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Supporting

Limited English Communities



Introduction

The Office of Civil Rights, U.S. Department of Justice (DOJ), requires all recipients of federal financial assistance from DOJ to comply with federal laws that prohibit discrimination on the basis of race, color, religion, national origin, and sex. This includes discrimination of people with limited English proficiency (LEP), which refers to persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

Executive Order 13166, titled “Improving Access to Services for Persons with Limited English Proficiency,” requires that the federal government and grant recipients take reasonable steps to ensure that people with LEP have meaningful access to the programs, services, and information they provide. This is especially important because of the nation’s changing demographics. The U.S. Census Bureau projects that by 2010, people of Hispanic origin will comprise 15 percent of the population; the Asian community also is expected to increase steadily.¹

DOJ is requesting that its funded agencies and programs develop creative solutions to respond effectively to the needs of culturally and linguistically diverse groups. A first step in this direction is to develop awareness and knowledge of and skills related to linguistic competency. Linguistic competence is the

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capacity of an organization and its personnel to communicate effectively with persons with LEP, those with low literacy skills or who are not literate, and individuals with disabilities.

Linguistically competent organizations must have policy, structures, practices and procedures, and dedicated resources to support this capacity.²

Serving Individuals With LEP in Weed and Seed Programs

In a continuing effort to provide effective and efficient customer service to Weed and Seed grant recipients, the Community Capacity Development Office (CCDO), of DOJ's Office of Justice Programs, conducted a survey to determine the extent to which people with LEP are being served in Weed and Seed communities. CCDO reviewed demographic profiles for each Weed and Seed site to find sites with a foreign-born population of 5 percent or more. Of more than 300 Weed and Seed sites, 156 met the criteria and were asked to participate in the LEP self-assessment survey. These grantees were given 10 days to return the survey; 73 sites, or almost half, responded.

LEP Survey Results

Sites were asked to list the language groups and languages spoken in their communities. Other than English, Spanish was the predominant language spoken at the most sites. Vietnamese, Pacific Island dialects, Chinese dialects, Korean, and Russian

were also fairly common. Site coordinators at 69 sites identified resources needed to provide language-accessible services; most (67) had already put resources in place. Many sites (58) had employees who spoke a language other than English, and 52 of these sites used employees as interpreters. A relatively small number of sites provided formal training to employees on how best to serve LEP individuals.

Many Weed and Seed sites use outside translation resources. More than half of the 73 responding programs (46) use community volunteers, and others indicated that they use oral interpretation services (29), written language translation services (24), government agencies (13), and telephone interpreter lines (12). Most programs that use informal interpreters, such as family members and children, use them only in urgent situations or to convey general information (e.g., directions to the office). Thirty-four sites indicated they had translated all or most vital program documents, and 16 had translated some of them. Almost one-third (22) of the responding sites indicated that additional resources were needed to ensure that LEP persons have access to these materials.

Innovative Practices

The CCDO survey highlighted many Weed and Seed programs that are developing promising strategies to support their LEP residents.

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Northwest and Southwest Trenton, NJ

Staffing policies require that the receptionist, one senior staff member, and at least one employee at each Safe Haven site be bilingual. In addition, all requests made by Spanish-speaking clients are reviewed and, if necessary, a supervisor follows up.

Brownsville Westside, TX

Weed and Seed project staff are required to speak Spanish, which eliminates the need for interpreters. Project staff members also assist the school system with parent/teacher/student meetings.

Seattle, WA

Weed and Seed project staff are bilingual and able to communicate with residents in their own language. Outside resources such as telephone interpreter lines, community volunteers, and written language services also are used.

West Oakland, CA

In addition to using outside translation services, the program has a 24-hour, multilingual tip line. Callers leave anonymous voice messages about criminal activity, which are retrieved regularly. The information is used to help reduce illegal drug and nuisance activities in Oakland neighborhoods. The tip line is equipped to take calls in English, Spanish, and Chinese.

The Colfax Corridor

This site serves a very diverse community in Aurora, CO. The program has developed comprehensive services for non-English

speakers in its target area. Half of the Weed and Seed project staff speak Spanish. In addition, the Inter-Cultural Communications Network of Aurora, a group of interpreters and translators, assists with other language needs. All written materials are translated into Spanish and will likely be translated into Korean, Russian, and Ethiopian in the future.

Aurora conducts extensive outreach through its Building Unity in the Community program. The program's 10 components include a Neighborhood Watch program for Spanish speakers to engage them in crime prevention and public safety efforts. Some of the more innovative features of the Building Unity program are described below.

- **House calls** are available to residents who are concerned about crime or quality of life issues in their immediate area. Representatives from the outreach program and the police department meet with residents to design and implement problem-solving strategies.
- **Lifelong Learning** is designed to improve the language and life skills of non-English speakers. The Aurora Community College's Language Center and Workforce Development Center, located close to the Weed and Seed site, offer approximately 70 noncredit English language classes and four Spanish-language GED preparatory courses each year.
- **Coffee with Parents** is hosted monthly or quarterly by public elementary and middle schools in Aurora.

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Information on city services and other topics is provided to parents of students.

- **Cross-cultural mediation** is available through a Weed and Seed networker who is certified in dispute resolution.
- **Emergency response education.** A Weed and Seed networker is trained as a Community Emergency Response Team member and educates the Spanish-speaking community on how to respond in case of a natural disaster or other emergency.
- **Welcome to America** is designed to help newly arrived immigrants more successfully integrate into north Aurora neighborhoods by providing information on responsibilities, rights, and resources.

Developing LEP Programs

DOJ established and oversees the Federal Interagency Working Group to disseminate information about serving persons with LEP. The working group developed a Web site (www.lep.gov) to provide guidance, compliance information, and resources regarding language access issues for federal agencies, agencies receiving federal grants, and communities. The following sections of this report summarize many of the tips and tools suggested on the Web site.

Self-Assessment

According to DOJ guidelines for providing services to people with LEP, the first step in developing LEP programs is to conduct a self-assessment for planning purposes.³ Descriptions of the assessment's four components are found below, along with related questions that sites might pose to themselves.

Demography

Sites should assess the number or proportion of persons with LEP in the eligible service population. The greater the number or proportion of this population, the more likely that language-accessible services are needed.

- Has your organization developed a demographic profile, by primary language spoken, of the population served or likely to be served by your programs and activities? (If not, the U.S. Census Bureau (www.census.gov/) and the U.S. Department of Education (www.ed.gov) are good sources for this information.)
- Is your organization working with any community-based organizations that are familiar with the language needs of individuals either participating in your programs and activities or to whom you provide services or otherwise encounter?

Frequency of Contact

Sites should assess how often LEP individuals come into contact with the program. The more frequent the contact, the more likely

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that enhanced language services are needed. Programs should track this information to determine what types of language needs exist.

- Does your organization have a process for surveying, collecting, and/or recording primary language data for individuals who participate in your programs and activities?
- What categories are used in collecting data? Where do the data reside? Who can access the data?

Importance

Once languages have been identified, sites should look at the nature of the programs, activities, or services offered. The more important the program or the greater the possible consequences of contact with the LEP community, the greater the need for language-accessible services.

- Do you require people to fill out applications or consent forms, be interviewed, or perform another activity (1) prior to participating in any of your programs and/or activities, (2) to obtain some benefit, service, or information, or (3) to participate in a higher level program?
- Do you conduct programs or activities that have serious consequences, either positive or negative, for participants (e.g., consequences to their health, safety, economic situation, environment, educational goals, housing, rehabilitation)?

- How do delays in service provision or participation in your programs and/or activities affect participants (e.g., the participants' economic situation, educational goals, health, safety, housing, ability to assert rights, transportation costs)?

Resources

Sites should identify the resources available for the programs and services needed. The level of resources needed and the costs associated with providing them will determine what type of language assistance is provided.

- Have you identified the resources needed to provide meaningful access for people with LEP? Are those resources currently in place?
- Is there a staff member in your organization assigned to coordinate LEP-related activities?
- Have you identified the points of contact when people with LEP interact with your organization? Is language assistance available at these points?
- How many employees in your organization speak a language other than English fluently? Which languages?
- What percentage of the total number of employees in your organization are bilingual and able to assist people with LEP competently?

Tips on Identifying Resources

- Determine which types of services are appropriate (e.g., interpreters, translators, bilingual individuals). Consider the strengths and weaknesses of each approach.
- Identify or hire bilingual staff and provide training on a regular basis. If possible, collaborate with community groups or universities that can provide assistance on an as-needed basis.
- Identify situations (e.g., those with legal or criminal implications) requiring the services of a professional interpreter or translator.
- Obtain translated materials from different programs or offices with similar missions (e.g., police, courts).
- Share among offices within the organization. This allows existing translations to be easily modified and saves on limited resources.
- Consider contributing the LEP program tools developed to a larger inventory of resources, such as a database or Web site (e.g., www.lep.gov).

- Do employees in your organization act as interpreters? If you use outside sources, which types of interpreter services do you use (e.g., contract interpreters, telephone services, community-based organizations, language banks)?

- For which languages other than English are outside sources of interpreters most commonly used?
- Are minors used as interpreters? If so, under what circumstances, and how are issues such as competency, appropriateness, and confidentiality assessed?
- If additional resources are needed to ensure meaningful access, have you identified the cost of those resources?
- Are there any limitations in resources (dollars and personnel) that could affect the provision of language-assistance services?
- Have you explored all available options to ensure the provision of language-assistance services?

Devising a Language Assistance Plan

After conducting the self-assessment to determine language needs, organizations should devise a language assistance plan. Comprehensive plans should include the following five steps.

Identify People With LEP

Document the information obtained in the self-assessment.

Take Language Assistance Measures

Describe to staff how language assistance will be provided. For example, describe—

- Types of language services available.
- How to obtain those services.

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- How to respond to LEP callers.
- How to respond to written communications from people with LEP.
- How to respond to people with LEP directly (i.e., face to face).

Train Staff

It is essential that all organization staff are able to provide meaningful access to information and services for people with LEP. As such, organizations should include training to ensure that:

- Staff know about LEP policies and procedures.
- Staff in contact with the public are trained to work effectively with interpreters.

Notify LEP Persons

Organizations should notify the public, in all appropriate languages, that they provide language-accessible services. Some ways of accomplishing this objective include—

- Posting signs in intake areas and other entry points.
- Publicizing in outreach documents (e.g., brochures, booklets, outreach and recruitment information) in appropriate languages.
- Working with community-based organizations to inform their constituents.

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- Using a telephone voicemail menu with the most common languages encountered.
- Including notices in local newspapers in languages other than English.
- Advertising on non-English language radio and television stations.
- Speaking at or notifying school and religious organizations.

Monitor and Update the Plan

Changes in demographics, types of services, or other needs will require an annual reevaluation of the plan. One good way to evaluate is to seek feedback from the community and assess potential modifications based on that feedback.

Working With LEP Individuals

Staff members who direct interested individuals to services play a critical role in serving people with LEP. Programs should identify how these first receivers should interact with people with LEP and which language-accessible resources should be immediately available. For example, sites that do not have bilingual staff as first receivers should be able to provide the public with language-appropriate telephone access. Translated notices can also simplify the communication process. In addition, DOJ suggests the following:

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- Create a convenient and accessible point of entry for the largest language minority group in the community (e.g., dedicated telephone number).
- Do not make assumptions regarding an individual's first language.
- Use language identification flashcards (also known as "I Speak___" cards) so that persons with LEP can identify their native language.
- Consider providing language assistance, even if an individual's English appears adequate.
- Learn how to use an interpreter effectively. For example:
 - Use short simple sentences that are free of idioms and avoid compound phrases, double negatives, and so forth.
 - Always address the individual in the first person and look at them, not at the interpreter, when conversing.
 - Be creative and patient when asking questions. Feel free to use pictures to communicate when needed.
 - Assume that some questions will have to be repeated.
 - Do not expect the interpreter to "fill in the blanks."
- Be aware that excluding a person with LEP during long conversations with English-speaking individuals can convey negative messages. Wait until an interpreter is present to explain the communication.

- Be familiar with different modes of interpretation and the context in which each is appropriate (e.g., simultaneous interpretation, consecutive interpretation, sight translation).
- Consider and plan for the possibility that a person with LEP may also have a disability.

Other Considerations

In addition to linguistic competency, individuals and organizations need to develop cultural competency so that they are able to respond effectively to all of their clients' cultural needs. To do this, program staff need to learn about the cultural beliefs, values, and needs of the populations they serve. Five essential elements contribute to a program's ability to become more culturally competent. The program should (1) value diversity, (2) have the capacity for cultural self-assessment, (3) be conscious of the dynamics inherent when cultures interact, (4) institutionalize cultural knowledge, and (5) develop adaptations to service delivery that reflect an understanding of diversity between and within cultures. These five elements should be reflected in attitudes, structures, policies, and services.⁴

Outreach is a key component of ensuring access to LEP programs. DOJ suggests that program staff meet with ethnic community leaders, post information where appropriate, use translated materials to publicize access efforts, and work with

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other organizations to conduct joint outreach campaigns. Also, staff should attend community meetings and provide forums during which LEP communities can discuss their needs.⁵

Conclusion

Providing linguistically appropriate services to individuals with LEP is required of federally funded programs, including Weed and Seed sites. Moreover, Weed and Seed sites are often located in diverse areas where multiple languages are spoken by residents. As language diversity in the nation increases, so does the need to respond appropriately and effectively. Although the issues surrounding language access are complex, many valuable resources exist to assist in the process of assessing needs, developing a language assistance plan, identifying resources, and working effectively with residents.

The following online resources may assist in developing LEP programs. Weed and Seed sites can also request technical assistance from CCDO on how to develop and implement language-accessible services.

- **DOJ's LEP Web site:** www.lep.gov.
- *DOJ's Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* (2002):
www.usdoj.gov/crt/cor/lep/DOJFinLEPFRJun182002.htm.

- **DOJ’s self-assessment questionnaire:**
www.lep.gov/selfassesstool.htm.
- **Flashcard identifying different languages:**
www.lep.gov/ISpeakCards2004.pdf.
- **Census 2000 Brief:** www.census.gov/prod/2003pubs/c2kbr-29.pdf.
- **Tips on how to choose an agency for translation and/or interpreter services:**
www.calendow.org/reference/publications/pdf/cultural/HO WTOCHOOSEALANGUAGEAGENCY030703.pdf.
- **Tips for working with community interpreters:**
www.diversitycoalition.org/uploads/83/42/Working_With_Comm._Interpreters.pdf.
- **“Increasing Access to Services for Limited English Proficient Persons”** (National Immigration Law Center article):
www.nilc.org/immspbs/la/Language_access_issue_brief-final.pdf.
- **Sample language access policy** (Community Legal Services, Inc., Philadelphia, PA):
www.clsphila.org/PDF%20folder/LAP_Policy_%20CLS_ver6.pdf.
- **National Center for Cultural Competence’s Web site:**
gucchd.georgetown.edu/nccc/index.html.

Notes

1. U.S. Census Bureau. 2004. *U.S. Interim Projections by Age, Sex, Race, and Hispanic Origin*. Washington, DC: U.S. Census Bureau. Data retrieved June 16, 2005, from www.census.gov/ipc/www/usinterimproj/natprojtab01a.pdf.
2. Goode, T., and Jones, W. 2000 (rev. 2002). *Definition of Linguistic Competence*. Washington, DC: National Center for Cultural Competence, Georgetown University Center for Child and Human Development. Maternal and Child Health Bureau. 2002. *Strategic Plan FY 2003–2007 (Draft)*. Rockville, MD: U.S. Department of Health and Human Services, Health Resources and Services Administration, Maternal and Child Health Bureau.
3. U.S. Department of Justice. 2002. *Language Assistance Self-Assessment and Planning Tool for Recipients of Federal Financial Assistance*. Washington, DC: U.S. Department of Justice. Retrieved June 16, 2005, from www.lep.gov/selfassesstool.htm.
4. Ccampinha-Bacote, J. 1994. *The Process of Cultural Competence in Health Care: A Culturally Competent Model of Care*. 2d ed. Cincinnati, OH: Transcultural C.A.R.E. Associates.
5. *Ibid.*



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