

City of Northfield, Minnesota	Policy Number:
	Adopted:
COUNCIL ADMINISTRATIVE POLICY	Revised:
Limited English Proficiency (LEP) Policy	

I. Purpose

The purpose of this plan is to ensure that all City of Northfield (City) staff communicate effectively with limited English proficient (LEP) individuals so that the community members have meaningful access to all programs, information, and services. We aim to ensure that no individual is denied or restricted access due to limited proficiency in English or any disability which may limit communication abilities.

II. Policy

The City of Northfield is committed to the LEP plan as a timely and appropriate response to meeting the needs of our community members.

III. Authorities and definitions

- **Title VI of the Civil Rights Act of 1964** prohibits discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance.
- **Executive Order 13166 of 2000, Improving Access to Services for Persons with Limited English Proficiency** directs agencies to improve and provide meaningful access to federally conducted and assisted programs and activities for person who, as a result of national origin, are limited in their English proficiency (LEP).
- **Department of Justice (DOJ)** - Under DOJ regulations implementing Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. (Title VI), recipients of federal financial assistance have a responsibility to ensure meaningful access to their programs and activities by persons with LEP. See 28 CFR 42.104(b)(2). For details, go to:

<https://www.ojp.gov/program/civil-rights/limited-english-proficient-lep>

- **The Minnesota Human Rights Act, Minnesota Statutes Chapter 363A** prohibits discrimination based on race or national origin.
- **Effective communication** - Effective communication occurs when the City or City partners have taken the necessary steps to make sure that a person with LEP is given adequate information to understand the services and benefits available and receives the benefits for which they are eligible. Effective communication also means that a person with limited English proficiency is able to communicate the relevant circumstances of their situation to the provider.
- **Interpretation** – Interpretation is the oral or spoken transfer of a message from one language into another language while retaining the same meaning.

- **Limited English Proficiency (LEP)** – Designates individuals whose primary language is not English and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in certain types of communication (e.g. speaking or understanding), but still be LEP for other purposes (e.g. reading or writing). Similarly, LEP designations are context-specific: an individual may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.
- **Translation** – The replacement of written text from one language into an equivalent written text.

IV. Needs Assessment

The City is proud to be called “home” to diverse populations in terms of race, ethnicity, country of origin and languages spoken. According to the 2020-2021 Northfield School District K-12 demographic breakdown, approximately 12.8% of residents speak a language other than English at home. According to Health Community Initiative Growing Up Healthy website, between March 1, 2020 - June 30, 2021, 33% language interpretation barriers/challenges count in about 33% of conversations for Latinx families in the City of Northfield.

City staff have access to Language Line telephone and virtual interpretation services. The language that were most accessed in 2020 and 2021 were Spanish and American Sign Language.

V. Meaningful Access Policy

This plan aims to ensure that no person will be denied meaningful access to any City program, activity, or service because he/she does not speak English or because he or she communicates in English on a limited basis. The City will aim to foster effective communication between its staff and LEP individuals by making appropriate language assistance services available when needed.

This plan covers all City programs, services, and activities. City staff will initiate an offer for language assistance to individuals who have difficulty communicating in English. When language assistance is requested, City staff will offer free interpretation and/or translation services in a language the requesting individual understands, in a way that preserves confidentiality, and in a timely manner. Whenever possible, staff is encouraged to follow the requestor’s preferences.

VI. Interpreter Services

City staff will inform all LEP customers of the availability of timely and complimentary interpreter services.

Staff should use language service providers in the following priority to provide the best customer service and reduce costs:

1. **City bilingual staff:** The City will use its best efforts to assign customers with LEP to a bilingual staff member within that respective Department/Division who can competently communicate with the customer in the customer’s own language.
2. **Contracted interpreter services:** The City contracts with Language Line, which provides telephone and virtual interpretation in over 200 languages, 24 hours a day, seven days a week. Staff should use Language Line when bilingual staff are not available, when the language is one not commonly

encountered by City staff, or when staff is not sure what language a customer speaks. Users of this interpreter service are charged on a per minute basis. City staff will be regularly trained in the use of Language Line and resources that are available on the employee intranet (Inside Track).

Maintain a list of bilingual staff

The City Communications and Human Resources Department will work with departments to maintain a list of bilingual staff. Interpreting is voluntary for staff unless it is listed in a job description. Bilingual staff who are willing to interpret may provide interpretation services in circumstances such as general inquiries or information related to their department and/or area of expertise.

Language chart

City staff will display and use this chart to offer interpretation services and determine the customers' primary language.

Notification of right of service

City staff must ensure that customers with LEP know that they have the right to free, timely language services by including an accessibility block.

Example accessibility block: "If you need an interpreter, translation, or other accommodations to access this service, activity or program, please call (507) 645-8833."

Example accessibility block: Accessibility: "for reasonable accommodations or alternative formats, please call (507) 645-8833."

How the accessibility block should be used:

- a. On official meeting notices such as City Council, boards and commissions.
- b. When publicizing information regarding a city decision-making process.
- c. Information about programs or services receiving federal funding
- d. In notices about critical or urgent information regarding services (e.g., snow emergency, emergency management, etc.).
- e. In notices that have financial implications (e.g., fees, fines, license applications, property tax assessment).
- f. For issues that include a significant number or percentage of the LEP population in the service area (e.g., frequency and volume of contact and participation in a program or service, road construction).
- g. When possible, important notices should direct customers to City staff who speak the City's primary languages.

VII. Procedures for LEP interpretation

When in person:

1. Ensure the Language Line language chart is displayed at the counter or front desk.
2. If staff is unable to speak in English with a customer, point to the Language Chart and ask: "What language do you speak?"

3. Once they indicate a language, check and see if a staff person who speaks the indicated language is available and ask for assistance.
4. In the event you cannot reach anyone or no one speaks the appropriate language, connect with Language Line.

When receiving incoming phone calls:

1. Ask if the caller speaks any English. Try to determine the client's primary language. If possible, say "please hold" in that language and check if there is a qualified bilingual staff person available who speaks the indicated language.
2. If no one is available, or no one speaks the appropriate language, take the call off hold and connect with Language Line.

When at meetings or events:

If the city receives a request for interpretation at a meeting or event, arrangements will be made with a qualified staff member or contracted professional interpreter.

VIII. Translation Services

Level of Language Ability

Some LEP clients may not have the ability to read and understand written materials; therefore, oral interpretation of written materials may be necessary. Interpreters should be aware of variances within a language and should be able to communicate with clients using the appropriate colloquial speech.

City staff will assist LEP individuals who cannot read their preferred language to the same extent as they would assist English-speaking customers who cannot read English.

Contract translation services

The Communications and Human Resources Department maintains a list of vendors of translation services. The vendors offer document translation, audio and video production services, and other translation-related services. Services, rates, and turnaround time vary by vendor and the urgency of the request.

IX. Data Privacy Protection

City employees and agents, including its contractors and partners, may, on occasion, as part of job-related responsibilities, obtain, use, or disclose private or confidential data, including protected health information (referred to below, collectively, as "protected information").

Minimum necessary access to data

City and its contractors must comply with the "minimum necessary" access and disclosure standards set forth in the Minnesota Government Data Practices Act. The dissemination of protected information is limited to "which is necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government." See [Minnesota Statutes Sec. 13.05, subd. 3.](#)

Using family members or friends

When customers wish to use family members or friends as an interpreter, staff should follow these instructions using bilingual staff, Language Line Services staff or contractors to obtain the required verifications:

- Verify the identity of the customer.
- Read and explain to the customer the purpose of consent for Release of Information form.
- Inform the customer of their right to have City staff, Language Line Services staff, or a contractor (when available) to interpret for the customer, if they desire.
- Assure the customer that family or friends can provide support rather than interpretation if that is the customer's preference.

X. City of Northfield staff training

City will distribute the LEP plan electronically and provide training and education so all staff are aware of LEP policies and procedures.

The LEP plan information is incorporated into the City new employee orientation program, and LEP training will include information on the following topics:

- The City's commitment to providing language assistance
- The substance of the City's LEP plan, including its policies and procedures for accessing language assistance services.

All staff with regular contact with the public will be provided more in-depth training that includes best practices and tips on working with in-person and telephone interpreters including over-the-phone and iPad interpreter services.

XI. LEP Plan Distribution and Public Posting

Upon completion and endorsement by the City of Northfield management, the LEP plan (LEP Plan) will be:

- Distributed to all City staff
- Accessible on the City's employee intranet "Inside Track"
- Posted for public review, although the text will be in English, the title, "Limited English Proficiency Plan," will be posted in customer's primary languages.

Bilingual staff or interpreters will read the plan to customers upon request. Partner organizations can download the translations of the LEP Plan from the City's website.

XII. Evaluating the program

The City will conduct an evaluation of its LEP Plan to determine its overall effectiveness. The City Communications and Human Resources Department will lead the evaluation. The evaluation will include:

- Current LEP populations in service delivery area
- Frequency of encounters with LEP language groups
- Whether existing assistance is meeting the needs of LEP person
- Whether staff members know and understand the LEP plan and how to implement it
- Whether currently identified sources for assistance are still available and viable?

- Assessment of available resources, including technological advances and sources of additional resources, and the cost imposed

XIII. Referring Agencies

Individuals who have a concern about alleged discrimination will be referred to the appropriate agency, and they also may make contact directly.

Minnesota Department of Human Rights, Freeman Building, 625 Robert Street North Saint Paul, MN 55155 (651) 539-1100 (Voice) MN Relay 711 or 1-800-627-3529 <https://mn.gov/ndhr/>

The U.S. Department of Labor Civil Rights Center, Frances Perkins Building, 200 Constitution Ave., NW Washington, DC 20210 (866) 4-USA-DOL (Voice) 1-866-487-2365 (TTY)
<http://www.dol.gov/oasam/programs/crc>

The U.S. Department of Justice Civil Rights Division Coordination & Review Section – NWB 950 Pennsylvania Avenue, NW Washington, DC. 20530-0001 (888) 848-5306 (voice and TTY)
<https://www.justice.gov/crt/fcs/>