

Resolution: 249

**Limited English Proficiency Plan  
City of Kimberly  
1/1/2010**

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**I. INTRODUCTION**

## **I. INTRODUCTION**

This *Limited English Proficiency Plan (LEPP)* has been prepared to address the City of Kimberly'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 in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

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 all City of Kimberly departments receiving federal grant funds.

### **Plan Summary**

The City of Kimberly 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 Kimberly 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 City of Kimberly.
2. The frequency with which LEP persons come in contact with City of Kimberly services.
3. The nature and importance of services provided by the City of Kimberly to the LEP population.
4. The interpretation services available to the City of Kimberly and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

## **II. 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 City of Kimberly services.**

The City of Kimberly staff reviewed the 2000 U.S. Census Report (Please see attached) and determined that one hundred six (106) persons in Kimberly [4.4% of the population] speak a language other than English. Of those 106 persons 46 [1.9%] have limited English proficiency; that is, they speak English less than "very well", this is only .02% of the overall population in the city. In Kimberly, of those persons with limited English proficiency, fifty-six (56) speak Spanish and fifty (50) speak Indo-European languages.

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

The City of Kimberly staff reviewed the frequency with which City Council, office staff and maintenance staff have, or could have, contact with LEP persons. This includes phone inquiries or office visits. The approximate contact on the phone and in person is generally around four (4) LEP citizens a month.

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

There is no large geographic concentration of any type of LEP individuals in the service area for the City of Kimberly. The overwhelming majority of the population, 95.6%, speaks only English. As a result, there are few social, service, professional and leadership organizations within the City of Kimberly service area that focus on outreach to LEP individuals. The Kimberly School District does offer Limited English Proficiency classes for the students. The City of Kimberly City Council and staff are most likely to encounter LEP individuals through office visits, phone conversations, notifications from maintenance staff of impacts on city services and attendance at City Council meetings.

**4. The resources available to the City of Kimberly and overall cost to provide LEP assistance.**

The City of Kimberly is very fortunate to have one fluent Spanish speaking employee, one fluent Spanish speaking Council Member and one administrative assistant that is able to communicate very well with our Hispanic residents. We do have many of our regular documents translated into Spanish. We translate our quarterly newsletter into Spanish and have a "language translator" on our website, which will translate our entire website into their language of choice.

### **III. LANGUAGE ASSISTANCE**

A person who does not speak English as their primary language and/or has a limited ability to read, write, speak or understand English may be a Limited English Proficient person (LEP) and may be entitled to language assistance with respect to City of Kimberly 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 of Kimberly 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.
- City staff will continue to greet citizens as they come into City Hall. City staff will be able to determine the need for interpretive services either in person or over the phone. We do have staff available to interpret for our Spanish speaking citizens.
- All City of Kimberly staff will be informally surveyed periodically on their suggestions, concerns or suggestions for improvement with our LEP citizens.
- When the City of Kimberly sponsors 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.

#### **A. Language Assistance Measures**

Although there is a very low percentage of LEP individuals in the City of Kimberly; that is, persons who speak English "not well" or "not at all", we will strive to offer the following measures:

1. The City of Kimberly staff will take reasonable steps to provide the opportunity for City services access to LEP clients who have difficulty communicating English.
2. City staff interpreters for the Spanish language are available and will be provided within a reasonable time period. This interpretation will only be provided for City related business.

#### **IV. STAFF TRAINING**

The following training will be provided to all staff:

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

**All contractors or subcontractors performing work for the City of Kimberly will be required to follow the Title VI/LEP guidelines.**

#### **V. TRANSLATION OF DOCUMENTS**

- The City of Kimberly weighed the cost and benefits of translating all documents for potential LEP groups. Considering the expense of translating all documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary burden to have all documents translated. The City of Kimberly has translated and will continue to translate forms as needed. We currently translate all job postings and our quarterly newsletter into Spanish. Our website offer an “any language” translation on any page of our website.
- Due to the very small local LEP population, the City of Kimberly does not have a formal outreach procedure in place, as of 2010. As stated prior, we do have Spanish speaking individuals who work in our office and communicate with our Spanish speaking citizens on a regular basis.
- When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting agendas, flyers, and agendas will be printed in an alternative language based on the known LEP population.

#### **VI. MONITORING**

##### **Monitoring and Updating the LEP Plan**

The City of Kimberly will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from the 2010 U.S. Census is available or when it is clear that higher concentrations of LEP individuals are present in the City of Kimberly service area.

Updates will determine:

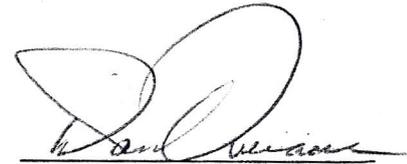
- How the needs of LEP persons have been addressed.
- The current LEP population in the service area.
- If the need for translation services has changed.
- If the City of Kimberly's financial resources are sufficient to fund language assistance resources, if needed.
- Whether the City of Kimberly fully complies with the goals of this LEP Plan.
- Whether any complaints have been received concerning the agency's failure to meet the needs of LEP individuals and how they were addressed and satisfied.

#### **VII. DISSEMINATION OF THE CITY OF KIMBERLY LEP PLAN**

- Post signs at City Hall notifying LEP persons of the LEP Plan and how to access language services.
- State on agendas and public notices in the language that LEP persons would understand that documents are available in that language upon request at City Hall with five (5) days notice.

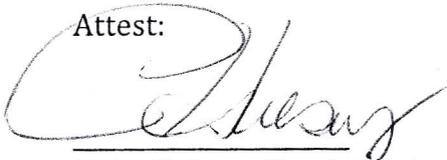
Passed by the Council of the City of Kimberly this 23<sup>rd</sup> day of February 2010.

Approved by the Mayor of the City of Kimberly this 23<sup>rd</sup> day of February 2010.



David Overacre, Mayor

Attest:



Polly Hulse, City Administrator

