

DHS Recipients - Developing a Language Access Plan

Recipients can find detailed information about their language access requirements in the *DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons* ([DHS Recipient Guidance](#)). This short document provides a summary of Section VII of the DHS Recipient Guidance, “Elements of an Effective Plan on Language Assistance.” The following five elements may be helpful in designing a Language Access Plan (or “LEP plan”):

1. IDENTIFYING LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUALS WHO NEED LANGUAGE ASSISTANCE

Once the recipient has completed an initial assessment of the number or proportion of LEP individuals eligible to be served and the frequency of its contact with LEP persons, it should have ways to identify the language of communication of LEP persons with whom it has contact. This section may include a process for staff on how to determine that an individual is LEP and the extent to which language services must be provided. One way to determine the language of communication is to use language identification cards (or “I Speak” cards), which invite LEP persons to identify their language needs to staff. The recipient can download a PDF of the “I Speak” booklet and a poster from the CRCL website (<http://www.dhs.gov/CRCL>) and LEP.gov (<http://www.lep.gov>), which can be printed and posted.

Example:

Service Area: City of Seattle

Languages Spoken by LEP Populations: Major languages include Spanish, Amharic, Chinese, French, Hindi, Japanese, Korean, Punjabi, Russian, Somali, Tagalog, Vietnamese, and Ukrainian

Languages Encountered Most Frequently at Points of contact: Call Center, reception, documenting a grievance, public meetings, filling out paperwork: Spanish, Chinese, and Vietnamese

2. LANGUAGE ASSISTANCE MEASURES AND AVAILABLE RESOURCES

An effective LEP plan would likely include establishing policies for interactions between the recipient and LEP persons and information about the ways in which the recipient will provide language assistance. For instance, recipients may want to include information on at least the following:

- Types of language services available (e.g., telephonic interpretation, in-person interpretation, translation of written materials);
- How staff can obtain those services;
- How to respond to LEP callers;
- How to respond to written communications from LEP persons;
- How to respond to LEP individuals who have in-person contact with recipient staff; and
- How to ensure competency of interpreters and translation services.

Example:

Types of Language Services:

Oral: Consider the type and qualifications of interpreters the organization will require: contract interpreters, telephonic interpretation, and/or qualified bilingual staff.

Written: Consider which documents are “vital” documents, in other words those that contain information that is critical for obtaining services and/or benefits. Vital documents the recipient translates may include application forms, eligibility forms, complaint forms, and intake/information forms.

3. DISTRIBUTION OF PLAN AND TRAINING FOR STAFF

The recipient’s staff members should know their obligations to provide meaningful access to information and services for LEP persons. Thus, recipients should distribute the plan to all appropriate staff. An effective LEP plan would also likely include training to ensure that:

- Staff knows about LEP policies and procedures; and
- Staff having contact with the public, or with individuals in the recipient’s custody, is trained to work effectively with in-person and telephone interpreters.

The recipient may want to include this training as part of the orientation for new employees. Trainings may focus on language access requirements; the policies and procedures of the organization to provide language access; working with an interpreter, including telephonic interpretation services; communication and interpretation skills, including ethics and confidentiality principles for bilingual employees and volunteers. This section may also include a training schedule.

Example: Training should include everyone who interacts with the public, including receptionists, security guards, etc. The U.S. Department of Justice and other federal agencies, have developed series of [videos](#) that focus on communicating effectively with individuals with limited English proficiency in various contexts that the recipient may use in training its staff.

4. PROVIDING NOTICE TO LEP PERSONS

The recipient may describe the methods used by the organization to inform LEP persons and populations of the availability of free language services, which may include, but are not limited to, public notices, flyers, discussions within the community, and advertisements in foreign language newspapers, radios, or television channels. Other examples of notification include:

- Using a telephone voice mail menu. The menu could be in the most common languages encountered. It should provide information about available language assistance services and how to get them.
- Presentations and/or notices at schools and religious organizations.

The recipient should provide this notice in languages LEP persons will understand. Moreover, it is important for the recipient to provide notice of its complaint procedures, including how to file complaints with the recipient and or the DHS Office for Civil Rights and Civil Liberties (CRCL) at crcl@hq.dhs.gov. More information about filing a complaint with CRCL can be found at <http://www.dhs.gov/crcl>.

Example: Taglines, such as other notices discussed above, are designed to inform individuals with limited English proficiency about the availability of language assistance services. For example, a tagline that will be translated in Spanish might say: “If you speak Spanish, language assistance services are available free of charge. Call XXX-XXX-XXXX for assistance.”

5. MONITORING, ASSESSING, AND UPDATING THE LEP PLAN

The recipient may describe the process it will utilize to monitor and to evaluate the effectiveness of the Language Access Plan in fulfilling language access requirements. This may include a process for updating the Language Access Plan if a new LEP population emerges in the service area or when a new resource to provide language services becomes available. Additionally, recipients may want to provide notice of any changes in services to the LEP public and to employees.

Example: The recipient may want to survey staff members on a regular basis about their use of language assistance services, suggestions for improvement, and if the services provided meet the language needs of the local communities.

CONSULTATION WITH COMMUNITY BASED ORGANIZATIONS

In addition to these five elements, effective plans set clear goals, management accountability, and opportunities for community input and planning throughout the process. Recipients are encouraged to partner with or consult with community based organizations in assessing the need to have written plans, and in developing and implementing these LEP plans.

RESOURCES

DHS Resources and Authorities

- [6 C.F.R. Part 21](#): Nondiscrimination on the Basis of Race, Color, or National Origin in Programs or Activities Receiving Federal Financial Assistance from the Department of Homeland Security; Title VI of the Civil Rights Act of 1964.
- DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons ([DHS Recipient Guidance](#))
- CRCL [“I Speak” materials](#). CRCL has developed a set of three tools for use by DHS personnel, recipients, and partners who work directly with the public and may need to identify the language of the person with whom they are interacting: the “I Speak” Poster, Pocket Guide, and Job Aid. Upon request, CRCL will provide customized, digital versions of these tools. All three of the “I Speak” tools include more than 85 languages.

Self-Assessment Example

- [Sample Self-assessment from U.S. DOJ Language Access Assessment and Planning Tool](#)

Language Access Plan Resources

- U.S. Department of Justice, Civil Rights Division, Federal Coordination and Compliance Section, 2011 “*Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs.*”
https://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf.
- Website of Federal Interagency Working Group on Limited English Proficiency: www.lep.gov contains resources, tools, technical assistance, and updated information on language access activities for agencies of the Federal government, recipients, and other entities that support language access.
- Department of Justice Video – *How to Better Serve Your LEP Audience by Meeting the Federal Requirements:*
<https://www.youtube.com/watch?v=F3LM8LmysgU>
- [Department of Justice Tips & Tools for Reaching LEP Communities in Emergency and Disaster Preparedness, Response, and Recovery](#)
- [Multilingual Materials](#)