

Van Wert County Council on Aging (VWCCOA)

Limited English Proficiency Plan

November 2014

I. Introduction

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. 200d seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color national origin under any program or activity that receives federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination

II. Executive Order 13166

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services. Federal agencies were instructed to publish guidance for their respective recipients in order to assist them with their obligations to LEP persons under Title VI. The Executive Order states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964-National Origin Discrimination Against Persons with Limited English Proficiency," (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write or understand English may be a type of national origin discrimination.

The U.S. DOT published revised guidance for its recipients on December 14, 2005. This document states that Title VI and its implementing regulations require that DOT recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP) and that recipients should use DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.

The FTA references the DOT LEP guidance in its Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," which was published on October 1, 2012. Chapter III, Part 9 of this Circular reiterates the requirement to take responsible steps to ensure meaningful access to benefits, services, and information for LEP persons and suggests that FTA recipients and subrecipients develop a language implementation plan consistent with the provisions of Section VII of the DOT LEP guidance.

III. Statement of Policy:

It is the policy of VWCCOA to provide meaningful access to services to Limited English Proficiency (LEP) persons in a reasonable and timely manner. Should an LEP individual contact VWCCOA or receive services through VWCCOA funded programs every effort will be undertaken to ensure that the individual has access to all available benefits and services.

IV. Four Factor Analyses

Factor 1: The number or proportion of LEP persons eligible to be served or likely to encounter a VWCCOA:

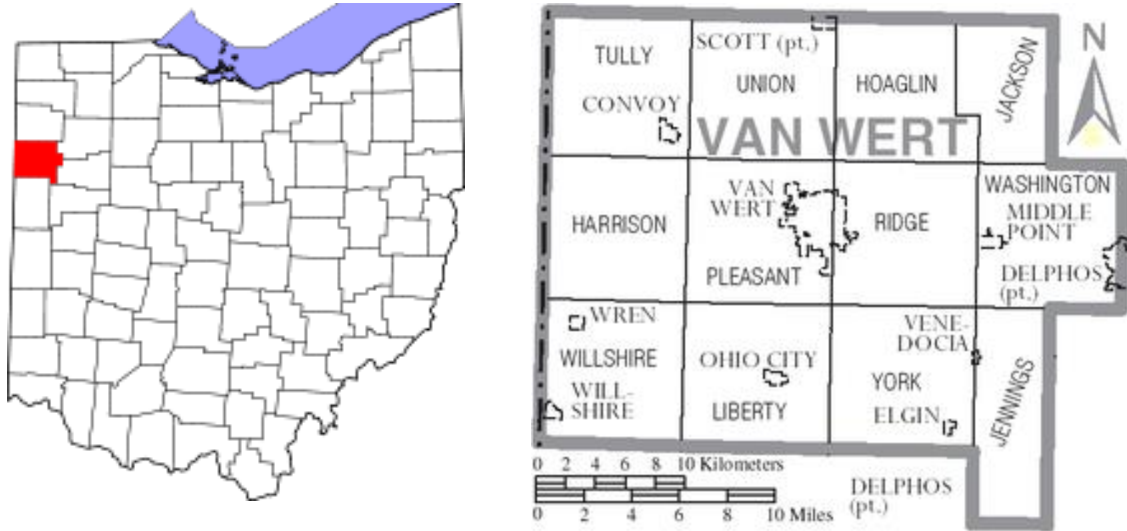
A review of the census data on the numbers of limited English proficient or LEP persons revealed that over the last 5 years in Van Wert County, Spanish had the highest percentage of total population and spoke a language other than English. (See U.S. 2010 Census Bureau Data, using American Fact Finders) The number of Spanish speaking LEP individuals 5 years and older that spoke English "not well" or "not at all" was 197 or less than .007%.

Please see the table below for Van Wert County data:

Language	Estimate
Total:	27,021
Speak only English	26,248
Spanish or Spanish Creole:	423
Speak English "very well"	226
Speak English less than "very well"	197

Source: U.S. Census Bureau, 2008-2012 American Community Survey

Van Wert County Council on Aging Service Area



Factor 2: The frequency with which LEP individuals come in contact with a Van Wert County Council on Aging program, activity, or service:

In recent history, there has been no known contact at board of director LEP individual. Website access by LEP persons is unknown. The Van Wert County Council on Aging 3 currently serves one client who is LEP and communication conducted with this client through lip reading and written forms of communication.

Factor 3: The nature and importance of the program, activity, or service provided by VWCCOA:

The Van Wert County Council on Aging mission is to provides supportive services which will assist all Van Wert County Citizens (age 60 and over) who are capable of self-care, to secure and maintain dignified and reasonably independent lives in their own home. An LEP person might be in contact with our staff at the Van Wert Senior Center, may be a client of our transportation or chore service or may need assistance through our community outreach program. Assisting the needs of LEP clients helps these seniors to maintain their independence in their own homes and our specific workers tasks with helping these individuals must be able to implement the interpretation services to provide quality care.

Factor 4: The resources available to VWCCOA on Aging 3 and overall costs:

The Van Wert County Council on Aging is committed to providing access to information, programs and services for the LEP population and provides interpreters should staff come into contact with a Spanish-speaking LEP individual.

The Van Wert County Council on Aging has contracted interpreters to assist with LEP clients and has had no issues to date with covering the costs of the service when warranted by consumer need.

V. Plan for Assisting Persons of Limited English Proficiency

Describe how recipient provides language assistance service by language:

VWCCOA provides language assistance service for Spanish-speaking LEP individuals by contracting with local interpreters. Spanish speaking individuals represent the highest percentage of LEP individuals in Allen, Auglaize, Hancock, Hardin, Mercer, Putnam and Van Wert Counties but the percentage does not approach the five percent safe harbor threshold.

Contracted interpreter information:

Laura Leigh	818 N. Franklin Van Wert, OH 45891 419-771-1308	for Hearing Impaired
Carla Frank	818 N. Franklin Van Wert, OH 45891 419-771-1314	for Hearing Impaired
Sylvia Torres	206 East Main St. Lima, OH 45801 419-230-2401	Spanish Interpreter

Describe how recipient trains employees to provide timely and reasonable language assistance to LEP populations:

The Van Wert County Council on Aging staff will be provided the opportunity to read the LEP plan and to be educated on procedures and services available to LEP populations. Training will be available as part of the orientation process for new hires.

Training topics include:

- Understanding the Title VI LEP program responsibilities;
- What language assistance VWCCOA offers;
- How to access an interpreter;
- Documentation of language assistance requests;
- How to handle a complaint;

Describe how recipient monitors, evaluates and updates the language access plan:

This plan is designed to be flexible and is one that can be easily updated. VWCCOA will monitor the LEP Plan using the following methods:

-Post event assessments of public hearings and community events that examine plan components, such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in the Van Wert County area?
- Has there been a change in the types of languages needing interpreters?
- Has the VWCCOA fulfilled the goals of the LEP population?

Describe how recipient provides notice to LEP persons about the availability of language assistance:

A Title VI Notice to the Public is posted in the VWCCOA public bulletin board. Copies of the LEP Plan will be provided upon request to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request. Requests can be made to :

**Executive Director
220 Fox Rd.
Van Wert, OH 45891
Phone: (419)238-5011 / Fax: (419)222-6019**