

CITY OF  
**ST. AUGUSTINE**  
EST. 1565  
**PROCEDURES  
AND STANDARDS**

POLICY MANUAL

CITY MANAGER

Limited English Proficiency (LEP)

**LIMITED ENGLISH PROFICIENCY POLICY:**

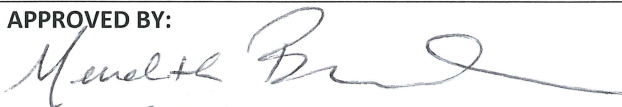
The City is committed to providing equal opportunity in all programs and services to ensure full compliance with all civil rights laws, including but not limited to Title VI of the 1964 Civil Rights Act, which requires non-discrimination on the basis of race, color, and national origin. Equal opportunity includes program access for persons with Limited English Proficiency (LEP). Program and physical access for persons with disabilities is covered in the Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008. This policy is based on the Department of Transportation's suggested four prong analysis which examines the number of limited English proficiency persons served, the frequency with which those persons come into contact with services, the nature and importance of services provided and the costs to the City. This policy is intended to ensure the City's compliance with the Presidential Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" and was drafted upon consideration of the services offered, the community served, the resources available and the costs of various language service options.

It is the policy of the City to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by its programs. Such services will be focused on providing meaningful access to City programs, services and/or benefits.

Any individual eligible for programs/services at the City who cannot speak, read, write, or understand the English language at a level that permits them to interact effectively with City staff has the following rights:

- A right to qualified interpreter services at no cost to them.
- A right not to be required to rely on their minor children, other relatives, or friends as interpreters.
- A right to file a grievance about the language access services provided them.

Donna Hayes, Human Resources Director, is the City's designated Equal Opportunity/Limited English Proficiency Coordinator. Mrs. Hayes may be reached on weekdays from 8:00 a.m. – 5:00 p.m. at (904) 825-1013. Information about discrimination complaint resolution process is available to you upon request.

<b>ISSUE DATE:</b> August 1, 2010 <b>REVISED DATE:</b> January 14, 2021	<b>APPROVED BY:</b>  FOR John P. Regan, P.E., City Manager	<b>PAGE</b>  1	<b>PAGES</b>  4
--	--	----------------------	-----------------------

## **LEP ANALYSIS AND ACCESS PLAN**

The City has determined that the language, other than English that is most likely to be encountered by employees of the City is Spanish. Spanish is also the language most commonly spoken at home by City of St. Augustine citizens who are Limited English Proficient (LEP). The methodology used to make this determination is as follows: According to data from the U.S. Census Bureau and the American Community Survey, 91.2% of households in the City of St. Augustine speak only English within the household. The data shows that approximately 5.9% of St. Augustine's citizens speak Spanish at home and 63.2% of them speak English "very well". In addition, the current data indicates that of the remaining citizens (2.9%) who speak a language other than English or Spanish, 83% speak English "very well". Accordingly, of the City's total population 2.66% speak English less than "very well".

Executive Order 13166 mandates that if the size of the language group exceeds more than 5% of the eligible population, all vital documents shall be translated. A 2021 review of the data revealed that the only language that meets the 5% eligible population threshold mandating translating documents is Spanish. Therefore, the City will review and begin translating all vital documents into Spanish.

The City of St. Augustine will continue to periodically monitor the LEP population of those served or those who could be served by the City. If additional groups are seeking benefits/services or are potentially eligible to receive benefits/services, the City will adjust its methods and services to serve the new population accordingly. Any new LEP populations will be reflected in an updated version of the LEP plan.

### **LIMITED ENGLISH LANGUAGE ACTION PLAN:**

The City, at no cost to LEP individuals, will provide interpreter services to all LEP individuals applying for, participating in programs, or receiving services/benefits through the City. The interpreter services are provided in an efficient and timely manner so as not to delay a determination of eligibility for an individual or family, receipt of eligible services/benefits or participation in City run programs beyond that of an English-speaking individual or family.

The City does not require, suggest, or encourage LEP individuals to use friends, family members or minor children as interpreters. If a LEP individual insists that a friend or family member serve as interpreter, that choice is documented. The City will then, on a case-by-case basis, consider factors such as: competence of the family or friend used as the interpreter, the appropriateness of the use in light of the circumstances and ability to provide quality and accurate information, especially if the interview could result in a negative affect on the individual. In no case does the City allow a minor child to act as interpreter for an LEP individual.

PAGE	PAGES
2	4

The City addresses telephone calls and voice mail by LEP individuals in the following manner: The City's telephone system has an option for Spanish speaking callers, which transfers them to a designated voicemail, which a Spanish speaking employee monitors. In addition, Spanish speaking employees are available in the following Departments/Divisions:

Fire/Administration; City Clerk; Information Technology; General Services/Fleet Operations; Police/Patrol; and Public Works, Engineering and Solid Waste; and Visitor Services.

In addition, the City has employees fluent in French and Russian.

### **TRANSLATION OF DOCUMENTS**

As a result of our analysis which indicates that 2.76% of St. Augustine residents are Spanish speaking and speak English less than "very well" and that the Spanish speaking population exceeds 5%. The City will begin the process of determining which documents are vital and begin translating those documents into Spanish during the 2021 calendar year.

### **DEFINITIONS**

Definitions of Terms:

\*Effective Communication – Effective communication occurs when City staff have taken necessary steps to make sure that a person who is LEP is given adequate information in his/her language to understand the services, benefits or the requirements for services or benefits offered by the City. These necessary steps must allow an individual the opportunity to qualify for the benefits or services provided by the City without unnecessary delay due to the person's LEP. Effective communication also means that a person who is LEP is able to communicate the relevant circumstances of his/her situation to City staff.

\*Interpretation - Interpretation means the oral or spoken transfer of a message from one language into another language.

\*Limited English Proficiency – A person with limited English proficiency or "LEP" is not able to speak, read, write, or understand the English language well enough to allow him/her to interact effectively with City staff.

\*Meaningful access – "Meaningful access" to benefits programs and services is the standard of access required of the City since it receives federal funding. Meaningful access requires compliance by the City with federal LEP requirements as set out in relevant federal laws. To ensure meaningful access for LEP requirements as set out in relevant federal laws. To ensure meaningful access for people with LEP, the City must make available to applicants/recipients of benefits/services free language assistance that results in accurate and effective communication that does not result in undue delay or denial of benefits to which the LEP applicant/recipient is eligible.

PAGE	PAGES
3	4

\*Translation – Translation means the written transfer of a message from one language into another language.

\*Vital Documents – Forms or documents *designed and utilized by the City that* are critical for accessing federally funded services or benefits or are required by law. Vital documents can include but are not limited to: applications for City programs, consent forms designed by the City or letters designed by the City requesting eligibility documentation.

\*Outreach Documents – City designed documents utilized to provide information to the general public but targeting individuals who are eligible or may be eligible for City programs.

PAGE	PAGES
4	4