



LIMITED ENGLISH PROFICIENCY

PURPOSE

This policy provides guidance and establishes the procedures regarding the prohibition against national origin discrimination as it affects persons with Limited English Proficiency (LEP). This policy applies to Local Workforce Development Areas (Local Areas) and other Workforce Innovation and Opportunity Act (WIOA) Title I subrecipients.

This policy supersedes Local Policy Bulletin #2015-13 Policy on Limited English Proficiency, dated July 1, 2015. Retain this policy until further notice.

SCOPE

The Workforce Development Board of Ventura County (WDBVC) and its contractors and subrecipients.

REFERENCES

- Workforce Innovation and Opportunity Act, Public Law 113-128
- Title 29 Code of Federal Regulations (CFR) Part 38
- Department of Labor (DOL) Training and Employment Notice (TEN) 28-16, Subject: Best Practices, Partnership Models, and Resources Available for Serving English Language Learners, Immigrants, Refugees, and New Americans (January 9, 2017)
- Workforce Services Directive WSD17-03, Limited English Proficiency (August 11, 2017)

POLICY

The nondiscrimination and equal opportunity provisions found in Section 188 of WIOA and 29 CFR Part 38 prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including LEP), age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title I-financially assisted program or activity.

National origin discrimination now includes LEP under 29 CFR Section 38.9 and specifically states that in providing any aid, benefit, service, or training under a WIOA Title I-financially assisted program or activity, a recipient must not, directly or through contractual, licensing, or other arrangements, discriminate on the basis of national origin, including LEP. Additionally, 29 CFR Section 38.41 added “LEP and preferred language” to the list of categories of information that each recipient must record about each applicant, registrant, eligible applicant/registant, participant, and terminee.

Definitions

For the purposes of this policy, the following definitions apply:

Babel Notice – a short notice included in a document or electronic medium (e.g. web site, “app,” email) in multiple languages informing the reader that the communication contains vital information, and explaining how to access language services to have the contents of the communication provided in other languages (29 CFR Section 38.4[i]).

Employment-related training – training that allows or enables an individual to obtain skills, abilities and/or knowledge that are designed to lead to employment (29 CFR Section 38.4[t]).

LEP individual – an individual whose primary language for communication is not English and who has a limited ability to read, speak, write, and/or understand English. An LEP individual may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing) (29 CFR Section 38.4[hh]).

LEP Plan – A written language access plan which assists in ensuring that LEP individuals have meaningful access to WIOA Title I-financially assisted programs and activities (29 CFR Section 38.9 Appendix).

Meaningful Access – Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.

Primary language – An individual’s primary language is the language in which an individual most effectively communicates, as identified by the individual.

Reasonable Steps to Ensure Meaningful Access for LEP Individuals

Subrecipients are required to take reasonable steps to ensure that LEP individuals have meaningful access to their programs and activities. Reasonable steps may include, but are not limited to, the following (29 CFR Section 38.9[b][1]):

- Conducting an assessment of an LEP individual to determine their language assistance needs.
- Providing oral interpretation or written translation of both hard-copy and electronic materials, in the appropriate non-English languages, to LEP individuals.
- Conducting outreach to LEP communities to improve service delivery in needed languages.

Reasonable steps for providing meaningful access to training programs may include, but are not limited to the following (29 CFR Section 38.9[b][2][i][ii]):

- Written training materials in appropriate non-English languages by written translation, or by oral interpretation, or summarization.

- Oral training content in appropriate non-English languages through in-person or telephone translation.

Furthermore, subrecipients should ensure that every program delivery method, whether it be in person, electronic, or by phone, conveys in the appropriate language how an LEP individual may effectively learn about, participate in, and/or access any aid, benefit, service, or training available to them. It should also be noted that as new methods for the delivery of information or assistance are developed, subrecipients are required to take reasonable steps to ensure that LEP individuals remain able to learn about, participate in, and/or access any aid, benefit, service, or training available to them (29 CFR Section 38.9[c]).

Language Assistance Services

Language assistance generally comes in two forms: oral interpretation or written translation. Subrecipients must ensure that above all, these services are free of charge and provided in a timely manner. An LEP individual must be given adequate notice about the existence of interpretation and translation services and that they are available free of charge. Language assistance will be considered timely when it is provided at a place and time that ensures equal access and avoids the delay or denial of any aid, benefit, service, or training (29 CFR Section 38.9[d] and [e]).

Interpreter Services

Subrecipients shall not require an LEP individual to provide their own interpreter. Furthermore, subrecipients shall not rely on an LEP individual's minor child or adult family or friend to interpret or facilitate communication, except for the following circumstances:

- In emergency situations while awaiting a qualified interpreter.
- When the information conveyed is of minimal importance to the services to be provided.
- When an LEP individual specifically requests that an accompanying adult provide language assistance and they agree to provide assistance to the individual. If a subrecipient permits an accompanying adult to serve as an interpreter for an LEP individual, it must make and retain a record of the LEP individual's decision to use their own interpreter.

Finally, where precise, complete, and accurate interpretations or translation of information and/or testimony are critical for adjudicatory or legal reasons, subrecipients as can still provide their own, independent interpreter, even if an LEP individual wants to use their own interpreter as well. This also applies in cases where the competency of the interpreter requested by the LEP individual is not established (29 CFR Section 38.9[f]).

Concerning Vital Information

For languages spoken by a significant portion of the population eligible to be served or likely to be encountered, subrecipients must translate vital information in written materials into these

languages. These translations must in turn be readily available upon request in hard copy or electronically. Written training materials offered or used within employment-related training programs (see definitions section) are excluded from these translation requirements. However, in all cases, subrecipients must take reasonable steps to ensure meaningful access for LEP individuals.

For languages not spoken by a significant portion of the population eligible to be served or likely to be encountered, subrecipients must take reasonable steps to meet the particularized language needs of LEP individuals who seek to learn about, participate in, and/or access the aid, benefit, service or training that is available to them. Vital information may be conveyed orally if not translated.

Subrecipients must also be sure to include a Babel Notice, indicating that language assistance is available in all communications of vital information. This includes letters or decisions in hardcopy or electronic formats (29 CFR Section 38.9[g]).

Finally, to the extent otherwise required by 29 CFR Part 38, once a recipient becomes aware of the non-English preferred language of an LEP beneficiary, participant, or applicant for aid, benefit, service, or training, the recipient must convey vital information in that language (29 CFR Section 38.9[h]).

Written LEP Plan

In order to ensure that reasonable steps are taken to allow meaningful access for LEP individuals, the WDBVC has developed a written LEP Plan (Attachment I). Subrecipients and service providers shall adhere to the WDBVC's LEP Plan.

For additional information on best practices and resources for serving individuals with substantial cultural and language barriers to employment, subrecipients are encouraged to review DOL TEN 28-16.

ACTION

Bring this policy to the attention of all affected staff.

INQUIRIES

Inquiries regarding this policy can be addressed to the WDBVC at 805-477-5306.

/S/ Rebecca Evans, Executive Director
Workforce Development Board of Ventura County

ATTACHMENTS:

Attachment I - WDBVC Limited English Proficiency Plan

WORKFORCE DEVELOPMENT BOARD OF VENTURA COUNTY

LIMITED ENGLISH PROFICIENCY PLAN



I. EXECUTIVE SUMMARY

Individuals who do not speak English as their primary language and who have limited ability to read, write, speak, or understand English may incur a barrier to employment and are entitled to language assistance in their effort to enter the workforce. The quality and accuracy of the language is critical to these efforts and shall be provided in a timely manner to ensure maximum access to services. This plan provides individuals with Limited English Proficiency (LEP) access to programs and services provided by the Ventura County America's Job Centers of California and Workforce Development Board of Ventura County (WDBVC) offices on an equitable basis. This plan is applicable to all subrecipients of the WDBVC that receive Federal financial funds. This plan reflects the LEP needs of Workforce Innovation and Opportunity Act (WIOA) operations in all local offices.

II. BACKGROUND

a. Policy

It is the WDBVC's policy that no individual be subjected to any form of discrimination because of national origin in any WDBVC programs, programs receiving WIOA funding, or WDBVC programs receiving Federal financial assistance.

b. Purpose

This plan ensures equal access to services provided by the WDBVC to individuals with limited English proficiency (LEP). This plan does not create new services, but instead eliminates or reduces, to the maximum extent practicable, LEP as a barrier to accessing existing information, programs, and activities.

c. Scope

The WDBVC shall be responsible for identifying major concentrations of ethnic groups with Limited English Proficiency; staff training needs; inventorying and identifying language assistance aids such as posters, handbooks, forms, handouts, etc.; and developing other language assistance aids to assist with service delivery.

The WDBVC LEP Plan shall be reviewed and updated on an annual basis with the exception of any major changes in demographics, types of services, program changes, or other factors affecting a specific geographic location. Should any of these changes occur, an immediate review of the situation, and plan update will be completed. The annual review, as well as any necessary modifications, will be conducted by the WDBVC.

The WIOA funds may be used to support procurement of language assistance materials and to support costs associated with group language assistance training. Individual clients who require

language assistance training and are eligible for WIOA programs and services may be funded from the specific program area funds (Adult, Dislocated Worker, and Youth).

The goal of this plan is to function as a tool used to assess the effectiveness of WDBVC's service delivery to LEP individuals.

d. Title VI of Civil Rights Act of 1964

Section 601 of Title VI of the Civil Rights Act of 1964 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." The requirement to provide meaningful access under Title VI applies beyond the education context to include all of the programs and activities of all recipients of Federal financial assistance.

e. Executive Order No. 13166

On Aug. 11, 2000, President Clinton issued Executive Order No. 13166, entitled "Improving Access to Service for Persons with Limited English Proficiency" (available electronically at <http://www.dol.gov/oasam/regs/statutes/Eo13166.pdf>). This executive order was meant to clarify Title VI of the Civil Rights Act of 1964. The executive order was issued to ensure equal accessibility to federally funded programs and services to otherwise eligible individuals not proficient in the English language. The executive order states that:

Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities.

Executive Order No. 13166 ensures that in addition to Federal agencies, recipients of Federal financial assistance funds must also comply with Title VI and the LEP guidelines of the agency from which the funds are received. In addition, each agency subject to the requirements of Title VI must publish guidance to its respective recipients clarifying its obligation. As a recipient of Federal funding, this requirement applies to all programs and services offered by WDBVC.

f. United States Department of Labor Guidance

The United States Department of Labor (DOL) has provided policy guidance to Federal financial assistance recipients regarding the Title VI prohibition against national origin discrimination affecting LEP persons. The DOL has created a webpage entitled "LEP Toolkit" which provides numerous resources for recipient agencies to utilize as they create LEP Plans. This webpage is accessible at <http://www.dol.gov/oasam/programs/crc/lepcnt.htm>.

Among the available LEP planning resources provided by DOL, is the “Policy Guidance on the Prohibition of National Origin Discrimination as it Affect Person with Limited English.” This guidance policy was published in the Federal Register on May 29, 2003. The DOL policy guidance states:

Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally assisted programs and activities.

The DOL policy guidance helps to ensure “that federally assisted programs aimed at the American public do not leave some behind simply because they face challenges communicating in English.” Subrecipients likewise are held to the same standards when Federal funds are passed through from one recipient to a subrecipient.

In the DOL context, Section 188 of the WIOA provides regulations for the implementation of policies and procedures that provide equal opportunity and equal access in a nondiscriminatory manner. Section 188 states that where “a significant number or proportion of the population eligible to be served, or likely to be directly affected, by a WIOA Title I-assisted program or activity may need services or information in a language other than English in order to be effectively informed about, or able to participate in, the program or activity.”

The Section 188 regulations require recipients “to take reasonable steps to provide services and information in appropriate languages.” Even where there is not a “significant” number or proportion of LEP persons in the community serviced by the recipient, recipients nonetheless are required to “make reasonable efforts to meet the particularized language needs of limited-English speaking individuals who seek services or information from the recipient.”

III. THE FOUR-FACTOR ANALYSIS

Subrecipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the DOL has stated that the starting point is an individualized assessment that balances the following four factors:

Factor 1: The Number or Proportion of LEP Persons Served or Encountered in the Eligible Service Population

The U.S. Census Bureau has a range of four classifications of how well people speak English. The classifications are (1) ‘Very Well,’ (2) ‘Well,’ (3) ‘Not Well,’ and (4) ‘Not At All.’ For planning and statistical purposes, we are considering individuals who speak English at any level below “Very Well” as Limited English Proficient (LEP).

As part of this planning process, we have included statistics from the U.S. Census Bureau 2017 American Community Survey 5-Year Estimates Table to illustrate the number of individuals living

in Ventura County who speak English less than “Very Well.” In addition, this U.S. Census survey indicates the number of individuals in each language group among the total population of individuals who speak English less than “Very Well.” These statistics help to identify prominent and/or growing language groups for planning purposes at a Local Workforce Development Area (LWDA) level.

Factor 2: The Frequency With Which LEP Individuals Come in Contact With the Program

The program must be evaluated in relationship to the number of LEP persons who are within the program area and the number of times those persons have frequented the program or activity. WDBVC utilizes the CalJOBS system, the State of California’s public labor exchange system, to provide information to job seekers, to register program applicants and participants, and to list available jobs. User statistics have been pulled from CalJOBS Registered Individuals, which indicate voluntary self- identification information, which may help to indicate a potential need for language assistance among individuals.

Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Recipient

The WDBVC provides a wide range of programs, activities and services. The WDBVC provides Veterans Services, Job Seeker Services, Business Services, and a multitude of other services. The WDBVC is responsible for administering numerous programs that receive Federal funding, including: WIOA, Veterans, Rapid Response, CalWORKs Welfare-to-Work, and many other programs receiving Federal funding or grants.

Factor 4: The Resources Available to the Recipient and Costs

WDBVC serves the Ventura County Local Workforce Development Area and is required by Federal law to provide access to LEP persons, and to ensure that its subrecipients also provide such access.

IV. IDENTIFYING INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY

To achieve equal access to all programs offered by WDBVC, it is essential to conduct a thorough assessment of the language needs of the populations served by attempting to identify LEP individuals. In order to identify language needs, the LEP committee has reviewed available language data from the U.S. Census American Community Survey.

The U. S. Census American Community Survey 2017 estimates, the most recent data available for county level data, show that there were 115,401 individuals in Ventura County who speak a language other than English at home and speak English less than “Very Well.” This number constitutes approximately 14.37% of the population age five and older in Ventura County (802,828). Spanish speakers make up 80.08% of the people who speak English less than “Very Well” in Ventura County.

Number and Percent of People Who Speak English Less Than "Very Well" by Language or Language Group in Ventura County		
Language/Language Group	Number of Individuals Who Speak English Less than "Very Well"	Percent of Individuals Who Speak English Less than "Very Well"
Spanish	92,417	80.08%
Chinese (incl. Mandarin, Cantonese)	3,651	3.16%
Tagalog (incl. Filipino)	2,776	2.41%
Punjabi	1,760	1.53%
Arabic	1,423	1.23%
Korean	1,301	1.13%
Japanese	1,137	0.99%
Vietnamese	1,093	0.95%
Persian (incl. Farsi, Dari)	723	0.63%
Polish	693	0.60%
Gujarati	654	0.57%
Ilocano, Samoan, Hawaiian, or other Austronesian languages	505	0.44%
German	468	0.41%
Russian	313	0.27%
Armenian	301	0.26%
Thai, Lao, or other Tai-Kadai languages	229	0.20%
Other languages of Asia	227	0.20%
Other Indo-European languages	226	0.20%
Nepali, Marathi, or other Indic languages	213	0.18%
Hebrew	207	0.18%
Bengali	192	0.17%
Italian	145	0.13%
Tamil	145	0.13%
Serbo-Croatian	86	0.07%
French (incl. Cajun)	73	0.06%
Ukrainian or other Slavic languages	70	0.06%
Yiddish, Pennsylvania Dutch or other West Germanic languages	67	0.06%
Khmer	60	0.05%
Swahili or other languages of Central, Eastern, and Southern Africa	44	0.04%
Malayalam, Kannada, or other Dravidian languages	42	0.04%
Urdu	38	0.03%
Other and unspecified languages	4,122	3.57%
Ventura County Total	115,401	100.00%

Source: U.S. Census Bureau, 2017 American Community Survey 5-Year Estimates

V. OPERATIONAL GUIDELINES REGARDING LANGUAGE ASSISTANCE SERVICES

a. Identifying LEP Individuals

At the point of first contact with an LEP individual, subrecipient staff should make reasonable efforts to conduct or arrange for an initial assessment of the need for language assistance services and make reasonable efforts to obtain such services if they are needed to effectively communicate with the individual.

Subrecipient staff can determine whether a person needs language assistance in several ways:

- Inquiring if the individual identifies him/herself as a non-English speaker, LEP individual, or companion thereof;
- Inquiring as to the primary language of the individual who identified him/herself as needing language assistance services;
- Asking a multilingual staff or qualified interpreter to verify an individual's primary language;
- Observing the individual's use of an "[I speak](#) ... [language]" identification card or poster.

b. Oral Language Interpretation

Subrecipient staff will assist LEP persons in face-to-face and telephone encounters with oral interpretations from qualified interpreters or employees. At the point of first contact, the subrecipient employee will determine whether the person has LEP by determining the primary language and implement or procure the appropriate language assistance. Subrecipient staff may identify an individual's primary language using the following:

- "I speak ... [language]" identification cards, which should be procured depending on the facility's language needs.
- Displaying language identification posters within work units that typically serve LEP persons.
- Verifying foreign language proficiency by using a qualified interpreter (in person, telephonically, or through video interpretation services).
- Written translations—Subrecipient will translate in relevant languages vital printed documents such as application procedures or training documentation.

Strictly limit and do not encourage the use of friends or family as interpreters. Permit such use only after meeting all of the following conditions:

- The LEP person declines the right to free interpreter services and requests the use of a family member or friend;
- When the information conveyed is of minimal importance to the services to be provided;
- The use of such a person will not compromise the effectiveness of services or violate the LEP person's confidentiality; and

- The LEP person's file documents the offer and declination of free interpreter services.

If a LEP person elects to use a friend or family member as an interpreter, WDBVC suggests that an alternate interpreter sit in on the encounter to ensure the accuracy of the interpretation.

c. Translation of Written Materials

Translation of written material is the replacement of written text from one language (source language) into equivalent written text in another language (target language).

- Written materials may include but are not limited to: letters containing important information regarding participation in programs; notices pertaining to the granting or denial of benefits; notices of appeal rights; notices that require responses from beneficiaries; notices advising LEP individuals of the availability of free language assistance; and other outreach materials. Translation may include all or part of a document.
- Subrecipients should determine, on a case-by-case basis, the extent of the obligation to provide translated documents. Consider translating any document or information if it contains critical information for accessing WIOA programs, services, benefits or is required by law.
- Subrecipients will ensure that the individual translating the materials is appropriately qualified and the translations accurately convey the required information. For example, some verbatim translations may not accurately convey the substance contained in the original written materials.

To determine the resources available to provide language assistance to LEP persons and the costs associated with those resources, subrecipients shall explore the most cost-effective means of delivering competent and accurate language services. This exploration includes determining costs associated with translating documents, contracting interpreters, and securing other language assistance methods as needed in addition to using subrecipient staff who can assist customers in specific languages.

d. Local Office Language Assistance Measures

Language assistance services are available throughout the LWDA for many languages. Subrecipient staff may access these services through coordination with Adult Basic Education English as a Second Language providers, local literacy councils, community action agencies, community-based organizations (CBOs), and private providers of language assistance which provide specific language assistance such as Spanish, Chinese, Tagalog, etc.

Brochures, signage, and complaint forms are required to be available in multiple languages in all offices throughout the LWDA. The WDBVC maintains ongoing efforts to create and provide translation of Equal Employment Opportunity (EEO) brochures, posters, and customer materials.

Assistance may include interpreters, translated versions of WDBVC documents/information, referral to English as a Second Language courses, or other appropriate services, which will enable the individual to enter the workforce.

Subrecipients shall develop a listing of staff who provide specific language assistance available at each location. An example is shown below:

Name of Facility	Address	Non-English Languages Spoken by Staff

VI. ACCESSIBILITY OF INFORMATION ONLINE TO LEP INDIVIDUALS

a. CalJOBS

CalJOBS is the labor exchange, case management and reporting site for the WDBVC programs. CalJOBS is available in English and Spanish. CalJOBS is accessible at <https://www.caljobs.ca.gov/vosnet/Default.aspx>.

b. WDBVC Website

The WDBVC public website provides information for workers and employers. This includes information about job searching, training, the WIOA, and many additional programs and services. The WDBVC site is available in multiple languages, translated by Google. The WDBVC site is accessible at <http://www.workforceventuracounty.org/>.

c. Social Media

The WDBVC may utilize multiple social media platforms in order to improve and increase its public outreach. At this time, all information published to social media platforms is published exclusively in English.

VII. ACCESSIBILITY OF RAPID RESPONSE INFORMATION TO LEP INDIVIDUALS

WDBVC manages the Ventura County LWDA's Rapid Response activities. Rapid Response provides assistance to workers who are dislocated due to plant closures and substantial layoffs, and is a required activity under WIOA.

Rapid Response meetings provide information to dislocated workers about AJCC services, WIOA training activities, Trade Adjustment Assistance, Unemployment Insurance benefits, LMI,

financial counseling, Federal financial assistance, and many other job-seeker services and programs. Translation assistance is provided at Rapid Response events upon request.

VIII. TRAINING STAFF

Training on serving individuals with LEP needs shall be conducted by subrecipients for their staff. Each subrecipient Equal Opportunity (EO) Officer or designee will coordinate, schedule and implement training. LEP training shall be conducted every year, with the training materials and topics being coordinated with the EO Officer or designee. Subrecipients shall ensure that new and existing staff members periodically receive training. Additional training sessions may be conducted alerting staff to any major changes necessitating alterations to the LEP plan that would directly influence daily activities. Likewise, training materials and tools are shared with staff through meetings and emails as the WDBVC or the subrecipient becomes aware of them. Some of these items include, but are not limited to, resources such as: “[I Speak Cards](#)”, free website translations services, Federal initiatives and tools, U.S. Census data, and a translatable glossary of workforce terms.

The content, details and topics of training will be determined based upon needs, recommendations by staff and also by the EO officer, as well as budget constraints. Training may include but is not limited to:

- Identifying the language needs of LEP individuals;
- Working with interpreters in-person or on the telephone;
- Requesting documents for translation;
- Accessing and providing language assistance services through multilingual employees, in-house interpreters and translators or contracted personnel;
- Professional responsibility with respect to LEP individuals;
- Interpreter ethics;
- Tracking the use of language assistance services; and
- Tips on providing effective assistance to LEP individuals.

[LEP.gov](#) is a free, online resource that staff can access regarding LEP. LEP.gov promotes a positive and cooperative understanding of the importance of language access to federally conducted and federally assisted programs. The site acts as a clearinghouse, providing and linking to information, tools, and technical assistance regarding LEP and language services for Federal agencies, recipients of Federal funds, users of Federal programs and Federally assisted programs, and other stakeholders.

The WDBVC continues to implement the practice of requiring bilingual skills to be part of the hiring practice. Applicants are not screened out if they do not have bilingual skills; however, it is desirable if bilingual skills are present in an applicant, as the WDBVC strives to hire qualified candidates who possess bilingual skills in order to ensure access to services for LEP customers.

IX. QUALITY CONTROL

Ensuring the quality and accuracy of language assistance services provided by the WDBVC is critical to providing LEP individuals with meaningful access to programs and activities. Subrecipients should take reasonable steps to ensure that all staff who serve as translators, interpreters or who communicate “in-language” with LEP persons are competent to do so. Factors indicating competency may include:

- Demonstrated proficiency in communicating information accurately in both English and the other language;
- Identifying and employing the appropriate mode of interpreting (e.g., consecutive, simultaneous, or sight translation), translating, or communicating fluently in the target language;
- Knowledge in both languages of any specialized terms or concepts particular to the component’s program or activity and of any particular vocabulary used by the LEP person;
- Understanding and following confidentiality, impartiality and ethical rules;
- Understanding and adhering to the role as interpreter, translator or multilingual individual.

Subrecipients should also take reasonable steps to ensure that all staff who serve as bilingual translators are oriented, trained and briefed by subrecipient designated staff on the context and intended audience for the translated text. Appointed key staff overseeing the translators (staff or contracted) will review, oversee and assess the quality of any translated written text. Efforts to gain feedback from the recipients of these services are critical. Instituting an on-line survey after receiving services can assist in assessing quality, the improvement, and the professionalism of the delivery of the interpreters/translators.

Further, subrecipient staff should always record in the files of LEP customers along with their language needs for future use and as formal recording of their language needs.

X. COMPLIANCE AND ENFORCEMENT

The WDBVC is responsible for ensuring subrecipient compliance with the LEP Plan. WDBVC will assess annually whether a subrecipient’s procedures allow LEP persons to overcome language barriers and participate in a meaningful way in programs, services, and benefits. Prohibited practices include:

- Providing services to LEP persons that are more limited in scope, not as effective or lower in quality, than those provided to other persons who are proficient in English;
- Subjecting LEP persons to unreasonable delays in the delivery of services;
- Limiting participation in a program or activity on the basis of English proficiency;
- Failing to inform LEP persons of the right to receive free interpreter services and/or requiring LEP persons to provide their own interpreters.

XI. DISSEMINATION OF WDBVC'S LEP PLAN

The WDBVC's LEP Plan may be accessed on the WDBVC website at <http://www.workforceventuracounty.org/>.

XII. LEP COMPLAINT PROCEDURES

If you think you have been subjected to discrimination involving LEP, Title VI, and related statutes please contact the WDBVC at (805) 477-5306.

This WIOA Title I-financially assisted program or activity is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. TTY users, please call the California Relay Service at 711.