

CITY OF SHREVEPORT

Limited English Proficiency Plan

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I. Introduction

It is the policy of the City of Shreveport (COS) to assure full and affirmative compliance with Title VI of the Civil Rights Act of 1964, as amended, and related statutes and implementing authority. The City of Shreveport has given certain assurances to the U.S. Department of Transportation in this regard: the City of Shreveport assures that no person in the United States, on the grounds of race, color, national origin, sex, age, or disability shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity for which the recipient receives federal assistance from the Department of Transportation, including Federal Highway Administration.

English is the predominant language of the United States. The United States is also, however, home to millions of national origin minority individuals who are “limited English proficient” (LEP). That is, they cannot speak, read, write or understand the English language at a level that permits them to interact effectively. Because of these language differences and their inability to speak or understand English, LEP persons are often excluded from programs, benefits and/or activities of agencies receiving Federal financial assistance.

Presidential Executive Order (EO) 13166 entitled “Improving Access to Services for Persons with Limited English Proficiency” was intended to improve access to federally conducted and assisted programs for persons who are LEP. The EO requires recipients of Federal financial assistance to develop and implement guidance on how the recipient will assess and address the needs of otherwise eligible limited English proficient persons seeking access to the programs and activities of recipients of federal financial assistance.

The City of Shreveport’s LEP guidance provides procedures that will assist the City of Shreveport in complying with Title VI responsibilities to ensure meaningful access to all programs, activities and/or benefits for LEP persons.

II. Limited English Proficiency Statement of Commitment

As a recipient of federal-aid funding, the City of Shreveport is committed to nondiscrimination in all its programs and activities whether or not those programs and activities are federally funded. This guidance clarifies the City of Shreveport’s fulfillment of responsibilities to limited English proficient (LEP) persons, pursuant to Executive Order 13166, entitled “Improving Access to services for persons with Limited English Proficiency.” The City of Shreveport will take reasonable steps to ensure meaningful access to the agency’s programs, activities; services and information that are normally provided in English are accessible to LEP persons. Failure to ensure that LEP persons can effectively participate in federally assisted programs and activities may violate the prohibition against national origin discrimination under Title VI of the Civil Rights Act.

The key to providing meaningful access to LEP persons is to ensure that LEP beneficiaries can communicate effectively and act appropriately based on that communication. The Department will ensure that every manager, supervisor, employee, and sub-recipient of federal-aid funds administered by the City of Shreveport takes reasonable steps to ensure meaningful access to the City of Shreveport recipients’ programs and activities. Where possible, the agency will collect and maintain demographic statistics on persons who participate in our programs and services. In addition, every district and division will post written notices in a public area regarding the right to free language assistance for persons conducting business with the Department in the most frequently encountered or likely to be encountered languages.

Allegations of discrimination should be brought to the immediate attention of the Human Resources Director, City Attorney’s Office or a District or Division Title VI Officer.

III. Legal Authority

Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, provides that no person shall “on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” Section 602 authorizes and directs Federal agencies that are empowered to extend Federal financial assistance to any program or activity “to effectuate the provisions of [section 601] * * * by issuing rules, regulations, or orders of general applicability.” 42 U.S.C. 2000d-1.

Department of Justice regulations promulgated pursuant to section 602 forbid recipients from “utilizing criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular race, color, or national origin.” 28 CFR 42.104(b)(2). DOT’s Title VI regulations include almost identical language in this regard. See 49 CFR 21.5(b)(vii)(2) (portions of these regulations are provided in Appendix A).

The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted regulations promulgated by the former Department of Health, Education, and Welfare, including a regulation similar to that of DOJ, 45 CFR 80.3(b)(2), to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination. In *Lau*, a San Francisco school district that had a significant number of non-English speaking students of Chinese origin was required to take reasonable steps to provide them with a meaningful opportunity to participate in federally funded educational programs.

On August 11, 2000, Executive Order 13166 was issued. “Improving Access to Services for Persons with Limited English Proficiency,” 65 FR 50121 (August 16, 2000). Under that order, every Federal agency that provides financial assistance to non-Federal entities must publish guidance on how its recipients can provide meaningful access to LEP persons and thus comply with Title VI regulations forbidding recipients from “restrict[ing] an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program” or from “utiliz[ing] criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular race, color, or national origin.”

On that same day, DOJ issued a general guidance document addressed to “Executive Agency Civil Rights Officers” setting forth general principles for agencies to apply in developing guidance documents for recipients pursuant to the Executive Order. “Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination Against Persons with Limited English Proficiency,” 65 FR 50123 (August 16, 2000) (DOJ’s General LEP Guidance).

Pursuant to Executive Order 13166, DOT developed its own guidance document for recipients and initially issued it on January 22, 2001, “DOT Guidance to Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries.” However, in light of the public comments received and the Assistant Attorney General’s October 26, 2001, clarifying memorandum, DOT has revised its LEP guidance to ensure greater consistency with DOJ’s revised LEP guidance, published June 18, 2002, and other agencies’ revised LEP guidance. 67 FR 117 (June 18, 2002).

IV. Agency Guidelines for Full Participation of Limited English Proficient (LEP) Persons

1. Implementation

The Title VI Coordinator is responsible for monitoring agency programs and activities to ensure meaningful access for LEP persons. The Executive Office has designated the Human Resources Director as the agency's LEP Liaison.

2. Agency Responsibilities

All managers and supervisors have been notified that they are fully obligated to ensuring meaningful access to all programs and activities offered by the City of Shreveport.

The Title VI Coordinator along with management will identify language service needs and strategies for responding to those needs. The Title VI Coordinator is responsible for monitoring agency programs and activities to ensure meaningful access for LEP persons. The LEP Liaison duties include:

- Ensure identification and securing of existing and needed resources (in-house, new hire contract, resource sharing with other agencies, volunteers, or other) to provide oral and written language services.
- Identify and develop and recommend guidelines to implement the Plan.
- Identify criteria for designation of language for initial round of translation, based on demographic data;
- Create systems to distribute translated documents, post electronically, and maintain supply;
- Identify training needs to staff and managers needing to use language services, as well as language service providers on staff.
- Establish protocols for ensuring quality, timeliness, cost effectiveness, and appropriate levels of confidentiality in translations, interpretations, and bilingual staff communications.
- Identify and implement a system for receiving and responding to complaints.
- Exchange best practices information with Divisions and Districts.
- Review the progress of the City of Shreveport on an annual basis in providing meaningful access to LEP persons, develop reports, and recommend modification to LEP Guidelines as appropriate.

3. LEP Services

The LEP Liaison will identify and maintain an inventory of Language Assistance Services (LAS) providers available to all the City of Shreveport personnel. The inventory will include, but is not limited to, the following:

1. Contract language service providers (LSP) based on the following qualification factors:
 - The interpretation skill level of the LSP and its agents;
 - The length of time the LSP has been in business;
 - Any previous experience the agency may have had with the LSP,
 - The LSP's experience in providing LEP services in similar contexts, and
 - The timeliness in which they provide the service.
2. Contract document translators based on the following qualification factors:
 - The translation skill level of the contractor and its agents;
 - The length of time the contractor has been in business;

- Any previous experience the agency may have had with the contractor,
- The contractor's experience in providing LEP services in similar contexts, and
- The timeliness and accuracy in which they provide the service.

These contracts would be available for use by all the City of Shreveport Divisions and Departments as a source of professional and responsive language translation and interpretation services. All requests for translation/interpreter services will be forwarded to the Contract Compliance Coordinator within the Human Resources Department. Requests for services will include the name of the person requesting the services, and the division or district name and number.

The Contract Compliance Coordinator will maintain a database for LEP requests, by division and district. This database will include, at a minimum, the name of the person requesting the service, type of service requested, name of LEP person affected, type of document to be translated, language translated from and to, and any other pertinent information for tracking language services.

The LEP Liaison will develop a form that each requestor for services will complete to evaluate the services performed by the Contractor. The evaluation forms will be sent directly to the Contract Compliance Coordinator.

All LAS will be made available to LEP persons at the expense of the City of Shreveport, where the circumstances indicate the provision of LEP services is appropriate and required.

4. Training

The City of Shreveport staff members and sub-recipients should know their obligations to provide meaningful access to information and services for LEP persons, and all persons in public contact positions should be properly trained. An effective training objective would likely include training to ensure that:

- City staff and sub-recipients know about LEP policies and procedures.
- City staff and sub-recipients who have contact with the public (or those in a recipient's custody) are trained to utilize interpreter services effectively.
- City and sub-recipients shall include this training as part of the orientation provided for new employees.

Management staff, even if they do not interact regularly with LEP persons, should be fully aware of and understand the plan so they can reinforce its importance and ensure its implementation by staff. Training will be provided by the Human Resources Department and Liaisons.

5. Needs Assessment

The agency will, on a continuing basis, assess the need for language services on a district and/or statewide basis and make LAS available as deemed appropriate. In making this assessment, the agency will examine the prevalence of LEP stakeholders statewide, by district and/or by service area of program:

- The number or Proportion of LEP persons served or encountered in the eligible service population
- The frequency with which LEP individuals come in contact with the program
- The nature and importance of the program, activity, or service to people's lives
- The resources available to the City and costs to provide LEP services

In making this assessment, the agency will consider the following among other data sources:

- United States census results
- Data maintained by the agency
- The agency's past experience in providing services to LEP stakeholders
- Information sources maintained by private and public local entities, including community-based organizations and local social services departments

The Title VI Coordinator, Liaisons and management will, on a continuing basis, identify vital documents that are routinely provided to stakeholders that will be translated into languages other than English. The translation of vital documents into languages other than English is particularly important where a significant number or percentage of the customers served and/or eligible to be served have limited English proficiency. Whether or not a document is vital depends on how significant the impact on the health, safety, legal rights, or livelihood of an LEP person may be. Written documents include electronic documents and web-sites. Vital documents may include materials such as:

- Emergency transportation information;
- Notices of public hearings and proposed transportation plans;
- Community education materials;
- Notices notifying LEP persons of language assistance at no cost to the LEP person;
- Markings, signs and packaging for hazardous materials and substances;
- Signs in waiting rooms, reception areas, and other initial points of entry;
- Instructions on how to participate in a recipient's program.

The Title VI Coordinator will coordinate with the LSP to have identified documents translated accordingly. Translated documents will be made available on the City of Shreveport's website for divisions and districts' access.

6. Complaint Procedure

- a. Any LEP individual has a right to file a complaint against the agency where he or she believes that the agency did not provide necessary LEP services as appropriate. These complaints include those available under Title VI of the Civil rights Act of 1964.
- b. All complaints, alleging a violation under Title VI will be referred to the Title VI Coordinator or a Title VI Officer.
- c. The Title VI Coordinator and Liaisons will take appropriate steps to resolve all complaints in accordance with the agency's discrimination complaint procedures.
- d. The Title VI Coordinator will maintain a database tracking requests for all complaints and their resolution. The database will include the following items:
 1. Source of complaint
 2. LEP request including relevant contact information
 3. Nature of complaint request
 4. Date complaint/request received
 5. Date complaint/request resolved
 6. Manner of resolution
 7. Comments
- e. Fact-finding procedures by Title VI Coordinator and Liaisons will follow the investigation protocol in the Title VI Plan.
- f. Mediation and hearings:

- g. Interpreters will be made available to hearing participants upon request or where staff identifies a need for an interpreter.

V. APPLYING THE FOUR-FACTOR ANALYSIS

1. The number or proportion of LEP persons eligible in City service area who maybe served or likely to encounter a City program, activity, or service.

The City examined the US Census report from 2010 and was able to determine that approximately 4.0% of Louisiana population spoke language other than English.

2. The frequency with which LEP individuals come in contact with a City program, activity, or service

The City assesses the frequency at which staff and contractors have or could possibly have contact with LEP persons. This includes documenting phone inquiries and verbally surveying staff via on-site visits and other reporting mechanisms. We have not received requests through our special emphasis program areas or transit agencies from individuals requesting interpreters. However we have required that all sub-recipients of FTA and FHWA federal funds develop a written plan to accommodate the possible need of interpreter services in the event that requests are received.

3. The nature and importance of the program, activity, or service provided by the City to LEP community

There is no large geographic concentration of any one type of LEP individuals in the City. According to the 2010 U.S. Census Bureau information, the overwhelming majority of the population, 4% or 191,388 speak only English.

Therefore, there have been no specific focused outreach efforts to get LEP communities involved in program, activity and/or services provided by the City of Shreveport and/or sub-recipients. However, efforts are made via advertising, media, community meetings, etc. to insure that information about hearings, meetings, conference/workshops, planning activities are broadly circulated throughout the City. Alternative language format have been used by the City of Shreveport and sub-recipients in this effort although our prevalent population speaks English

4. The resources available to the City of Shreveport and overall costs

The City of Shreveport and contractors assessed its available resources that could be used for providing LEP assistance. This included identifying how much a professional interpreter and translation service would cost on as needed basis, which documents would be the most valuable to be translated if and when the populations supports, taking an inventory of available organizations that the City and contractors could partner with for outreach and translation efforts, and what level of staff training is needed.

After analyzing the four factors, the City developed the plan outlined in the following section for assisting persons of limited English proficiency.

LIMITED ENGLISH PROFICIENCY PLAN OUTLINE

a) How to Identify an LEP Person who Needs Language Assistance - Below are tools to help identify persons who may need language assistance:

- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings.
- When the City of Shreveport or sub recipients sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each

attendee. To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply.

- Frequently survey drivers and other first line staff of any direct or indirect contact with LEP individuals.
- Frequently survey the City of Shreveport department and division offices of any direct or indirect contact with LEP individuals.

c) **Outreach Techniques** – The City of Shreveport does not have a formal practice of outreach techniques due to the lack of LEP population and resources available in the service area. However, the following are a few options that the City will incorporate when and/or if the need arises for LEP outreach:

- If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.
- When running a general public meeting notice, staff will insert the clause, based on the LEP population and when relevant, that translates into “A (insert alternative Language) translator will be available”. For example: “*Un traductor del idioma español estará disponible*” This means “*A Spanish translator will be available*”.
- Key print materials, including but limited to schedules and maps, will be translated and made available at meetings or public hearings in communities where a specific and concentrated LEP population is identified.

d) **Monitoring and Updating the LEP Plan** - This plan is designed to be flexible and is one that can be easily be updated. At a minimum, the City will follow the Title VI Program update schedule for the LEP Plan. However, major updates most likely will not occur until the next Census in 2010 unless the City finds it necessary and crucial for an update before such time.

Each update should examine all plan components such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in the City of Shreveport?
- 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 programs? Are there other programs that should be included?
- Have the City's available resources, such as technology, staff, and financial costs changed?
- Has the City fulfilled the goals of the LEP Plan?

- Were any complaints received?

e) Dissemination of the City's Limited English Proficiency Plan – The City of Shreveport's LEP Plan will be posted on the City's website where any person, including social service, non-profit, and law enforcement agencies and other community partners with internet access will be able to access the plan. Notice of protection for LEP persons is included in the City's Title VI brochure titled "Your Rights under Title VI of the Civil Rights Act of 1964". Brochures are distributed at public hearings and meetings.

Copies of the LEP Plan will be provided, on 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.

Any questions or comments regarding this plan should be directed to the City of Shreveport's Title VI Coordinator or Liaisons.

Human Resources Department
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**City of Shreveport
LOCAL INTERPRETERS
TITLE VI PLAN - LIMITED ENGLISH PROFICIENCY**

	INTERPRETER			
LANGUAGE	CONTACT	HOURS	PHONE NUMBER	Website
All Languages	Jean Simpson	As Needed	(318) 861-2489	
DEAF ACTION	Earl Harden	As needed	(318)425-7781	Deafactioncenter.org

**Due to COVID19, no interpreters for a foreign language has been used*

