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Language Access Plan

Section 1: Language Access Standards

Title VI of the Civil Rights Act directs agencies to ensure meaningful access to their programs and services and provide language assistance services. The Americans with Disability Act requires that all Title II entities communicate effectively with people who have communication disabilities. The City of Kent ("City") has a responsibility to ensure that the information and services provided to the public are accessible to all communities.

In consultation with the Law Department, the Race Equity Diversity & Inclusion (REDI) Office has developed this Language Access Plan ("Plan") to help the City meet the language needs of Kent residents and visitors experiencing barriers to meaningfully accessing services due to the lack of available translated vital documents.

The minimum requirements outlined in the Plan are based on the Department of Justice's guidance, which recommends that at a minimum, the City translate vital information for each language group with limited English proficiency that constitutes 5% of the population or 1,000 people (whichever is less).

In general, a Language Access Plan may include:

- Interpretation services
 - In-person interpretation: Spoken and sign language (as appropriate and needed)
 - Remote interpretation: Phone and video
- Multilingual staff
- Written translation services
- Notices about the availability of language services
- Auxiliary Aids and Services

This Plan is designed to promote fair and equitable access to City information and services for Kent residents and visitors with limited English proficiency and communication disabilities.

The City is committed to building and supporting an inclusive and well-informed community. This includes making the necessary efforts to promote City services, and provide information about those services, in a manner that is relevant, timely, and equitable.

Section 2: Glossary

Certified Interpreter - An in-house or contracted interpreter who has demonstrated their competence to interpret or translate through state or local certification.

Critical Information – Critical information is material, either written or oral, that may have life and death implications. An example of such information would be emergency evacuation messages.

Translation – A rendering from one language into another. An accurate translation is one that conveys the intent and essential meaning of the original text.

In-person Translation – In-person translation is the conversion of written communication to oral rendition from one language to another while preserving the intent and meaning of the original message.

Interpretation – Interpretation is the oral rendition of a spoken message from one language to another, preserving the intent and meaning of the original message.

Language Line – City of Kent contracted vendor that provides on-demand and onsite language interpretation services in over 240 languages.

Language Group – Communities who share a primary language.

Limited English Proficiency (LEP) – A Person who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP."

Meaningful Access - Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP persons , meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient persons.

Multilingual Staff - A staff person who has demonstrated proficiency in English and reading, writing, speaking, or understanding at least one other language.

REDI Office – The City’s Race Equity Diversity and Inclusion (REDI) team.

Safe Harbor Threshold - Based on the number and percentages of the service area-eligible population (Kent residents) that speak a specific language. Translations of vital documents to be provided when the eligible LEP population in the service area exceeds 5%of the eligible population or exceeds 1,000 persons.

Vital Documents – Paper or electronic written material that contains information that is critical for accessing the City's programs or activities or is required by law. Examples of documents that may be considered vital include:

- Waiver of rights
- Shut-off notices
- Benefit applications
- Infraction notices
- Health and safety warnings
- Summary explanations of department's direct services

Each City Department will make vital forms available at appropriate locations.

Section 3: Translation

Section 3.1 – Vital Documents & Digital Content

A. Each City Department will create and maintain a list of vital documents that will be translated into the major languages spoken by residents in the City. A major language is where Census data indicates that at least 5% of the resident population, or 1000 people, speak this language, whichever is less.

Spanish, Punjabi, Ukrainian Vietnamese, Chinese and Tagalog are the current languages that meet the safe harbor threshold on a City-wide basis.

- Classification of a document or digital content as "vital" depends upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.
- The determination of what documents are considered "vital" is left to the discretion of the Department Director, in consultation with staff.
- Departments must review their vital document lists on an annual basis to determine if any documents must be added or removed from the list.
- A vital document toolkit will be provided to City Departments to facilitate the selection process. The toolkit will provide staff a set of resources, strategies, and instructions designed to ensure accessibility to Limited English Proficiency (LEP) individuals. [*Please refer to attachment A for toolkit*]

B. The City must translate vital digital content on the City's website, social media, and other digital platforms.

The determination of what digital content is considered "vital" is left to the discretion of the Communication Manager.

Section 3.2 – Additional Translations

- A. Whenever a program or service receives federal funds, vital documents for that program or service must be translated.
- B. When a Department is providing a targeted service to a particular language group, information about the service should be translated into that language.
- C. All documents, vital or non-vital, must be translated upon request of a resident or program/service participant.
- E. All of these resources are provided to City residents free of charge.

[For more information about the translation process, please refer to attachment B]

Section 4: Interpretation

- A. When staff work directly with a customer who is not proficient in English, and the staff member is not proficient in the customer's language, staff will use the services of a telephonic or video interpreter hired by the City's Human Resources Department to assist in communicating with the customer.
- B. Departments and programs should first use the Language Line and/or a certified interpreter under contract with the City.
- C. All staff members should receive a copy of the Language Line interpretation services card. The card should include the client (City of Kent) ID number and department code.
- D. Reasonable efforts should be made to provide an interpreter at community meetings scheduled by the City, when the City receives a request in writing 7 days prior to the event.

Section 5: Visualization

Staff should use visualization techniques to communicate with LEP or low-literacy persons. Using techniques such as maps, charts, graphs, illustrations, signs, presentations, and videos to explain programs, services, and concepts behind actions and decision-making are considered reasonable efforts.

Section 6: 4-Factor Analysis

The following four-factor analysis will serve as the guide for determining which language assistance measures the City will undertake to help access to City programs and resources by LEP persons.

Factor 1: The number or proportion of LEP persons within the project/program's service area.

- Include data from sources such as Census Bureau, American Community Survey (ACS), Kent School District etc.
- Include a listing of the counts and percentages of LEP persons present within the City's service area.
- Identify if any of the LEP languages reach the Safe Harbor threshold of 5% or 1,000 persons.

To determine the LEP population in Kent, the City utilized U.S. Census Bureau's Characteristics of Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over 2015-2020 American Community Survey 5-Year Estimates

Language	City of Kent LEP Population (Speak English less than "very well")	% of Total City of Kent Population of ~131,000
Spanish	6,879	5.3%
Punjabi	1,923	1.5%
Ukrainian	1,874	1.4%
Vietnamese	1,855	1.4%
Chinese	1,399	1.1%
Tagalog	1,153	0.8%

Factor 2: Frequency of contact with LEP Persons.

The frequency with which LEP persons use the program, service, or activity. The more frequent contact the City has or should have with LEP persons from different language groups, the more likely enhanced language services will be needed. Frequency of contact with specific languages should also be analyzed.

Factor 3: The nature and importance of the service to LEP Persons.

The assessment of impact to the LEP person is factored into the analysis.

The following questions need to be answered:

- How important is the program, information, encounter, or service?
- What are the consequences to the LEP person if the person does not receive the information in question in a timely manner?



The figure above is a visualization of potential impact to the LEP person. Critical information that has a health and safety component should be prioritized for translation.

Factor 4: The resources available to the City and the overall costs to the City.

While the City is required to take reasonable steps to remove language barriers, "reasonable steps" may cease to be reasonable if the resources available to the City are limited, and the costs of language barrier removal would substantially exceed the benefits.

Section 7: Safe Harbor

A "safe harbor" means that if the City provides written translations under the following circumstances (examples A and B), such action will be considered strong evidence of compliance under Title VI.

- A) The City provides written translations of vital documents for each eligible LEP language group that constitutes 5% of the eligible population or 1,000 persons, whichever is less (tier one and two); or
- B) If there are fewer than 50 persons in a language group that reaches the 5% trigger in (A), the recipient does not translate vital written materials but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost (tier three).

The safe harbor threshold is based on the number and percentages of the service area-eligible population (Kent residents) that speak a specific language. Translations of vital documents must be provided when the eligible LEP population in the service area exceeds 5% of the eligible population or exceeds 1,000 persons.

The following languages spoken in the City meet the criteria outlined above.

	Language	Tier
First Tier: Translation Required	Spanish	1
Second Tier: Translation Recommended	Punjabi	2
	Ukrainian	2
	Vietnamese	2
	Chinese	2
	Tagalog	2
Third Tier: <i>Emerging Languages</i> Translation Encouraged		
	Dari	3
	Somali	3

Key:

-  **First Tier:** "Public Communication Materials" must be translated into target language, using the assessment of impact.
-  **Second Tier:** Translation of Public Communication Materials is recommended, depending on target audience using the assessment of impact.
-  **Third Tier:** Translation of Public Communication Materials is encouraged, depending on target audience using the assessment of impact.

The City of Kent works to identify any vital documents requiring translation services. Outreach materials for projects are translated if warranted based on the population of English as a second language speakers in the impacted communities. If time is too short for translation services, we include a brief message in the various languages. This message is included below:



For more information

हयेते साठवाती लयी

Para más información

Додаткова інформація

Để biết thêm thông tin

KentWA.gov

Section 8: Providing Public Notice

The City shall inform the public of the existence of the Plan. To this end, the City will:

- Post the Plan on its main website
- Share the Plan with managers, supervisors, and staff
- Post the following message in City buildings:
 - “You have the right to language access services at no cost to you. To request these services, please ask one of our staff members.”

Section 9: Training

To establish meaningful access to information and services for LEP persons, the City will train its staff to provide assistance both in person, and/or by telephone, to LEP persons who request language assistance.

Training opportunities will include the following topics:

- Language Access Plan
- Translation process
- Interpretation resources
- Collection of language data
- Providing public notice
- Complaint process
- Monitoring of vital document list

Section 10: Data Collection & Monitoring

The REDI Office will, on a biennial basis, compile demographic data regarding the language needs of the City of Kent community.

The REDI Office will review data from the following sources:

- Most recent U.S. Census and American Community Survey
- Kent School District
- County Health Department
- Internal data collected through translated vital documents

The City will review this policy on a biennial basis and make necessary adjustments, as appropriate, based on changing demographics and other community needs.