

## **CITY OF ARKANSAS CITY LIMITED ENGLISH PROFICIENCY (LEP)**

### **Purpose**

The City of Arkansas City and those receiving assistance from the federal government must take reasonable steps to ensure that Limited English Proficiency (LEP) persons have meaningful access to the programs, services, and information those entities provide. This will require recipients to create solutions to address the needs of this ever-growing population of individuals, for whom English is not their primary language.

### **Who is a Limited English Proficient Person?**

Persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP". These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter. These services are provided free of charge to the public and this notice is provided on all public meeting notices, in posted on the website, and on the official bulletin board.

Examples of population likely to include LEP persons who are served or encountered should be considered when planning language services include, but not limited to:

- Citizens applying for permits.
- Citizens paying utility bills.
- Citizens applying for open job positions.
- Citizens (vendors) responding to IFBs, RFPs, and RFQs.
- Citizens interacting with city employees (i.e. Police Department)
- Citizens appearing in Municipal Court
- Citizens filling out forms such as one Capital Improvement Project (CIP) suggestions
- Citizens reviewing the City's Website

### **Authorities**

#### **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

## **Executive Order 13166**

On August, 11, 2000, President Clinton signed Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.” The Executive Order requires Federal agencies to examine services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency. The Executive Order also requires that the Federal agencies work to ensure that recipients of Federal assistance provide meaningful access to their LEP applicants and beneficiaries.

### **Who must comply?**

All programs and operations of entities that receive assistance from the federal government (i.e. recipients), including:

State agencies (i.e. KDOT)

Local agencies (i.e. **City of Arkansas City, Kansas**)

Private and nonprofit entities

Sub recipients (entities that receive federal funding from one of the recipients listed above) also must comply.

All programs and operations of the federal government also must comply.

### **Other Legal Authorities**

FHWA Title VI Regulation, 23 CFR 200

USDOT Title VI Regulations, 49 CFR21

USDOT LEP Guidelines, 70 FR 74087 (Dec. 14, 2005)

### **Four Factor Analysis**

The City of Arkansas City has an obligation to reduce language barriers that can preclude meaningful access by LEP persons to important services. The City has assessed the following four factors:

**Factor One: The number or proportion of LEP persons served or likely to be encountered in the eligible City service population.**

The total population in Arkansas City is 11,974 according to the 2020 U.S. Census Bureau. The ethnicities likeliest not to be native English speaking were identified as:

Hispanic/Latino/Biracial/Multiracial	2,613
Asian or Pacific Island	<u>146</u>
Total	2,759

**Factor Two: The frequency with which LEP individuals come in contact with the City's programs, activities or services.**

The City of Arkansas City has and will continue to provide whatever services are needed to enable communications with LEP citizens.

**Factor Three: The nature and importance of program activity or services provided by the City of Arkansas City.**

The City's Equal Opportunity and Accessibility Advisory Board includes in its mission identifying possible LEP improvements to the City's program activities or services. The primary LEP language is Spanish/Spanish Creole. The next, according to the USD 470 School System, is Chuukese and Acateca. Creekstone Farms employs many Pacific Islanders and Hispanic/Latino individuals.

**Factor Four: The resources available to recipients and costs.**

- The City provides Spanish utility bills that are printed in house as well as Spanish literature by the Police Department for domestic violence cases.
- The City has two Spanish-speaking employees who are paid \$35 per hour during normal duty hours and \$45 per hour after hours and weekends when it is not job-related.
- The City contracts the services of Interlingual Services of Wichita to provide interpreter services during Municipal Court. The cost is \$35 per hour plus \$139.60 for mileage to and from Wichita.