

**Limited English Proficiency Plan  
City of Mercer  
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## **INTRODUCTION**

This Limited English Proficiency Plan has been prepared to address City of Mercer's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency 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 Mercer departments receiving federal grant funds.

### **Plan Summary**

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

### **MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS**

*The number or proportion of LEP persons in the service area who may be served or are likely to require City of Mercer services:*

City of Mercer reviewed the 2010 U.S. Census Report and determined that 8 people (8% of the population) in City of Mercer speak a language other than English.

*The frequency with which LEP persons come in contact with City of Mercer services:* City of Mercer staff has reviewed the frequency with which City Council members and City staff have, or could have, contact with LEP persons. This includes documenting phone

inquiries or office visits. To date, City of Mercer has had no requests for interpreters and no requests for translated program documents. The City of Mercer staff have had no contact with LEP persons.

*The nature and importance of services provided by City of Mercer to the LEP population:* There is no large geographic concentration of any type of LEP individuals in the service area for City of Mercer. The overwhelming majority of the population, 92%, speak English. As a result, there are no social, service, professional or leadership organizations within the City of Mercer service area that focus on outreach to LEP individuals. The City of Mercer Council and staff are most likely to encounter LEP individuals through phone conversations.

*The resources available to City of Mercer, and overall costs to provide LEP assistance:* City of Mercer reviewed its available resources that could be used for providing LEP assistance and identified which of its documents would be most valuable to be translated if the need should arise. Languages will be interpreted through a telephone interpreter line for which the City would pay a fee.

### **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 of Mercer services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another and/or translation, which means the written transfer of a message from one language into another language.

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

- Post notice of the LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- All City of Mercer staff will be provided with “I Speak” cards to assist in identifying the language interpretation needed if the occasion arises.
- All City of Mercer staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When City of Mercer 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.

#### *Language Assistance Measures:*

Although there is a very low percentage of LEP individuals in City of Mercer, that is, persons who speak English “not well” or “not at all”, it will strive to offer the following measures:

1. The City of Mercer 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:
  - Language interpretation will be accessed through a telephone interpretation service.

### **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.
- Use of the “I Speak” cards.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

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

### **TRANSLATION OF DOCUMENTS**

City of Mercer weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary burden to have any documents translated.

Due to the very small local LEP population, City of Mercer does not have a formal outreach procedure in place, as of 2021. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, City of Mercer will consider the following options:

- When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, the documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

## **MONITORING**

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

City of Mercer will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the City of Mercer service area. 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 City of Mercer's financial resources are sufficient to fund language assistance resources needed.
- Determine whether City of Mercer 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.

## **DISSEMINATION OF THE CITY OF MERCER 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 the City Hall.