

LIMITED ENGLISH PROFICIENCY (LEP) POLICY FOR DAVIS COUNTY

Davis County, as a recipient or subrecipient of funding from the United States Department of Transportation (USDOT), must assure that Limited English Proficiency (LEP) people have meaningful language assistance by reasonable means when using services provided by us. Funding assistance from the USDOT agencies, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) requires a plan for providing this meaningful access in accordance with Title VI of the Civil Rights Act of 1964 and implementing regulations.

Who is an LEP Person?

This is an individual with a primary language other than English who must, due to limited fluency in English, communicate in that primary language in order to have an equal opportunity to participate effectively in, or benefit from any aid, service, or benefit provided by Davis County.

Authority and Guidance

Title VI of the Civil Rights Act of 1964 and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color or national origin under any program or activity that received Federal financial assistance. Code of Federal Regulations Title 49 Part 21 specifically effectuates the provisions of Title VI rights to entities that receive Federal funds from the USDOT.

Determining the Need for Language Assistance

The following four factors will be used in determining the reasonable steps to take to provide LEP individuals with meaningful access to Davis County's programs, activities, and services:

1. Proportion of LEP people
2. Frequency of contact
3. Nature and importance of service provided
4. Cost

(1) Davis County will continually assess the language assistance needs of the population by tracking census and other current demographic information to research the percentage of people speaking a language other than English in the affected project area. Schools and religious organizations may also be contacted to assist in determining such needs.

(2) Davis County will determine the frequency with which LEP individuals will come in contact with a program or activity to determine the need for translation or interpreters.

(3) Davis County will review the importance of the activity or the likelihood of consequences to LEP people to determine the need for translation or interpreters.

(4) Cost will be factored in when considering “reasonable means”. Needs will be prioritized so that the language services are targeted where most needed because of the nature and importance of the activity involved. **However, LEP persons have the right to language assistance at no cost to them in their spoken language.**

Meaningful Language Assistance Measures

The key to providing meaningful access for LEP persons is to ensure that effective communication exists between the project, activity or service and the LEP person. ***If 5% or 1000 persons or more in a project area speak a language other than English,*** we will provide translations or interpreters or other language assistance as needed. To accomplish this, Davis County may:

- 1) Provide oral language assistance through CTS LanguageLink;
- 2) Translate written materials that are routinely provided in English to applicants, customers and the general public into languages regularly encountered; this may include, but is not limited to, driver’s license information, bid information, or meeting agendas.
- 3) Use alternative methods of communication and devices that do not use language, such as symbol signs, diagrams, color-coded warnings, or illustrations which can quickly communicate large amounts of information without words.
- 4) Conduct an annual assessment to determine
 - the current LEP composition of Davis County;
 - the current communication needs of LEP persons and whether existing assistance meets their needs
 - whether staff is knowledgeable about policies and procedures and how to implement them
 - whether arrangements for assistance are still current and viable.

Training and Complaints

Davis County will train staff on policies and procedures of language assistance, how to determine whether a customer needs language assistance services, and how to obtain such assistance. Staff will also be trained on how to recognize potential Title VI issues and to properly respond to Title VI complaints.

Any complaints from any member of the public will be referred to the Title VI Coordinator, who will provide a Complaint Form and assist with the complaint procedure as outlined in the Title VI Nondiscrimination Agreement implemented by Davis County on August 13, 2012.