

Language Access Plan

Planning Department

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Table of Contents

I. Introduction	Page 3
II. Plan Summary	Page 3
III. Meaningful Access: Four Factor Analysis	Page 3
IV. Language Access Plan	Page 5
V. Translation of Documents	Page 6
VI. Monitoring and Updating Plan the LAP Plan	Page 6
VII. Dissemination and Complaint Procedures	Page 7
VIII. Definitions	Page 7

I. INTRODUCTION

The Planning Department has the responsibility to ensure, for all people, our handouts, notices and building safety documents are carried out in a manner that is not discriminatory, regardless of race, color, national origin, or sex (gender). The Planning Department is committed to fulfilling this obligation.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

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 Municipality of Anchorage.

Pursuant to Anchorage Municipal Policy and Procedure #16-6, the Municipality of Anchorage must "provide timely and meaningful access to LEP and deaf or hard-of-hearing individuals in the conduct of municipal business." Part of the meaningful access is up-to-date plans for each Municipal Agency to best support residents and visitors of this city, not only to meet Federal Civil Rights laws, but also to create a more welcoming municipal government and community for all people.

II. PLAN SUMMARY

The Planning Department has developed this Language Access Plan (LAP) to help identify reasonable steps to provide language assistance for limited English proficient (LEP) persons seeking meaningful access to our services as required by the Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

In order to prepare this plan, the Planning Department used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by the Planning Department.
2. The frequency with which LEP persons seek Planning Department services.
3. The nature and importance of services provided by the Planning Department to the LEP population.
4. The interpretation services available to the Planning Department and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

III. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. **The number or proportion of LEP persons in the service area who may be**

served or are likely to require Municipality of Anchorage services.

The Mayor’s Language Access Liaison examined the U.S. Census Bureau’s 2009-2013 American Community Survey, Table B16001 “Language Spoken at Home by Ability to Speak English for the Population 5 years and Over.” Through an analysis of the population sorted by census tracts within the Municipality of Anchorage, it was determined that approximately 6.2% of the Anchorage population (17,050 individuals) speak English “less than very well”. It should be noted that “less than very well” is inclusive of responses indicating they spoke English “not well,” and “not at all.”

**Populations Exceeding the LEP Safe Harbor Threshold
(5% of total population or 1,000 individuals – whichever is less)**

Primary Language Spoken	# of Individuals	% of Population
Tagalog	3881	1.4
Spanish or Spanish Creole	3287	1.2
Hmong	1687	0.6
Korean	1539	0.6
*Other Pacific Island Languages	1379	0.5

* "Other Pacific Island Languages" includes, but is not limited to: Chamorro, Hawaiian, Ilocano, Indonesian, and Samoan

2. The frequency with which LEP individuals may come in contact with the Planning Department

The Planning Department’s public counter interacts with individuals who speak English as a second language occasionally. During the summer months, these encounters increase but the majority of encounters year-round are from English-speaking residents. Staff use a variety of strategies to convey information including Language Link interpretation services.

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

The ability to effectively communicate with the public is essential to ensure that the extent of our services is easily understood by those seeking information on land use planning regulations.

The ability to effectively communicate with the public is essential to ensure the extent of our services are easily understood by those seeking to use our public permitting counter.

4. The resources available to the Planning Department, and overall costs to provide LEP assistance.

The Planning Department reviewed its available resources that could be used for providing LEP assistance and which documents would be most valuable to be translated if the need should arise. The Planning Department will use Language Link for telephonic

interpretation services, the Alaska Institute for Justice-Language Interpreter Center for in-person interpretation and will seek quotes for necessary translation from both entities. Currently, Language Link does not provide services in any Alaska Native Language, so we will exclusively use the Language Interpreter Center for these needs.

IV. LANGUAGE ACCESS PLAN

A. Identification of a LEP Person who needs language assistance services

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 LEP person and may be entitled to language assistance with respect to the Planning Department's 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 Planning Department staff may identify a LEP person who needs language assistance:

- Signage about language services in different languages;
- "Point to Your Language" Posters;
- Self-identify as needing an interpreter;
- Build and maintain a log of onsite assessed and trained bilingual speaking staff to provide initial assistance, but utilize the Language Link to complete customer business needs;
- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- Public notices for public meetings should include a standardize message that informs the public of the following:
 - For general funded project/cases/meetings, the following should be used: "This is a public meeting. The MOA does not discriminate on the basis of age, race, sex, color, national origin, religion or disability in access to, or operation of its programs, services, activities, or in its hiring or employment practices. ADA inquiries should be forwarded to "(add name of individual, email, and/or phone number)" to request reasonable accommodations."
 - For federally funded projects/meetings, the following should be used: "This is a public meeting. The MOA does not discriminate on the basis of age, race, sex, color, national origin, religion or disability in access to, or operation of its programs, services, activities, or in its hiring or employment practices. ADA and Title VI inquiries should be forwarded to "name individual and email or phone number" to request reasonable accommodations."
- Survey first line staff of any direct or indirect contact with LEP individuals.

B. Language Assistance Measures

The Planning Department has been using Language Link and the Language Interpreter Center since 2016, a recording and reporting mechanism will be implemented. Invoices from both vendors assist in providing this information.

1. The Planning Department staff will take reasonable steps to provide the opportunity

for meaningful access to LEP persons who have difficulty communicating English.

2. The following resources will be available to accommodate LEP persons:
 - i. "Point to Your Language" posters and brochures will be in easy view of front desk
 - ii. Language Link brochures with "Point to Your Language" language identification and instructions for use will be given to all Planning Department employees
 - iii. Staff will be trained on how to identify language of LEP through use of "Point to Your Language" cards or through assistance of Language Link operator
 - iv. Staff will utilize Google Translate for quick assistance if a LEP person requires assistance with a document. Determination will be made for long documents if paid translation is to be pursued.

C. Staff Training

The following training will be provided to all staff:

- Information on the MOA's responsibilities per/in regard to Title VI Policy and Language Access for LEP individuals,
- Description of language assistance services offered to the public,
- Use of the "Point to Your Language" cards,
- Documentation of language assistance requests,
- How to handle a potential Title VI/LEP complaint,
- Working with an interpreter, and
- Specific note that staff are prohibited from asking for citizenship status of any individual

All contractors or subcontractors performing work for the Planning Department will be required to follow the Title VI/LEP guidelines.

V. TRANSLATION OF DOCUMENTS

- 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.
- Quotes for translation services will be received from both vendors before a contract is signed.

VI. MONITORING AND UPDATING THE LAP PLAN

This plan is designed to be flexible and is one that can be updated regularly. At a minimum, the plan will be reviewed annually and updated with data points from the following year and incorporated any new U.S. Census data as available. Updates will incorporate data gained from the reporting tool and staff observation, including:

- The number of documented LEP person contacts encountered annually,
- Determination of the current LEP population in the service area,
- How the needs of LEP persons have been addressed,
- Determination of whether the need for translation services has changed,
- Determination of whether local language assistance programs have been effective and sufficient to meet the need,
- Determination of whether the Planning Department financial resources are sufficient to fund language assistance resources needed,

- Determination of whether the Planning Department fully complies with the goal of this Language Access Plan, and
- Determination of whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

VII. DISSEMINATION AND COMPLAINT PROCEDURE

- Post signs at public counter notifying LEP persons of the LEP Plan and how to access language services
- Include the LEP Plan with its Title VI Policy and Complaint Procedures. The Notice of Rights under Title VI to the public is posted at the permit counter and on the Department's website at www.muni.org/building.
- Copies of the LEP will be provided, on request, to any person(s) requesting the document via phone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request. Any questions or comments regarding this plan should be directed to:

Mayor's Language Access Liaison
 632 W 6th Avenue, Suite 840
 Anchorage, AK 99501
 907-343-7112

Language Access Services Complaint Process:

- A complaint regarding the denial of language accessible services, or regarding the quality of language accessible services, including interpreters or translated materials, may be made at: https://moa_onlineforms.formstack.com/forms/language_access_complaint
- The complaint should specify the date, individuals involved, and the nature of the client (i.e. the interpreter was summarizing, or a LEP individual was denied services because they did not bring their own interpreter);
- All complaints will be directed to the and the Mayor's Language Access Liaison, who will timely respond and make recommendations for corrective action, if needed; and
- Hard Copies will be available and will be translated into Spanish, Tagalog, Korean, Hmong, Samoan and Yup'ik.

VIII. DEFINITIONS

- A. Essential Public Information: Any information used by a department when dealing with the public which is necessary to accomplish the department's mission and with respect to public safety, public health, and economic development.
- B. Department Language Access Representative: The employee designated by the department director to be responsible for the department Language Access Plan (LAP) program.

- C. Four Factor Analysis: The procedure to determine the level of need for language services by documenting: 1) the number and proportion of LEP persons as reported by the most recent census; 2) the frequency with which LEP persons visit various MOA locations; 3) the nature and kind of programs or activities LEP persons use; and 4) the available resources and overall costs for LEP services.
- D. Frontline: Applies to departments and/or personnel that have regular and substantive contact with the public via in person or telephonic communication. See addendum for MOA organization chart with highlighted departments required to have written Language Access Plans.
- E. Interpretation: The immediate spoken communication of meaning from one language (the source language) to another (the target language).
- F. Interpreter: A person who is bilingual or multilingual and possesses the ability to successfully convey a message from one language to another through oral communication.
- G. Language Access Plan (LAP): Department specific documents outlining the procedures and practices that the department will implement to provide language access services to LEP individuals.
- H. Limited English Proficient (LEP): Someone who is not able to speak, read, write or understand English at a level that allows the person to interact effectively with department staff. Individuals maintain the right to self-identity as a LEP person and should not in any circumstances be expected to pay for translation or interpretation services in order to effectively communicate with the department.
- I. Mayor's Language Access Liaison: The employee designated by the Mayor to support the LAP program and to support the Department Language Access Representative.
- J. Telephonic Interpretation: A service that connects human interpreters via telephone to individuals who wish to speak to each other but do not share a common language. The telephone interpreter converts the spoken language from one language to another, enabling listeners and speakers to understand each other. Interpretation over the telephone most often takes place in a consecutive mode, which means that the interpreter waits until the speaker finishes an utterance before rendering the interpretation into the other language.
- K. Translation: The written communication of meaning from one language (the source language) to another (the target language).
- L. Translator: A person who is bilingual or multilingual and possesses the ability to translate from one language to another in written form.