

Limited English Proficiency (LEP) Plan

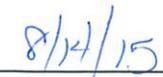
Ontario County, New York

Signed by:



Title VI Coordinator

Date:



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INTRODUCTION

This Limited English Proficiency (hereinafter "LEP") Plan has been prepared to address Ontario County's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency. The 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 states that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, entitled Improving Access to Services for Persons with Limited English Proficiency, states that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination which is covered under Title VI. It directs each agency (e.g., FHWA) to publish guidance for its respective recipients (e.g., NYSDOT) clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies that receive federal funds and extends to their sub recipients.

PLAN SUMMARY

Ontario County has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by Ontario County. As defined by 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 notification to LEP persons regarding the availability of assistance. For detailed guidance regarding LEP, see NYSDOT's LEP Plan at:

https://www.dot.ny.gov/divisions/policy-andstrategy/publictransrespository/Attachment%20D-1%20LEP_Plan.pdf.

In order to prepare this plan, Ontario County used the Federal Highway Administration (FHWA) Four-Factor LEP analysis:

- 1) The number or proportion of LEP persons in the service area who may be served by Ontario County;
- 2) The frequency with which LEP persons come in contact with Ontario County services;
- 3) The nature and importance of services provided by Ontario County to the LEP population; and
- 4) The interpretation services available to Ontario County and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is found in the following section.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1) The number or proportion of LEP persons in the service area who may be served by Ontario County

Ontario County's staff reviewed the American Community Survey 5-Year Estimates for New York State and determined that:

- a. 6,606 individuals in Ontario County's service area, comprising 6.4% of the population, speak a language other than English;
- b. Of those, 2,331 individuals have limited English proficiency; that is, they speak English less than "very well" or "not at all." This is only 2.3% of the overall population in the service area;
- c. In Ontario County's service area, of those persons with limited English proficiency:
 - 3.2% speak German
 - 56.2% speak Spanish
 - 0% speak African languages
 - 5.4% speak Chinese
 - 3.1% speak Serbo-Croatian
 - 0% speak Scandinavian
 - 3% speak Japanese
 - 0.4% speak Russian
 - 0.4% speak other Indic languages
 - 7.3% speak Vietnamese
 - 4.1% speak French
 - 4.7% speak Italian
 - 0.7% speak Tagalog
 - 1.3% speak other Slavic languages
 - 6.3% speak Arabic, Indo-European languages
 - 0% speak Native North American Languages
 - 4.1% speak all other languages

2) The frequency with which LEP persons come in contact with Ontario County's services

In 2014, Ontario County conducted a Multilingual Survey of all of its departments in order to review the frequency with which each department has contact with LEP persons, and the resources used by those departments encountering LEP persons. Consistent with the LEP data set forth above, the survey results reflected that the LEP population most commonly in contact with Ontario County's services is the Spanish-speaking population. The departments with the most frequent contact were the

Department of Social Services, Sheriff's Department, County Clerk, Probation, and the Department of Public Health.

A Multilingual Survey will be periodically circulated to all County departments in order to assess changes in the frequency of contact with LEP persons and department needs with regard to LEP services.

3) The nature and importance of services provided by Ontario County to the LEP population

There is no large geographic concentration of any type of LEP group in the service area for Ontario County. The overwhelming majority of the population, 93.6%, speaks only English. As a result, there are few social, service, or professional and leadership organizations within the Ontario County service area that focus on outreach to LEP individuals. Ontario County's staff are most likely to encounter LEP individuals through office visits, phone conversations, notifications from department staff regarding the results of service delivery, law enforcement activities, and attendance and participation at public meetings.

4) The resources available to Ontario County, and overall cost to provide LEP assistance

The 2014 Multilingual Survey requested that the departments identify the interpreter services they utilize, and the annual expense for those services. The following information was provided:

- Pacific Interpreters | \$2 per minute
- Family Counseling Service | \$500 annually
- Language Line | \$1000 annually or \$.75 per minute

Additionally, several departments used the following free interpreter services:

- Geneva Community Health
- Google/iPhone applications
- Local volunteer interpreters

A list of available interpreters for various languages, with contact information, was distributed to all Ontario County department heads after the 2014 Multilingual Survey was conducted, and again in August 2015.

LANGUAGE ASSISTANCE

A person whose primary language is not English and who has a limited ability to read, write, speak or understand English may be a person with Limited English Proficiency and may be eligible to receive language assistance with respect to Ontario County services. Language assistance can include interpretation (that means oral or spoken

transfer of a message from one language into another language) and translation (that means the written transfer of a message from one language into another language).

How Ontario County staff can identify an LEP person in need of language assistance:

- Posting notices on the Ontario County website regarding this LEP Plan and the availability of interpretation or translation services upon request;
- Providing Ontario County staff with language identification cards to assist in identifying the language interpretation services needed if the occasion arises;
- Observing the need for LEP services when interacting with the public in Ontario County; and
- Periodically surveying Ontario County staff regarding their interaction with LEP persons.

Although there is a very low percentage of LEP individuals in the Ontario County service area, Ontario County is taking, or will take, the following actions to accommodate LEP persons:

1. Ontario County staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English;
2. The Ontario County website will include a "Google translate" option that allows LEP persons to view the website in their language;
3. Upon request, Ontario County will provide LEP individuals, free of charge, with interpreter or translation services related to a County program or service. Requests for services should be submitted to:

Title VI Coordinator, Ontario County Compliance Officer
Office of the Ontario County Administrator
20 Ontario Street
Canandaigua, NY 14424

4. Lists of available interpreter services have been distributed to all department heads. The resources available to accommodate LEP persons, as detailed above, include both free and paid interpreter services.

STAFF TRAINING

Information and training opportunities regarding the following topics will be provided to staff:

- Title VI Policy and LEP Plan and responsibilities

- Description of language assistance services offered to the public
- Proper use of language identification cards
- Documentation of language assistance requests
- Title VI/LEP complaint procedure

All contractors performing work for Ontario County are required to follow the Title VI/LEP Policy.

TRANSLATION OF DOCUMENTS

Ontario County weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating documents, the likelihood of frequent changes in documents and other relevant factors, Ontario County has determined that it is an unreasonable burden to translate documents at this time. However, Ontario County does project that, in the near future, its website will offer the "Google translate" option that will allow LEP persons to view the website in their language.

Due to the very small LEP population, Ontario County does not have a formal outreach procedure in place as of 2015. However, if the need arises to conduct outreach to LEP individuals, Ontario County will consider the following options:

- When staff prepares documents or schedules a public meeting whose audience is expected to include LEP individuals, Ontario County will provide meeting notices, direct mailings (where applicable), and agendas in the appropriate language(s); and
- Ontario County will assess requests for the translation of documents based on the potential effect and known LEP population.

MONITORING

Monitoring and Updating the LEP Plan – Ontario County will update the LEP Plan as required. At a minimum, the Plan will be reviewed and updated when recent data from the U.S. Census and the American Community Survey becomes available, or when it is clear that higher concentrations of LEP individuals are present in the Ontario County service area. Updates to the LEP Plan may include the following:

- The number of documented LEP contacts encountered annually;
- How the needs of LEP persons have been addressed;
- Determination of the current LEP population in the service area (census data, surveys, and other sources);
- Determination as to whether the need for translation services has changed;
- Determination of the effectiveness of language assistance efforts;
- Determination of the adequacy of Ontario County's financial resources to fund language assistance resources;

- Determination of Ontario County's compliance with the goals of the LEP Plan; and
- Determination of Ontario County's processing of Title VI/LEP complaints.

DISSEMINATION OF THE ONTARIO COUNTY LEP PLAN

Ontario County will take the following actions to disseminate the LEP Plan:

- Post the LEP Plan and procedure to access language services on the Ontario County website;
- Post signs in areas of Ontario County facilities frequented by the public informing LEP persons of the LEP Plan and how to access language services; and
- Notify LEP persons of the availability, upon request, of documents in other languages. Where the audience of a public meeting is expected to include LEP individuals, this notice will be placed on the public meeting notice and agenda in the language of the affected LEP persons.