

RESOLUTION NO. 2024-017

**A RESOLUTION AUTHORIZING ADOPTION OF A LIMITED
ENGLISH PROFICIENCY PLAN**

WHEREAS, the City is a recipient of state and federal aid program funding; and,

WHEREAS, as a recipient of federal funding, the City must take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs, and other benefits; and,

WHEREAS, as part of the City's Title VI compliance review, the City is required to adopt the attached Limited English Proficiency (LEP) plan; and,

WHEREAS, execution of the attached Limited English Proficiency (LEP) plan ensures meaningful communication with persons with Limited English Proficiency (LEP).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLINTON, IOWA, that the Council hereby approves and adopts the attached Limited English Proficiency (LEP) plan.

This resolution is adopted by the City of Clinton and approved by the Mayor this 23 day of January 2024



Mayor

ATTEST:



City Clerk

Limited English Proficiency Plan

City of Clinton, Iowa

January 2024



611 South 3rd Street, Clinton, IA

563-242-2144

Table of Contents

I.	Introduction.....	Page 3
II.	Meaningful Access: Four Factor Analysis.....	Page 4
III.	Language Assistance.....	Page 6
IV.	Staff Training... ..	Page 7
V.	Translation of Documents... ..	Page 7
VI.	Monitoring.....	Page 7
VII.	Dissemination of City’s LEP Plan	Page 8

I. INTRODUCTION

This *Limited English Proficiency Plan* has been prepared to address the City of Clinton's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared to ensure compliance with HUD's guidance and Title VI of the Civil Rights Act of 1964, and its implementing regulations. Under HUD's guidance, the City must take reasonable steps to ensure meaningful access to their programs and activities by persons with Limited English Proficiency (LEP).

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including the City of Clinton Departments.

Plan Summary

The City of Clinton has developed this *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with Limited English Proficiency (LEP) who wish to access services provided. As defined Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the City of Clinton used HUD's four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the programs;
2. The frequency with which LEP persons come in contact with City programs;
3. The nature and importance of the programs and services provided by the City to the LEP population;
4. The resources available to the City and overall cost to provide LEP assistance.

SAFE HARBORS

In accordance with HUD Safe Harbors for LEP, the City of Clinton will translate written documents for groups that are at least 5% of the population eligible or 1,000 persons, whichever is less.

If there are fewer than 50 persons in a language group that reaches the 5% trigger above, the City of Clinton will not translate the vital written materials, but provides written notice in the primary language of the LEP group of the right to receive competent oral interpretation of those written materials, free of cost.

II. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the programs.

Clinton does not have a defined LEP population above HUD's Safe Harbor threshold. According to the City's 2022 ACS 5-Year Estimates, the City's total population 5 years and older was 23,089. Of that, 671 persons in the City of Clinton (2.9% of the population) speak a language other than English. In Clinton, 408 (1.8%) speak Spanish, 34 (0.1%) speak Indo-European languages, 59 (0.3%) speak Asian and Pacific Island languages, and 170 (0.7%) speak other languages. Oral Interpretation Services are available for clients, upon request.

Speak language other than English: (source- U.S. Census Bureau, 2022 American Community Survey 5-Year Estimates for Clinton, Iowa)

Language (population 5 years and over)	Population
Spanish	408
Other Indo-European Languages	34
Asian and Pacific Island Languages	59
Other Languages	170

2. The frequency with which LEP persons come in contact with City services.

The City staff reviewed the frequency with which staff have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. Over the past two years, the City Hall staff had no requests for interpreters and no requests for translated program documents.

- Language Identification Cards will be used as necessary to determine a client's language needs.
- The following statement will be added to public meeting and event notices: "The City of Clinton meetings are open to all individuals regardless of language spoken or disability. Any person requiring a reasonable accommodation to participate in this meeting, should contact the City Clerk's office at (563) 244-3421, at least two business days prior to the scheduled meeting."

3. The nature and importance of services provided by the City to the LEP population.

Infrastructure and housing play a critical role in maintaining quality of life. The City is committed to ensure access to safe, sanitary and affordable housing and appropriate infrastructure for our eligible clients. Outreach throughout the community helps to ensure awareness of our programs. The majority of the City's population - 97.1% speak only English. We maintain a working relationship with the local School District and the local Community College that have interpreters for needed languages. City staff are most likely to encounter LEP individuals through office visits and phone conversations. Upon client request, the City will provide oral interpreters using bi-lingual employees or qualified contract interpreters. To date, all LEP individuals have provided their own interpreter-a child or friend.

4. The resources available to the City, and overall cost to provide LEP assistance.

The City of Clinton reviewed its available resources that could be used for providing LEP assistance, which of its documents would be most valuable to be translated if the need should arise, and have City staff that would be willing to provide voluntary Spanish translation if needed within a reasonable time period. Other language translation, if needed, would be provided through the local School District or local Community College interpreters for which the City would pay a fee. The City allows LEP clients to use an interpreter of their own choosing in place of our assistance.

III. LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to City services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How the City staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- All City staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When the City conducts a Public Hearing, an informational meeting or event, a staff person may greet participants as they arrive. By informally engaging participants in conversation, it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need for future events.

Language Assistance Measures-Although there is a small percentage in Clinton of eligible LEP households, that is, persons who speak English "not well" or "not at all", it will strive to offer the following measures:

1. The City staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.

2. The following resources will be available to accommodate LEP persons:

- Interpreters for the Spanish language are available and will be provided within a reasonable time period.
- Language interpretation will be accessed for all other languages through a partnership with the local School District and/or Community College.

IV. STAFF TRAINING

The following training will be provided to all staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

All contractors, subcontractors and subrecipients performing work for or receiving federal funds for City projects will be required to follow the Title VI/LEP guidelines.

V. TRANSLATION OF DOCUMENTS

- The City weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary cost to have any documents translated.
- Due to the relatively small eligible local LEP population, the City does not have a formal outreach procedure in place in 2024. Translation resources have been identified. When and if the need arises for LEP outreach, the City will consider the following option:
 - When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

VI. MONITORING AND UPDATING THE LEP PLAN

The City of Clinton will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated every two years using American Fact Finder for census information, or when it is clear that higher concentrations of LEP individuals are present in the City of Clinton. Updates will include the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.

- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether the City's financial resources are sufficient to fund language assistance resources needed.
- Determine whether the City fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

VII. DISSEMINATION OF CITY'S LEP PLAN

The LEP Plan will be on the City's website page and provided to anyone requesting the information.