred language to the same extent as they would assist English-speaking customers who cannot read English.

Staff Tips and Guidance

All LEP training will be coordinated through the State and Local EO Officers.

Contract Translation Services

The Office of Administration maintains a master contract of vendors of translation services for state agency use at: <https://archive.oa.mo.gov/purch/contracts/>. The vendors offer document translation, audio and video production services, and other translation-related services. Services, rates, and turnaround time vary by vendor and the urgency of the request. To coordinate documents that need translating, please coordinate through the Local EO Officer or the State EO Officer.

Community Outreach and Disseminating Language Assistance Services Information

Missouri Job Center staff must inform all LEP customers of their right to timely and

complimentary interpreter services. OWD has provided "[Your Right to an Interpreter](#)" posters for each workforce service to post in job centers and affiliate sites.

"I speak" cards

"I speak" cards say in both English and the primary languages, "I need a (the appropriate language) interpreter." Staff may distribute the cards to customers with LEP so they can present the "I speak" cards to signal their language and need for assistance. I speak cards can be downloaded from:

<https://www.dol.gov/sites/dolgov/files/OASAM/legacy/files/ISpeakCards.pdf>.

Notice of Right to Language Assistance

OWD has provided a "Notice of Right to Language Assistance" statement that has been translated into 35 of the languages most commonly spoken in Missouri. The "Notice of Right to Language Assistance" poster is available online at:

https://jobs.mo.gov/sites/jobs/files/your_right_to_an_interpreter_16x20.pdf. This notice statements inform LEP speakers of their right to an interpreter once they enter a Missouri Job Center setting.

Affirmative Outreach Requirements

WIOA recipients must take appropriate steps to ensure that they are providing equal access to their WIOA Title I-financially assisted programs and activities. These steps should involve reasonable efforts to include members of the various groups protected by these regulations including but not limited to persons of different sexes, various racial and ethnic/national origin groups, various religions, individuals with limited English proficiency, individuals with disabilities, and individuals in different age groups. Such efforts may include, but are not limited to:

- a) Advertising the recipient's programs and/or activities in media, such as newspapers or radio programs, that specifically target various populations;
- b) Sending notices about openings in the recipient's programs and/or activities to schools or community service groups that serve various populations; and
- c) Consulting with appropriate community service groups about ways in which the recipient may improve its outreach and service to various populations.¹⁰

For more guidance on developing and implementing an affirmative outreach plan, please refer to the Missouri Nondiscrimination Plan, Affirmative Outreach Section.¹¹

LEP Data Requirements

Effective January 3, 2019, WIOA recipients must also record the limited English proficiency and preferred language of each applicant, registrant, participant, and trainee. Such information must be stored in a manner that ensures confidentiality, and must be used only for the purposes of recordkeeping and reporting; determining

eligibility, where appropriate, for WIOA Title I-financially assisted programs or activities; determining the extent to which the recipient is operating its WIOA Title I-financially assisted program or activity in a nondiscriminatory manner; or other use authorized by law.¹²

LEP Training Requirements for Staff

LWDBs must distribute a LEP Access Plan electronically and provide training and education so all staff will be aware of LEP policies and procedures. OWD will incorporate the LEP Access Plan information into the OWD new employee orientation program, and LEP training will include information on the following topics:

- OWD's legal obligation to provide language assistance
- The substance of OWD's LEP plan, including its policies and procedures for accessing language assistance services

All Missouri Job Center staff in ongoing public contact positions and management staff will be provided more in-depth training that includes:

- ☐ Tips on working with in-person and telephone interpreters,
 - How to properly document information about a customer's language needs in the customer's case file or in WIOA recipient files where necessary,
- ☐ Best practices,
- ☐ Missouri Job Center staff contacts for information regarding LEP

LEP Monitoring Requirements

OWD will conduct an evaluation of its LEP program to determine its overall effectiveness. The State Equal Opportunity Officer will lead the evaluation with the help of the OWD's Compliance Unit. The evaluation will include:

- ☐ Current LEP populations in service delivery area
- ☐ Frequency of encounters with LEP language groups
- ☐ Whether existing assistance is meeting the needs of LEP person?
- ☐ Do staff members know and understand the LEP plan and how to implement it?
- ☐ Are current identified sources for assistance still available and practical?
- ☐ Assessment of available resources, including technological advances and sources of additional resources, and the costs imposed.

LWDBs are responsible for monitoring their LEP program annually during their analysis of programs, services and activities. For more information on monitoring access to services for LEP customers, refer to the Missouri Nondiscrimination Plan, Monitoring Requirements Section.¹³

LEP Plan Distribution and Public Posting

The LEP plan will be:

- ☐ Distributed to all Missouri Job Centers staff and partner staff
- ☐ Accessible on OWD Main web site
- Posted for public review, although the text will be in English, the title, “Limited English Proficiency Plan,” will be posted in customers’ primary languages.
- ☐ Bilingual staff or interpreters will read the plan to customers upon request. Partner organizations can download the translations of the LEP Plan from the OWD Main web site.

Complaint Process

OWD has a complaint procedure to resolve discrimination complaints. This complaint procedure will be used to resolve LEP-related disputes and complaints. Individuals who have a concern about discrimination may make a complaint to the [Local Equal Opportunity Officer](#) of the area in which the alleged discrimination took place or they may file directly with:

Danielle Smith
State WIOA Equal Opportunity Officer
Department of Higher Education and Workforce Development
Office of Workforce Development
301 W. High Street | PO Box 1087 | Jefferson City, MO 65102-1087
Email: danielle.smith@dhewd.mo.gov
Office: (573) 751-2428 | Fax: (573) 751-4088 | Missouri Relay Services at 711

Isaac Hagan
Workforce Data Analyst
Department of Higher Education and Workforce Development
301 W. High Street | PO Box 1087 | Jefferson City, MO 65102-1087
Email: isaac.hagan@dhewd.mo.gov
Office: (573) 751-8626 | Missouri Relay Services at 711, or

The Director, Civil Rights Center (CRC) U.S. Department of Labor 200 Constitution Ave., NW Room N-4123 Washington, DC 20210 or electronically as directed on the CRC Web site at www.dol.gov/crc.

Other LEP Resources

1. [APPENDIX TO §38.9—GUIDANCE TO RECIPIENTS - RECIPIENT LANGUAGE ASSISTANCE PLAN \(LEP PLAN\): PROMISING PRACTICES](#)
2. [Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs](#) - May 9, 2011
3. [Common Language Access Questions, Technical Assistance, and Guidance for Federally Conducted and Federally Assisted Programs \(PDF\)](#) - August 15, 2011
4. [Considerations for Providing Language Access in a Prosecutorial Agency](#) - September 21, 2011
5. [Top Tips from Responses to the Survey of Language Access Strategies Used by Federal Government Agencies](#), Federally Conducted Committee, Federal Interagency Working Group on Limited English Proficiency
6. [Guide to Developing a Language Access Plan](#), U.S. Centers for Medicare & Medicaid Services, U.S. Department of Health and Human Services – 2018
7. [Professional Services - Language Services, Translation and Interpretation Services](#), General Services Administration
8. [Professional Services - Language Services, Linguistic Training and Education](#), General Services Administration
9. [Foreign Language Services Ordering Guide](#) - A tool to help federal program staff and procurement officers purchase high quality language services - August, 2016
10. [Before You Hire - Ask Yourself: "What are my Project's Language Needs?"](#) - TIPS to making language service hiring decisions
11. [TIPS on Hiring the Right Telephonic Interpretation Vendor](#)- TIPS to finding a high-quality telephone interpretation vendor
12. [TIPS for Working with Telephone Interpreters](#) - TIPS for planning, placing, and troubleshooting phone-calls with telephone interpreters
13. [What Does it Mean to be a Certified Linguist?](#) - TIPS to discovering vendor and linguist qualifications
14. [TIPS on Building an Effective Staff Language Service Program](#) - TIPS for recruiting, hiring, assessing, and retaining staff linguists
15. [National Language Service Corps \(NLSC\)](#)
16. [Interagency Language Roundtable \(ILR\)](#)
17. [Federal Language Access Survey – 2006](#)
18. [Five Steps to Improving Communications with LEP Populations](#), Hablamos Juntos, Robert Wood Johnson Foundation – 2009

Definition of Terms

Bilingual Staff - People who are completely bilingual are fluent in two languages. They are able to conduct the business of the workplace in either of those languages. Bilingual staff can assist in meeting the Title VI and Executive Order 13166 requirement for federally conducted and federally assisted programs and activities to ensure meaningful access to LEP persons.

Effective Communication – Effective communication occurs when WIOA recipients have taken the necessary steps to make sure that a person with limited English proficiency (LEP) is given adequate information to understand the services and benefits available and receives the benefits for which he/she is eligible. Effective communication also means that a person with limited English proficiency is able to communicate the relevant circumstances of his/her situation to the provider.

Four-Factor Analysis – A flexible and fact-dependent standard that balances the following four factors: 1. The number or proportion of LEP persons served or encountered in the eligible service population; 2. the frequency with which LEP individuals come in contact with the program; 3. the nature and importance of the program, activity or service provided by the recipient; and 4. the resources available to the recipient and costs.

Interpretation - Interpretation is the oral or spoken transfer of a message from one language into another language.

Limited English Proficiency (LEP) - A person with limited English proficiency or “LEP” is not able to speak, read, write, or understand the English language well enough to allow him/her to interact effectively.

Meaningful Access - Meaningful access to programs and services is the standard of access required of federally funded entities and their sub recipients to ensure meaningful access for people with limited English proficiency. Service providers must make available to applicants/recipients, at no cost to them, language assistance that results in accurate and effective communication.

Primary Languages - Primary languages are the languages other than English that are most commonly spoken by customers.

Translation - Translation means the written transfer of a message from one language into another language.

Vital Documents or Information – Documents or information that is critical for accessing federally funded services or benefits or are documents required by law. Federal guidelines suggest the importance of the program, information, encounter, or service involved may control whether or not a document is vital. Consequences to a LEP person if the information is not provided accurately and in a timely manner

should also be taken into consideration.

Staff Tips and Guidance

- [How to Use Interactive Voice Response: Steps to initiate and FAQ's for getting connected with an interpreter](#)
- [How to Work with a Telephone Interpreter](#)
[What Federal Agencies and Federally Assisted Programs Should Know about Providing Services to LEP Individuals](#)