



Administrative Policy
LEP PLAN
Administration – A210

Effective Date:
September 2011
Revised Date:

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

I. LEGAL BASIS AND PURPOSE

This document serves as the plan for the Town of Payson (“the Town”) to provide services to LEP individuals in compliance with Title VI of the Civil Rights Act of 1964; 45 C.F.R. § 80 et. seq.; and 28 C.F.R. § 42 et. seq. The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP individuals who seek services from the Town.

II. INTRODUCTION

While most people in the United States read, write, speak, and understand English, there are many individuals living in the United States whose primary language is not English. These individuals are considered LEP. They do not speak English as their primary language and have a limited ability to read, write, speak, or understand English. These individuals may experience inconvenience and/or hardship due to limited proficiency in the English language. Moreover, they may have limited access to vital services and benefits.

Two pieces of federal law lay the foundation for the development of a remedy for individuals who are LEP -- Title VI of the Civil Rights Act of 1964 and Executive Order 13166. In some circumstances under Title VI, failure to ensure that LEP persons can effectively participate in federally assisted programs may constitute discrimination based on national origin. In order to comply with Title VI, agencies should take reasonable actions for competent language assistance. Executive Order 13166 clarifies the requirements for LEP individuals under Title VI. The Executive Order requires an agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services. Recipients of funds pursuant to the American Recovery and Reinvestment Act of 2009 are required to comply with Title VI, among other things.

III. FOUR FACTOR ANALYSIS

The following four factor analysis has been considered in assessing language needs in the Town and determining the steps the Town will take to ensure access for LEP individuals.



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1. *The number or proportion of LEP individuals eligible to be served or likely to be encountered by a program, activity, or service within the Town.*

The Town of Payson is a very homogenous community with approximately 92% of the residents identifying themselves as white (non hispanic/latino). Approximately 5% of the population is hispanic/latino. Based upon this, although there is an extremely low number, Spanish speakers are the primary LEP individuals likely to be encountered by the Town.

2. *The frequency with which LEP individuals come in contact with the Town.*

The Town has assessed the frequency with which staff has or could possibly have contact with LEP individuals. This included examining census data, requests for translation, receipt of non English correspondence, and staff feedback. The examination revealed that Spanish LEP individuals have very limited contact with the Town and such contact is primarily with the Town Hall reception desk, main phone line, and the Magistrate Court. The only contacts with non Spanish LEP individuals have been made in the Magistrate Court.

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

In accordance with A.R.S. Title 13, Chapter 40 and/or A.R.S. Title 8, Chapter 3, Article 7, the Town is required to provide victims of misdemeanor crimes filed in the Town Magistrate Court with assistance and information about their rights, their legal options, and who to contact for additional information. Staff is dedicated to complying with the above laws and ensuring that LEP individuals have the same access to services and information as individuals who fluently speak, read, and write English.

On occasion, LEP individuals call or appear in person at the Town's reception desk seeking information on the Town's general services.

Additionally, any document, pamphlet, or posting to the public in regard to any election (i.e. newspaper notices, publicity pamphlets, ballots, etc.) is printed in Spanish as well as English.

4. *The resources available to the Town and costs.*

The Town has several bilingual employees who can be utilized for translation purposes. Such employees receive a bilingual stipend. Additionally, the Town Magistrate Court utilizes a telephone translation service.



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IV. LEP PROCEDURES

1. The Town's departments and staff must ensure that people with LEP know they have the right to free and timely language assistance during interactions with the Town.
2. As indicated in the 2010 census, the primary group requiring language assistance consists of Spanish speakers.
3. A notice of availability of language assistance will be posted in all customer service locations to encourage LEP individuals to self identify.
4. Town staff, especially those with direct public contact, must know their obligation to provide meaningful access to information and services for LEP individuals. The primary staff members interacting with LEP individuals are the clerks, police officers, and other staff who have regular contact with the public.
5. Town staff will be prepared to respond on a case by case basis to appropriately serve LEP individuals in person, on the phone, and in written correspondence. Such response may include Spanish speaking, bilingual staff members who are available during most business hours. A list of such staff members and contact information will be prepared.

Printed materials, if necessary, will be provided in Spanish, or will be translated to accommodate LEP individuals.

Employees who have any questions regarding the LEP Plan should contact Human Resources.