



Date: December 21st, 2009

To: All Employees

From: Charles McClendon, City Manager

A handwritten signature in black ink, reading "Charles P. McClendon", is written over the "From:" line of the memo.

Re: Limited English Proficiency (LEP) Plan Policy AP-41

A. Purpose

The purpose of this Limited English Proficiency (LEP) Plan is to ensure meaningful access to information and equal opportunity for persons with hearing impairment and limited English proficiency.

B. History

Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

C. Policy

No person will be denied access to City of Avondale programs or employment opportunities information because he/she does not speak English or speaks limited English. The City of Avondale will provide meaningful access to ensure effective communication exists. Customer services by telephone or face to face contact to the public, citizens, litigants, and victims within the City of Avondale will be provided with language assistance services at no cost to them and in a timely manner during business hours. The City of Avondale will ensure that the interpreters are competent to provide interpreter services. The interpreter must be proficient in both English and the target language. This assurance of competency is provided by our vendor and interpreter service agreements.

D. The Four-Factor Analysis

The following Four-Factor Analysis will serve as the guide for determining which language assistance measures the City of Avondale will provide.

1. The Proportion, Numbers and Distribution of LEP Persons.
The City of Avondale's Economic Development Division examined the Cities data estimated for 2009 and was able to determine that the cities population was at 71,552. The population of age 5 and older spoke another language other than English at home was 24,647.
2. Frequency of Contact with LEP Individuals
Employees of the City of Avondale may have frequent contact to the public, citizens, litigants, and other individuals daily. This includes services by telephone or face to face.
3. The Nature and Importance of the Program, Activity, or Service to LEP Community.
City of Avondale employees are dedicated to complying with the above law and ensuring that LEP individuals have the same access to services and information that fluently speak, read and write English.
4. The Resources Available to the City of Avondale and Overall Cost.
The City of Avondale will continue to have resources available within any city location/department that will help where LEP services are needed.

E. Procedure

1. City departments and staff must ensure that people with Limited English proficiency know they have the right to free and timely language services.
2. City of Avondale employees that have been bilingual certified will be required to ensure LEP services are provided by;
 - a. Oral Interpretation
 1. In Person
 2. Via Telephone
 - b. Written Translation
 1. Quality and accuracy of reading documents of the language service is critical.
3. Printed materials if necessary will be provided in Spanish or will be translated to accommodate LEP.
4. Posters should be created and in plain view that state "Free Interpreting Services"

5. City of Avondale will provide bilingual interpreter services free of charge to people who speak little or no English if needed to access city services.
6. Public meetings should provide interpreter services if needed.
7. Please note that an accessibility statement should appear at the bottom of ALL Boards, Commissions and Committee agendas.

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the meeting.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oído, impresión grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta.

8. Main telephone lines should have information in both English and Spanish.
9. The City of Avondale will continue to provide competency based bilingual testing to ensure per our vendor and interpreter service agreements.

Employees who have any questions regarding LEP Policy should contact Human Resources.