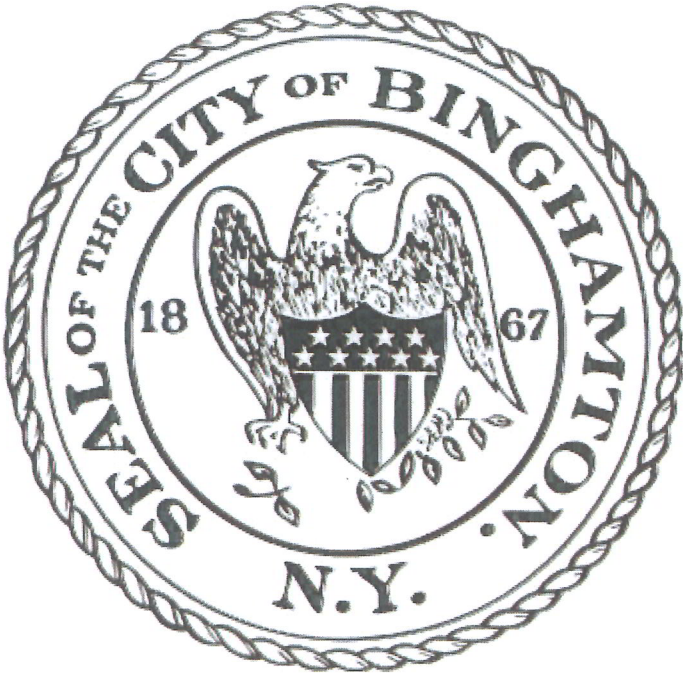
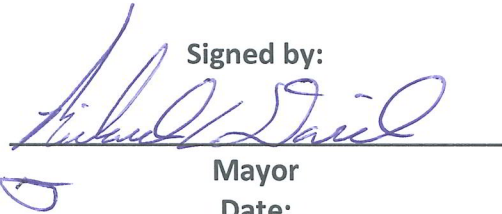


# Limited English Proficiency (LEP) Plan

CITY OF BINGHAMTON



Signed by:

A handwritten signature in blue ink, which appears to read "Richard David", is written over a horizontal line. A small blue mark is visible below the line to the left.

Mayor

Date:

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## INTRODUCTION

This *Limited English Proficiency Plan Template* has been prepared to address the **City of Binghamton's** responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency. 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 states 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*, states that differing treatment based upon a person's inability to speak, read, write or understands English is a type of national origin discrimination which is covered under Title VI. It directs each agency (e.g., FHWA) to publish guidance for its respective recipients (e.g., NYSDOT) clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies that receive federal funds and extends to its sub recipients.

### Plan Summary

The **City of Binghamton** 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 by 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 notification to LEP persons regarding the availability of assistance.

In order to prepare this plan, the **City of Binghamton** used the Federal Highway Administration (FHWA) Four-Factor LEP analysis:

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

## 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 Binghamton services

The **City of Binghamton** staff reviewed the American Community Survey 5-Year Estimates for New York State and determined that:

- a. 6,012 individuals in **City of Binghamton** service area comprising 13.67% of the population, speak a language other than English;
- b. Of those, 1,996 individuals have limited English proficiency; that is, they speak English less than “very well” or “not at all.” This is only 4.54% of the overall population in the service area;
- c. In City of Binghamton service area, of those persons with limited English proficiency:
  - 0.85% speak German
  - 17.79% speak Spanish
  - 0.20% speak African languages
  - 22.85% speak Chinese
  - 7.41% speak Serbo-Croatian
  - 0.00% speak Scandinavian
  - 0.00% speak Japanese
  - 7.97% speak Russian
  - 3.11% speak other Indic languages
  - 5.16% speak Vietnamese
  - 2.40% speak French
  - 0.85% speak Tagalog
  - 0.80% speak other Slavic languages
  - 11.52% speak Arabic, Indo-European languages
  - 0.30% speak Native North American Languages
  - 18.79% speak all other language

### 2. The frequency with which LEP persons come in contact with the City of Binghamton services

The **City of Binghamton** reviewed the frequency with which their staff have, or potentially have, contact with LEP persons. This includes documenting phone inquiries or office visits.

- a. To date, the **City of Binghamton** has had no documented requests for interpreters and no documented requests for translated program documents.

### 3. The nature and importance of services provided by the City of Binghamton to the LEP population

There is no large geographic concentration of any type of LEP individuals in the service area for the **City of Binghamton**. The overwhelming majority of the population, 86.63%, speaks only English. As a result, there are few social, service, or professional and leadership organizations within the **City of Binghamton** service area that focuses on outreach to LEP individuals. The **City of Binghamton’s** Mayor’s Office is most likely to encounter LEP individuals through office visits, phone conversations, notifications from department staff regarding the results of service delivery, and attendance and participation at public meetings.

#### 4. The resources available to the City of Binghamton, and overall cost to provide LEP assistance

The **City of Binghamton's** LEP population is small and given the City's current financial constraints, full translations of documents and maps are not warranted. Additionally, the composition of the LEP population is diverse, meaning there is not one single language spoken by LEP persons, but several. The cost of translating documents into each language spoken by City residents would be very costly and outweigh any collective benefit that would be achieved. However, continued monitoring of the growth of the City's LEP population ensures that the City will be aware should the LEP section grow to the point where translation is warranted and/or necessary.

### 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 eligible for language assistance with respect to **City of Binghamton** services. Language assistance can include interpretation (that means oral or spoken transfer of a message from one language into another language) and translation (that means the written transfer of a message from one language into another language).

The **City of Binghamton** staff can identify an LEP person in need of language assistance by using the U.S. Census Bureau's *I Speak Flashcard*. As shown at the end of this document, these cards say: "Mark this box if you read or speak [name of language]" in 38 different languages. The *I Speak Flashcard* will be made available at the sign-in area of public workshops/meetings and at the various City offices. Once a language is identified, the City staff will assess feasible translation or oral interpretation assistance for subsequent meetings, events or inter-action.

#### Language Assistance Measures

Language assistance measures available from the **City of Binghamton** include translation in the written form as well as oral interpretation and communication. There are different ways in which these services may be obtained. One method is by utilizing free on-line translation tools, such as Google Translate. Technological tools such as this make it easier to communicate in other languages without expending resources.

Though they are useful in some instances, on-line translators may not be adequate for every language assistance request, so human translators and interpreters can also be employed. There are many certified linguistic professionals in the area who provide language translation or interpretation services for a fee. For many LEP persons, a family member who understands English can be used to translate. The city may also call on, as appropriate, the American Civic Association in the City for translation and interpretation needs, as they have a longstanding reputation of offering volunteer assistance to community members. Additionally, there are local ethnic neighborhood groups and organizations who may be able to provide free language assistance

when asked. As financial constraints are likely to remain an issue for providing language assistance, these options, which rely on volunteers or family members will be explored first.

When contacted by a LEP person requesting language assistance services, there are several measures that may be undertaken depending on the method of contact. When responding to a LEP individual in-person, City staff can utilize the *I Speak Flashcard* (explained previously) to gather in which language the individual needs assistance, then arrange for the assistance to be made as appropriate.

Most written communications from a LEP person can be translated using on-line translation tools and responded to in the same manner. Once it is understood what language services are required, City staff can accommodate them. Responding to LEP people over the telephone can be challenging, yet it is still possible. If a caller who does not speak English reaches out to the City in their native language, City staff may not be equipped to immediately respond. However, staff can ask in simple English for the person to come to the office or email the City in order to have their inquiry responded to appropriately in the manner explained. If the caller is able to understand some English, accommodations can be discussed on the telephone.

## **STAFF TRAINING**

The information below will be disseminated to staff. Training opportunities on these topics also will be provided:

- Title VI Policy and LEP responsibilities
- Proper use of *I Speak Flashcard*
- Documentation of language assistance requests
- Handling of Title VI/LEP complaints

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

## **TRANSLATION OF DOCUMENTS**

The **City of Binghamton** has 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, the **City of Binghamton** has determined that it is an unreasonable burden to translate documents at this time.

Due to the very small LEP population, the **City of Binghamton** does not have a formal outreach procedure in place as of 2017. Translation resources have been identified and are limited in this region. However, if the need arises to conduct outreach to LEP individuals, the **City of Binghamton** will consider the following options:

- When staff prepares documents or schedules public meetings whose audience is expected to include LEP individuals, the **City of Binghamton** will provide meeting notices, flyers, and agendas in the appropriate non-English language(s).

- The **City of Binghamton** will assess requests for the translation of documents based on the potential effect and known LEP population.

## **MONITORING**

Monitoring and Updating the LEP Plan – The **City of Binghamton** will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when recent data from the U.S. Census and the American Community Survey is available, or when it is clear that higher concentrations of LEP individuals are present in the **City of Binghamton** service area. Updates to the LEP Plan will include the following:

- The number of documented LEP contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area (census data, surveys, information from community-based organizations, and other sources).
- Determination as to whether the need for translation services has changed.
- Determination of the effectiveness of language assistance efforts.
- Determination of the adequacy of the **City of Binghamton's** financial resources to fund language assistance resources.
- Determination of the **City of Binghamton's** full compliance with the goals of the LEP Plan.
- Determination of the **City of Binghamton's** processing of LEP complaints.

## **DISSEMINATION OF THE CITY OF BINGHAMTON LEP PLAN**

Below are the actions that the **City of Binghamton** will take:

- Post signs in **City of Binghamton** public areas informing LEP persons of the LEP Plan and how to access language services.
- On the **City of Binghamton's** website, post the LEP Plan and procedure to access language services.