

HIDALGO COUNTY, TEXAS
ADMINISTRATIVE POLICY MANUAL

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LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Purpose:

The purpose of the Limited English Proficiency (LEP) Plan is to clarify the responsibilities of the County and those entities that undertake governmental duties on behalf of the County (including contractors and subcontractors) and to assist them in fulfilling their responsibilities to LEP persons. This plan also serves to show the County's commitment to ensure its departments/offices communicate effectively with Limited English Proficiency individuals and provide persons with limited English proficiency access to all County 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 County Department Heads/Elected Officials, including Hidalgo County Head Start Program and Community Service Agency, and those entities that undertake governmental duties on behalf of the County (including contractors and subcontractors) must make a meaningful attempt to provide LEP persons with a means of effective communication.

LEP Policy Statement:

It is the policy of the County of Hidalgo to provide timely meaningful access for LEP persons to all County 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 County of Hidalgo 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 County of Hidalgo. 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 County departments/offices should take to ensure meaningful access for LEP persons, the County of Hidalgo considers the following:

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1. The number or proportion of LEP persons eligible to be served or likely encountered by the County program, activity, or service;
2. The frequency with which LEP individuals come in contact with the County program, activity, service;
3. The nature and importance of the program, activity, or service provided by the County;
4. The resources available to the County and overall costs to provide the LEP assistance.

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 County 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 County program, activity, or service.

The County of Hidalgo 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/office's staff:
 - The number and type of such encounters must be periodically analyzed by the department/office to determine the breadth and scope of the language services required.
- Most recent U.S. Census Bureau data:
 - Department/Offices shall analyze data from the most recent U.S. Census Bureau data, regarding languages spoken in the County of Hidalgo as well as those who self-identified that they spoke English less than "very well".

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

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In addition to research conducted to identify LEP persons in Hidalgo County, all county 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 County 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 County.

The County of Hidalgo 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 County program, activity, or service provided to LEP persons, County departments/offices 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 County services, programs, or activities may have on the LEP person.

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

4. The resources available to the County of Hidalgo and overall costs.

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

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- what staff and/or volunteer language interpreters are readily available, see Attachment 06;
- 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 County of Hidalgo 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 County 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 County 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 individuals to self-identify (Attachment 05).

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 the Employee Language Report (Attachment 06) 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/Elected Officials. If staff cannot assist, the County shall access available resources for another form of translation service.

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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 and shall be documented.

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

Staff Training:

County Department Heads/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 Hidalgo County 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:

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

Translation Services:

The County of Hidalgo's Title VI/Nondiscrimination Coordinator, in coordination with county 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 should be translated when a significant number or percentage of LEP population is likely to be affected by the

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program/activity and it contains information that is critical for obtaining services and/or benefits.

Public service announcements should be provided in regularly encountered languages.

Providing Notice of Available Language Services to LEP Persons:

County 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/office.

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

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 County's Title VI/Nondiscrimination Coordinator begins acquiring statistically significant requests for interpretive or translation services in the County'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 County of Hidalgo?
- 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 Hidalgo County programs? Are there other programs that should be included?
- Has the County's or a specific county department's/office's available resources, technology, staff, and financial costs changed?
- Has the County fulfilled the goals of the LEP Plan?
- Are identified sources of assistance still available and viable?

County Department Heads/Elected Officials must maintain the data throughout the calendar year and should complete and return Attachments 06 – 08 on an annual basis to the Title VI/Nondiscrimination Coordinator. Department Heads/Elected Officials may adopt alternate methods to document LEP encounters provided that such methods

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comply with this policy, contain the information found in Attachment 07 "LEP Requests Log," and are approved by the County's Title VI Coordinator.

Dissemination of the LEP Plan:

For more information regarding the County's policies on LEP, a copy of the LEP Plan can be found on our website at www.hidalgocounty.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 Hidalgo County Title VI Coordinator at:

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