



Title VI

and

Limited English Proficient Clients



Information compiled by
Nancy Cáliz
Hispanic Initiative



Title VI of the 1964 Civil Rights Act

“No person in the United States 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.”

-42 U.S.C. § 2000d.



Lau v. Nichols

- U.S. Supreme Court ruled in favor of LEP Chinese American students.
- Reflects that a person's language is closely intertwined with their national origin
- Expanded rights of students nationwide.



Limited English Proficient (LEP)

“Persons who do not speak English as their primary language and who have a limited ability to read, speak, write, and understand English.”



Executive Order 13166

“LEP individuals should have meaningful access to federally conducted and funded programs and activities.”

Who should comply?

ANY ENTITY RECEIVING FUNDS FROM THE FEDERAL GOVERNMENT
(recipients and sub-recipients)



Four-Factor Analysis

- Number/proportion of LEP individuals likely/eligible to be served.
- Frequency of assistance needed (how often LEP persons come in contact with the program).
- Nature and importance of program, activity, service to people’s lives.
- Resources available to grantee/recipient and costs.

Helps find balance to provide meaningful access while not imposing undue financial burdens.



Elements of an Effective LEP Policy

- Latest demographic information
- Identification of LEP individuals that need language assistance
- How will language assistance be provided?
- Training of staff and volunteers
- Notice to LEP individuals
- Monitor and update of policy



Language Access

- Translation of documents
- Interpretation
- Bilingual staff
- Community volunteers



Training of Staff & Volunteers

- Knowledge of policy and procedure
- Information on working with interpreters/translators
- Cultural competency
- Appoint a Language Access designee and taskforce



Notification to LEP Persons

- Posters/displays in strategic locations
- Media announcements in appropriate language(s)
- Collaborations with local groups/organizations



Update and Monitor Plan

- Inventory of languages encountered
- Channels of contact with LEP clients
- Review of programs and activities accessible to LEP clients.
- Latest demographic information



\$ Considerations

- LEP individuals cannot be required to pay for language access services.
- Ensure funding is allocated during grant-writing phase.
- Consider collaborating with other entities.



Resources

- Limited English Proficiency: a Federal Interagency Website
<http://www.justice.gov/crt/lep/>
- Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons
<http://www.archives.gov/eo/laws/title-vi.html>
- LEP rights brochure:
http://www.lep.gov/resources/lep_aug2005.pdf