

**Limited English Proficiency (LEP)
Plan**

Guidelines and Procedures

**City of Charlevoix
210 State Street
Charlevoix, MI 49720
231-547-3270**

Approved by City Council: January 3, 2012

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INTRODUCTION

The City is committed to making its services, programs and activities available to everyone, regardless of language barriers. As residents, workers or visitors who contribute to the quality of life in the City, LEP individuals are entitled to meaningful access to City services. As a recipient of federal funds, the City is required by federal law to plan for, and provide LEP individuals with meaningful access to City services, programs and activities. The City's LEP 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 individual shall be subjected to discrimination on the basis of race, color, or national origin. Executive Order 13166, titled *Improving Access to Services for Individuals with Limited English Proficiency* indicates that differing treatment based upon an individual's inability to speak, read, write or understand English is a type of national origin discrimination. It directs Federal agencies to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This Executive Order applies to all state and local agencies that receive federal funds, including all City departments receiving federal funds.

LEP community members and advocates can refer to the City's LEP Plan to learn about the City's commitment to ensure LEP individuals have meaningful access to City services, programs and activities. The guidelines and procedures contained in this document apply to all City departments and all City employees who interact directly or indirectly with LEP individuals.

To that end, the City utilizes MDOT's Four-Factor Analysis in order to assess the need for LEP assistance.

Goal of the Four-Factor Analysis¹

1. To determine the number of LEP persons eligible to be served or likely to be encountered by MDOT/Title VI projects and programs in the City.
2. To determine the frequency at which LEP individuals may come in contact with these projects and programs.
3. To emphasize the nature and importance of MDOT/Title VI projects and programs or services to the lives of LEP population in their areas.
4. To inform and educate LEP population of the resources available to them through MDOT/Title VI programs and projects.

The City Manager is responsible for developing and maintaining the City's LEP Plan. For questions about the City's LEP plan, call 231-547-3270. Individuals may also visit the City's website at www.cityofcharlevoix.org.

¹Source - FOUR-FACTOR ANALYSIS TECHNICAL REPORT FOR LIMITED ENGLISH PROFICIENT (LEP) POPULATION IN MICHIGAN DEPARTMENT OF TRANSPORTATION PROGRAMS, *June 28, 2011* (www.michigan.gov/documents/mdot)

DEFINITIONS

Whenever used in this document and unless a different meaning clearly appears from the context, the terms below are defined as follows:

Bona Fide Occupational Qualification (BFOQ)

In employment law, a *bona fide* occupational qualification (BFOQ) is a quality or an attribute that employers are allowed to consider when making decisions on the hiring and retention of City employees – qualities that, when considered in other contexts, could be considered discriminatory and thus violate civil rights employment law.

Department

The term department denotes a City department or office unless otherwise specified.

Identification

Identification means collecting relevant information about:

- the number or proportion of LEP individuals eligible for City services, programs and activities;
- the number or proportion of LEP individuals served by the City; or
- the frequency of LEP services or encounters with LEP individuals.

Interpretation

Interpretation is the conversion of a spoken message from one language to another, while preserving the intent and meaning of the original message.

Job Announcement

A job announcement is the document “announcing” the need to fill a vacant position. This document includes the general job duties of that classification, job duties that are specific and unique to the position being filled, and position requirements, including desirable qualifications and administrative information.

Job Evaluation System

A job evaluation system is the process applied to determine the appropriate job classification of an individual position or group of positions.

Language Assistance

Language assistance is the City’s good faith effort to provide LEP individuals with meaningful access to its services, programs and activities by providing, upon request, interpretation and translation services, including telephonic interpretation.

Limited English Proficient (LEP) Individual

A limited English proficient individual is a person who does not speak English as their primary language and who has a limited ability to speak, read, write or understand English. The United States Department of Justice (DOJ) states that these individuals may be entitled to language assistance with respect to a particular type of service, benefit or encounter.

Meaningful Access

Federal standards require that organizations receiving federal funds provide LEP individuals with meaningful access to their services, programs and activities. An LEP individual has meaningful access when he or she:

- is given adequate information;
- can understand the services and benefits available;
- can receive the services for which he or she is eligible; and
- can communicate the relevant circumstances of his or her situation to the service provider.

Notification

Notification means proactively informing LEP individuals in the City that they are entitled to City services, programs and activities.

Preferred Qualification

A preferred qualification is a skill or competency that is not required to perform the essential functions of a position, but would complement the qualified candidate’s overall abilities and add value to the organization.

Primary Languages

Federal guidelines identify primary languages as languages that are spoken by at least 1,000 LEP individuals living in Charlevoix or 5% of the LEP population, whichever is fewer. Based on data collected from the United States Census Bureau, the City’s primary non-English language group is Spanish.

Public Meeting

A public meeting is any meeting for which members of the general public receive notice of invitation to appear for the purpose of presentation, testimony, consultation or otherwise.

Resident

A resident refers to anyone who lives in the City. In this document, the term resident is not related to immigration status.

Staffing

Staffing is the process of filling a vacant position with the most highly qualified candidate.

Timely

The term timely means avoiding the effective denial or delay of important benefits or services.

Training

Training refers to ensuring that City employees are familiar with LEP mandates. Each City department with the assistance of the City Manager shall arrange for LEP training for their respective employees.

Translation

Translation is the conversion of a written message from one language to another, while preserving the intent and meaning of the original message.

Vital Documents

Vital documents refer to information or documents that are critical for accessing federally funded services or benefits, or are documents that are required by law. Documents that require a signature are considered vital.¹

Vital documents include, but are not limited to the following:

- Consent and complaint forms
- Intake forms with the potential for important consequences
- Written notices of eligibility criteria, rights, denial, loss, or decreases in benefits or services, actions affecting parental custody, child support, or resulting from other hearings
- Notices advising LEP individuals of free language assistance
- Written tests that do not assess English language competency, but test competency for a particular license, job, or skill for which knowing English is not required
- Applications to participate in a recipient's program or activity
- Applications to receive benefits or services
- Short descriptions of department or services

Non-vital written materials could include the following:

- Third-party documents, forms, or pamphlets distributed by a recipient as a public service
- For a non-governmental recipient, government documents and forms
- Large documents such as enrollment handbooks (although excerpted vital information contained in large documents may need to be translated)
- General information about the program intended for informational purposes only

¹www.lep.gov

LEP SERVICES

The City's LEP Plan governs City and City employee functions and actions, along with sub-recipients of federal funds through the City. This plan does not govern organizations that make use of City space for non-City events.

The City's LEP Plan addresses how services will be provided through general guidelines and specific procedures.

- **Notification:** Providing notice to LEP individuals about their right to service
- **Identification:** Identifying LEP populations and LEP services in City departments
- **Interpretation:** Offering free and timely interpretation to LEP individuals upon request
- **Translation:** Providing free and timely translation of vital City documents upon request
- **Staffing:** Identifying City employees to meet LEP customer service needs
- **Training:** Delivering training on LEP service mandated to all City employees

General Guidelines and Procedures for LEP Services

Calculating primary language groups

The City's primary non-English language group is Spanish. This was identified using data from a variety of sources. Primary non-English language groups may change, as new data is collected. Out of the total City of Charlevoix population of 2513 in the 2010 Census data, a total of 23 Hispanics reside. This is the largest number of ethnic residents that could potentially be considered to need LEP Services.

Updating and monitoring the City's LEP plan

The City's LEP Plan will be updated as necessary by the City Manager. The City Manager is responsible for identifying how the City's LEP Plan will apply within each department. For additional details on updating and monitoring the City's LEP Plan, refer to the section *Implementing, Monitoring and Updating the Plan*.

Incorporating department-level LEP assessments, plans and budgets into annual budget plans

During each budget cycle, the City will evaluate the services it provides to LEP individuals. Based on the evaluation, the City will allocate a fixed budget, according to need, dedicated to providing LEP services.

Evaluating the City's LEP Plan

The City Manager will evaluate the City's LEP Plan on a regular basis to determine its effectiveness. The evaluation will include:

- Identification of the LEP population in Charlevoix and recalculation of the City's primary language groups
- Assessment of the current level of services delivered to LEP individuals
- Reporting on the LEP training received by City employees
- Reporting of LEP activities
- Feedback and/or comments from LEP communities, including organizations and advocacy groups serving LEP individuals, on the effectiveness of the City's LEP services (if any exist in the community).
- Evaluation of complaints

NOTIFICATION

Guidelines

The City must proactively notify LEP individuals of their right to services, programs and activities.

City departments and their employees must ensure that LEP individuals know they have the right to free and timely language services as it relates to the City's services, programs and activities.

Notification may be provided in a variety of ways, including, but not limited to:

- Posting signs in appropriate areas, such as waiting rooms, reception areas and other points of entry (see Appendix 1: LEP Interpreter Services Poster Sample)
- Standard translated content in outreach documents, such as posters or brochures, stating that services are available
- Working with LEP organizations and other stakeholders to inform Charlevoix residents of their right to LEP services
- Notices in local newspapers in languages other than English
- Giving presentations at community meetings, schools and other organizations, explaining residents' rights to LEP services

Notification includes (at minimum):

- Information about available LEP services;
- Instructions on accessing services, programs and activities, including directions to City offices; and
- Assurance of free and timely service.

Notification should be provided in the primary languages.

At minimum, notification should be provided in Spanish.

Notice should be provided based on a calculation of relative importance of the information or City services, programs and activities as it relates to the LEP individual.

Decisions on which signs, documents or other means of providing notice should be based on criteria such as:

- Importance or urgency of service
- Volume of contact

Procedures

Making a standard sign to notify individuals of their right to service.

City Hall should post the standard signs informing LEP individuals of their right to free and timely interpretation and translation services.

Determining relative need for signs.

Catalog current signs that are posted in public areas and decide which signs (e.g. directional, instructional, etc.) are the most important for accessing City services, programs and activities. Translate the most important signs first.

How a City employee may request a sign for City offices and buildings.

Contact the department head, who in turn, will contact the City Manager.

Including a statement in non-English languages about LEP services in print, audio or video materials.

Vital documents used for City services, programs and activities should include a version of the following message, translated into the City's primary languages: "Attention. If you want help translating this information, call 231-547-XXXX." To view an example, see Appendix 2: Language Block.

IDENTIFICATION

Guidelines

The City will collect sufficient data about LEP individuals to provide legally mandated LEP services.

At a minimum, the City should identify the number or percentage of City residents who primarily speak a language other than English, and which languages they speak. The primary languages should be reviewed at least once a year and revised as necessary.

Information collected about LEP individuals must never be used to discriminate against groups or individuals.

Immigration status is not relevant in determining whether an individual is eligible for the LEP services outlined in the City's LEP Plan. Except under special circumstances, City employees are not permitted to ask an LEP individual about their immigration status, even in casual conversation. All LEP individuals are eligible for City services, programs and activities.

The City must track services provided to LEP individuals.

The City Manager will be responsible to keep detailed records of the LEP services provided. Guidance on keeping records and the ensuing reporting will be provided. These records will be reviewed on a predetermined schedule. Records may also be requested on a need-to-know basis. The records may be used to determine the level of LEP services, evaluate changes and make appropriate LEP budget decisions.

Procedures

Identifying LEP individuals

LEP individuals can be identified in a variety of ways, including:

- Analyzing existing data sets, such as United States Census data or information from public agencies; or
- Asking LEP individuals to indicate their preferred language using "I Speak" cards or other mechanisms.

Estimating LEP population sizes

General population statistics are accessible on the United States Census Bureau website at www.census.gov. Other population data specific to Charlevoix may be available on the state demographer website and the Michigan Department of Education website.

Measuring usage of LEP services

Ways to collect information about LEP individuals served may include:

- Track languages spoken by clients

- Tracking telephone interpreting service usage
- Tallying the number of translated materials requested or distributed
- Inquiries for services after announcement of LEP Services in the annual City notice provided with all property tax bills

INTERPRETATION

Guidelines

Interpreters must be offered for free, if requested and needed.

The City must provide an interpreter, free of charge, to LEP individuals if needed to receive meaningful access to City services, programs and activities.

Public meetings will have interpreters available, if requested and needed.

Public meeting notices should include notification language that states interpreters will be provided upon request, if requested at least 5 business days prior to the meeting.

The City will use competent and culturally sensitive interpreters, appropriate to the level of interpretation required by law.

Interpretation is more than the ability to speak two or more languages. Interpretation is the conversion of a spoken message from one language to another, while preserving the intent and meaning of the original message. Interpreters must be skilled and competent.

Competent interpreters should be able to demonstrate at least one of the following:

- Evidence of training that includes skills and ethics of interpreting;
- Ability to convey information in both languages, accurately and completely, as demonstrated by a simulated interpreting encounter; or
- Fundamental knowledge in both languages of any specialized terms or concepts related to a City service, program or activity.

Competency standards apply to all interpreters used to deliver City services.

Interpretation services for the City will be carried out by competent interpreters, whether they are City employees, contractors or telephone interpreters. City employees who work as interpreters must demonstrate competence as defined above. With contract interpreters and telephone interpreters, contracting agencies must demonstrate how competency is assessed.

Volunteers, friends or family members should not interpret unless deemed appropriate for the situation.

Volunteers, friends or family members whose competence has not been assessed should not be relied upon to interpret. The use of untrained volunteers exposes the City to liability related to its legal obligation to provide competent interpreter services.

Children should not interpret.

For reasons of accuracy, confidentiality and family dynamics, minor children (under 18) should not interpret for family members or other LEP individuals. This guideline does not apply in serious emergency cases when a minor child is the only available potential interpreter.

Individuals may use their own adult volunteer interpreters under some limited circumstances.

City employees should not urge or require those who speak little or no English to provide their own interpreter. LEP individuals, however, may use their own interpreter if they waive their right to an interpreter provided by the City. If the effectiveness of service may be compromised or the LEP individual's privacy may be violated, a competent interpreter should be used.

Individuals using volunteer interpreters must sign a waiver form

Individuals waiving the right to an interpreter provided by the City will be asked to sign a waiver form. See Appendix 3: Waiver of Interpretation / Translation Services.

Interpretation must be timely

Access to interpretation services in all City departments must be timely. No one may be denied access to services based on the lack of interpreter availability.

Procedures

Providing interpretation

Interpretation can be provided in a variety of ways:

- Bilingual City employee formally trained in interpreting
- Approved City contract vendor providing interpretation services
- Bilingual City department employee
- Competent volunteer interpreters.

Accessing an interpreter through a contracted vendor.

The City maintains a contact list with approved vendor(s) to provide interpretation services. To access an interpreter, City employees must refer the request to the City Manager so that arrangement may be made with approved vendors for interpretation services.

Accessing a telephone interpreter through a contracted vendor.

The City maintains a contact list with approved vendor(s) to provide telephonic interpretation services. To access a telephone interpreter, City employees must refer the request to the City Manager so that arrangement may be made with approved vendors for interpretation services.

Administering a waiver of the right to an interpreter.

After working through an interpreter and ensuring that the individual waiving services can read in his or her preferred language, use the *Waiver of Interpretation / Translation Services* form (Appendix 3).

TRANSLATION

Guidelines

Translation of vital documents must be offered for free, if needed.

The City must provide a translation of vital documents, free of charge, to LEP individuals if needed to receive meaningful access to City services, programs and activities.

Vital documents must be in primary languages.

Vital documents must be available in the City's primary languages or readily translated by an interpreter, upon request. Not all documents can be translated and available in every language. City departments must have the capacity to translate documents upon request and in a timely fashion.

The City will use competent and culturally sensitive translators, appropriate to the level of interpretation required by law.

Translation is more than the ability to read and write in two or more languages. Translation is the conversion of a written message from one language to another, while preserving the intent and meaning of the original message. Translators must be skilled and competent.

Vital documents should be translated by competent City employees or contract Translators.

Materials translated must be evaluated for accuracy of translation.

City translators should demonstrate competence.

The skill of translating is very different from the skill of interpreting. An individual who is a competent interpreter may or may not be competent to translate. A translator should understand the expected reading level of the audience and where appropriate, have fundamental knowledge about the target group's vocabulary and phraseology.

A competent translator should demonstrate one or more of the following:

- Evidence of training that includes skills and ethics of translation
- Proficiency in English and the other language, as documented in an objective language proficiency test
- Ability to convey information in both languages, accurately and completely, as demonstrated by a simulated translation request
- Fundamental knowledge in both languages of any specialized terms or concepts

With approved contract translators, contracting agencies should demonstrate how competency is assessed.

Volunteers, friends or family members should not translate materials unless deemed appropriate for the situation.

Volunteers, friends or family members whose competence has not been assessed should not be relied upon. The use of untrained volunteers exposes the City to liability related to its legal obligation to provide competent translation services.

Children should not provide translations.

For reasons of accuracy, confidentiality and family dynamics, minor children (under 18) should not translate vital documents for family members or other LEP individuals. This guideline does not apply in emergency cases, when a minor child is the only available potential translator.

Individuals may use their own adult volunteer translators under some limited circumstances.

City employees should not urge or require LEP individuals to provide their own translator. Individuals, however, may use their own translator if they waive their right to a translator provided by the City. If the effectiveness of a City service, program or activity may be compromised or the LEP individual's privacy may be violated, a City translator should be used.

Individuals using volunteer translators must sign a waiver form.

Individuals waiving the right to translation will be asked to sign a waiver form in their own language. See Appendix 3: Waiver of Interpretation / Translation Services.

Translation must be timely.

Access to translated materials in all City departments must be timely. No one may be denied access to services, programs and activities based on the lack of translated materials or documents.

Procedures

Providing translations.

Translation can be provided in a variety of ways:

- Bilingual City employee trained in translation
- Other City employee translators
- Contract or freelance professional translators or contract interpreters providing oral, on-site translation
- Competent volunteer translators

Accessing translation services through a contracted vendor.

The City maintains contact lists of approved vendors to provide written translation of documents. City employees must refer the request to the City Manager.

Administering a waiver of the right to a translator.

After working through an interpreter and ensuring that the individual waiving services can read in his or her preferred language, use the *Waiver of Interpretation / Translation Services* form (Appendix 3).

STAFFING

Guidelines

Staffing decisions should be based on the City’s customer service needs, including LEP service needs. When individuals are hired for positions in which they interact with LEP individuals, language skills may be a relevant job qualification. Any position that requires bilingual or multilingual skills must be a *bona fide* occupational qualification (BFOQ) as determined by the City Manager.

Staffing to meet LEP needs.

Staffing to meet LEP needs can be done in a variety of ways:

1. Use a temporary agency or an independent contractor for the service needed.
2. Create a new classification. If the need for interpretation and translation services is high and is expected to be long-term, City departments may request that the City Manager study a position to determine if second language skills are a *BFOQ*.
3. If interpretation and translation skills are desirable qualifications, but not a BFOQ of the job, department management may, in many circumstances, add it as a “preference” in the qualifications.
4. Require a qualified and willing City employee to perform this function within the category of “other duties as assigned.”

Compensation

Compensation for a City employee who provides interpretation and translation services will be determined by the City Manager.

Procedures

Amending a job specification to include bilingual skills.

When bilingual skills are required for a position or when it is determined that these skills are highly desirable for a position, work with the City Manager to request a job study of the position.

Announcing a job opening with a language preference.

If language preference is highly desirable and reasonable but not a BFOQ, state the specific preference on the job announcement posting. For example: "*Some of the positions in this classification may require an ability to speak and/or write in a language other than English, such as: Spanish.*"

Announcing a job opening with a language requirement.

Review the required language within the requirements section of the job classification and state the specific requirement on the job announcement posting.

Example 1: "This position requires the ability to read, write, and speak proficiently in a primary language other than English."

Informally testing for language proficiency (permissible when language skill is a highly desirable qualification or requirement of the job).

Include a fluent speaker of the desired language in the interview process, as one of the interviewers. Conduct part of the interview in the desired language. If the job includes significant writing duties, ask for a writing sample in both languages.

Note: There are important distinctions in the syntax and vocabulary of any language, depending on where speakers are from, their education level and their socioeconomic background. Choose the fluent speakers/interviewers with this in mind.

Formally assessing language proficiency (recommended if interpreting and translation skills are *bona fide* occupational qualifications).

All individuals hired to perform interpretation and translation services should, at a minimum, be able to demonstrate oral and written proficiency in each language (English and other language) through a test, such as the one developed by the American Council of Teachers of Foreign Languages (ACTFL). For more information on the ACTFL test, visit the Council's website, www.actfl.org.

It is important to also assess a candidate's English proficiency, as well. Currently, English proficiency can be demonstrated through the written exam (always in English and at a level similar to what would be used on the job); the oral exam process (communication skills typically measured); and the department interview process.

Hiring or contracting out for interpreting or translating services.

If the City hires or contracts with an interpreter or translator, the temporary agency or the City Manager has the responsibility to ensure that all individuals should, at a minimum, demonstrate oral and written proficiency in each language (as noted above) and demonstrate familiarity with and comprehension of ethical standards for interpreters and translators.

Existing City classifications for bilingual or multilingual skills.

Currently there are no existing City job descriptions that either require or note a possible preference for bilingual or multilingual skills

TRAINING

It is important to ensure that all City employees are given proper LEP training. City employees should know their obligations to provide LEP individuals with meaningful access to City services, programs and activities. The more frequent the contact with LEP individuals, the greater the need for in-depth training. City employees with little or no contact with LEP individuals must be aware of the City's LEP Plan and their respective department's LEP Policy. City employees in management positions, even if they do not interact regularly with LEP individuals, must be fully aware of and understand the City's LEP Plan and their respective department's LEP involvement.

LEP training on a city-wide level will be planned and carried out by the City Manager.

At a minimum, the City will ensure:

- All City employees know about the City's LEP Plan;
- All City employees who are in public contact positions will be trained to work effectively with in-person and telephone interpreters and translators; and
- The City will provide training, including a copy of the City's LEP Plan, as part of the City's orientation for new City employees.

IMPLEMENTING, MONITORING, AND UPDATING THE PLAN

The City's LEP Plan will be updated as necessary. Updating and maintaining the City's LEP Plan is the responsibility of the City Manager.

To ensure continuous improvement in providing LEP individuals with meaningful access to City services, programs and activities, the City will seek input from non-English or LEP communities, as well as community-based and advocacy organizations that work and interact with LEP populations, as identified.

The City Manager will evaluate the City's LEP plan on a regular basis to determine its effectiveness. The evaluation will include:

- Identification of the LEP population in Charlevoix and recalculation of the City's primary language groups.
- Assessment of the current level of services delivered to LEP individuals by each City department.
- Ensure that LEP training is received by City employees.
- Ensure notification to customers
- Ensure employees provide timely and accurate interpretation and/or translation projects are conducted.
- Ensure job description accurately reflect need for additional language skills
- Ensure steps are taken to successfully implement LEP services
- Develop and implement procedures and evaluation of handling complaints about LEP services
- Obtain feedback and comments from LEP communities, including organizations and advocacy groups serving LEP individuals, on the effectiveness of the City's LEP Services, if available.

Contractor Responsibilities

City contracted vendors and sub-recipients of federal funds through the City will be directed to read and follow the City's LEP Plan. Language to ensure compliance with language access and the City's LEP Plan should appear in City contracts. Contractors and vendors will be responsible for notifying and training their employees about LEP mandates. The City Manager will be responsible for providing City departments with the necessary LEP language requirements to include in all City contracts.

Budgeting for LEP Services

During each budget cycle, the City Manager evaluates the services provided to LEP individuals. Based on the evaluation, the City will allocate a fixed budget, according to need, dedicated to providing LEP services.

COMPLAINT PROCESS

Complaints regarding LEP services (e.g. poor customer service, timeliness or quality of interpreter services) may be made in a number of ways:

- Face-to-face (Complainant will be asked to fill out a complaint form)
- Telephone (City employees will be asked to fill out a complaint form on behalf of the complainant)
- In writing via the U.S. mail
- In writing via electronic mail
- In writing via fax

Department and City Manager Responsibilities

City departments refer LEP individuals to the City Manager to submit complaints about services received. The City Manager will document actions taken to resolve each complaint in a timely manner. The City Manager will grant complainants at least 180 days (six months) from the alleged date of occurrence to file a complaint with the City.

See Appendix 4: LEP Language Access Public Complaint Form. Such written complaint should include the following information:

- Name, mailing address, and contact information (i.e. telephone number, email address, etc.)
- How, when, where, and why complainant believes he or she received unsatisfactory service. Include the location, names, and contact information of any witnesses.
- Other information that complainant deems significant

The complaint must be sent to:

City Manager, City of Charlevoix, 210 State Street, Charlevoix, MI 49720 or fax to 231-547-3617.

The City encourages all complainants to certify all mail that is sent through the U.S. Postal Service and ensure that all written correspondence can be tracked easily. For complaints originally submitted over the telephone, by fax or electronically via email, an original, signed copy of the complaint must be mailed to the City as soon as possible.

What happens to the complaint once it is submitted?

The City Manager will address all complaints regarding LEP services in an expeditious and thorough manner.

A letter acknowledging receipt of the complaint will be mailed within seven business days of receipt. Please note that in a complainant's failure to provide subsequent requested information may result in the administrative closure of the complaint.

How will the complainant be notified of the outcome of the complaint?

The City Manager will send a final written response letter to the complainant. If the letter notifies the complainant that the complaint was not substantiated, the complainant will also be advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from the City Manager, and/or 2) file a complaint externally with the State of Michigan Civil Rights Division. Every effort will be made to respond to LEP complaints within 60 working days of receipt of such complaints, if not sooner. If response cannot be made within 60 working days, complainant will be informed of the expected response date.

RESOURCES AND REFERENCES

American Council of Teachers of Foreign Languages (ACTFL)

<http://www.actfl.org>

City of Charlevoix Website

www.cityofcharlevoix.org

Google translator

www.translate.google.com

Limited English Proficiency – A Federal Interagency Website

<http://www.lep.gov>

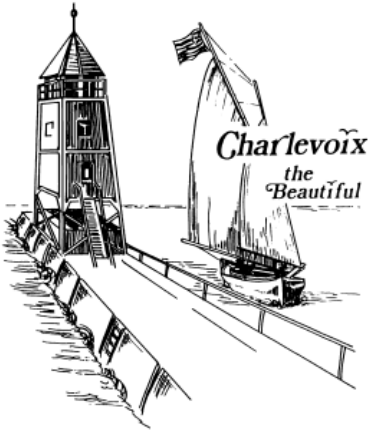
Michigan Department of Transportation Website

www.michigan.gov/documents/mdot

United States Department of Justice – Civil Rights Division

<http://www.justice.gov/crt/cor/>

APPENDIX 1
LEP Interpreter Services Poster Sample



Interpreter Services

English: Free Interpreter services are available. Please ask someone at the front desk.

Español: Servicios de intérprete gratis están disponibles. Por favor, pídale a alguien en la recepción.

APPENDIX 2: Language Block

The following language block can be inserted as needed in City documents and forms.

English: Attention. If you want help translating this information, call 231-547-xxxx.

Español: La atención. Si quieres ayudar a traducir esta información, llame al 231-547-xxxx.

APPENDIX 3: Waiver of Interpretation / Translation Services

WAIVER OF INTERPRETATION / TRANSLATION SERVICES - English

I, _____ have been informed of my rights to receive free and timely interpretation/translation services from the City of Charlevoix if the interpretation/translation services are needed to access City services, programs and activities as per Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.

I understand that I am entitled to these services at no cost to myself or other family members, but I want to provide my own interpreter/translator at this time.

_____ will act as my interpreter/translator.
(Name of person acting as interpreter/translator)

Initial

_____ I understand that I can withdraw this waiver at any time and request the services of an interpreter/translator, which will be paid for by the City of Charlevoix.

_____ To the best of my knowledge, the person I am using to act as my own interpreter/translator is over the age of 18.

_____ I understand that this waiver pertains to interpreters/translator services only and does not entitle my interpreter/translator to act as my Authorized Representative.

Signature of Service Recipient: _____

Date: _____

RENUNCIA DE SERVICIOS DE INTERPRETACIÓN / TRADUCCIÓN - Español

Yo, _____ ha sido informado de mis derechos a recibir gratuitamente y oportuna interpretación y / o servicios de traducción de la Ciudad de Charlevoix, si la interpretación y / o servicios de traducción necesarios para acceder a los servicios municipales, programas y actividades, como por el Título VI de la Ley de Derechos Civiles de 1964, 42 U.S.C. § 2000d et seq.

Yo entiendo que tengo derecho a estos servicios sin costo alguno para mí u otros miembros de la familia, pero quiero dar mi propio intérprete / traductor en este momento.

_____ Actuará como mi intérprete/ traductor.
(Nombre de la persona que actúa como intérprete / traductor)

Initial

_____ Entiendo que puedo retirar esta renuncia en cualquier momento y solicitar los servicios de un, el intérprete/ traductor cual será pagado por la Ciudad de Charlevoix.

_____ A lo mejor de mi conocimiento, la persona que estoy usando para actuar como mi propio intérprete / traductor está sobre la edad de 18 años.

_____ Yo entiendo que esta renuncia se refiere a los intérpretes / servicios de traducción únicamente y no da derecho a mi intérprete / traductor para que actúe como mi representante autorizado.

Firma del destinatario del servicio: _____

Fecha: _____

APPENDIX 4: LEP Language Access Public Complaint Form

LANGUAGE ACCESS PUBLIC COMPLAINT FORM - English

Title VI, 42 U.S.C. § 2000d et seq., enacted as part of the 1964 Civil Rights Act requires that *“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.”*

If you feel you have been impacted as a result of non-compliance with Title VI of the Civil Rights Act of 1964 you may submit a formal complaint to the City Manager.

Disclaimer: Information required herein will assist the City of Charlevoix to determine whether your allegations represent a possible violation to the City's Limited English Proficiency (LEP) Plan. Please complete the following form in its entirety and to the best of your knowledge. This form is subject to review and acceptance by the City Manager.

Please Print Clearly

Today's Date:

Primary Language:

Name:

Address:

City/State/Zip Code:

Telephone number (Home/Cell):

Name of person affected:

Address of person affected:

City/State/Zip Code:

Date of alleged occurrence:

Where did the alleged occurrence take place? Please identify the City Department involved.

Nature of complaint: Lack of assistance in your language Lack of translated materials

Other (please specify):

Name of the City employee who tried to assist you:

Did you alert a City employee of your language preference? Yes No

If yes, how?

Did you request any translated materials from the City department you were accessing? Yes No

If yes, how?

Were the documents translated in your language? Yes No

(form continued)

(form continued)

Describe how you were not provided meaningful access to City services and programs:

Please list any and all witnesses' names and phone numbers:

ACCESO LENGUAJE PÚBLICO FORMULARIO DE QUEJA - Español

Título VI, 42 USC § 2000d et seq., Promulgada como parte de la Ley de Derechos Civiles de 1964 estipula que "Ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, ser excluida de participar en, ser negado los beneficios de, o ser objeto de discriminación bajo cualquier programa o actividad que reciba asistencia financiera federal. "

Si usted siente que han sido afectados como consecuencia de la no-conformidad con el Título VI de la Ley de Derechos Civiles de 1964 puede presentar una queja formal a la Gerente de la Ciudad.

Descargo de responsabilidad: La información aquí contenida requiere ayudará a la Ciudad de Charlevoix para determinar si sus alegaciones representan una posible violación a la limitación de la Ciudad del Inglés (LEP) del Plan. Por favor, complete el siguiente formulario en su totalidad y en la medida de su conocimiento. Esta empresa está sujeta a revisión y aceptación por parte del Administrador de la Ciudad.

Por favor escriba claramente

Fecha de hoy:

Idioma principal:

Nombre:

Dirección:

Ciudad / Estado / Código Postal:

Número de teléfono (casa / celular):

Nombre de la persona afectada:

Dirección de la persona afectada:

Ciudad / Estado / Código Postal:

Fecha de ocurrencia alegada:

¿Dónde está el supuesto acontecimiento tendrá lugar? Por favor, identifique el Departamento de la Ciudad involucrados.

La naturaleza de la queja: La falta de asistencia en su idioma Falta de materiales traducidos
 Otro (especificar):

Nombre del empleado de la ciudad que trató de ayudarle:

¿Sabía usted alertar a un empleado de la ciudad de su preferencia de idioma? Sí No
En caso afirmativo, ¿cómo?

¿Solicitó el material traducido del departamento de la Ciudad que estaban accediendo? Sí No
En caso afirmativo, ¿cómo?

Fueron los documentos traducidos en su idioma? Sí No

Lenguaje de las formas ACCESO denuncia pública, página 2

Describa cómo no se proporcionaron un acceso significativo a servicios y programas:

Por favor escriba los nombres de todos y cada uno "los testigos y los números de teléfono: