



LIMITED ENGLISH PROFICIENCY POLICY

I. POLICY STATEMENT

This Limited English Proficiency (“LEP”) Policy (the “Policy”) of the Arizona Commerce Authority (“ACA”) provides a framework to ensure meaningful access to ACA programs and activities by LEP persons served by the ACA, in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. § 42.101-41.112).

II. PURPOSE

Pursuant to section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, this Policy exists to ensure that no person 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.”

III. NEEDS ASSESSMENT

To determine the appropriate mix of services, the ACA will conduct a needs assessment using the four-factor analysis outlined in federal guidance, which includes:

1. the number or portion of LEP persons eligible to be served or likely to be encountered by the ACA.
2. the frequency with which LEP persons using a particular language come into contact with ACA.
3. the nature and importance of the program, activity, or service provided by the programs of the ACA to people’s lives
4. the resources available to the ACA and cost

IV. LANGUAGE ASSISTANCE SERVICES

Starting from the first point of contact, whether written or oral, when an LEP client is having difficulty communicating in English or if a client asks for language assistance, the ACA will take steps to provide the language assistance in the LEP client’s preferred language, including:

Oral Interpretation

ACA staff will take reasonable steps to provide the opportunity for meaningful access in a timely manner by LEP clients in the preferred language, including:

1. The ACA may arrange for bilingual staff to provide oral interpretation assistance either in person or by telephone, whichever is the most reasonable and appropriate for the situation.

2. The ACA may arrange for a contracted interpreter to provide oral interpretation assistance either in person or by telephone, at the cost of the ACA.
3. The ACA may work with an informal interpreter, at the discretion of the LEP individual and the ACA staff. Such informal interpreters may include a family member, friend, legal guardian, service representative or advocates of the LEP client. However, in many circumstances, informal interpreters, especially children, are not competent to provide quality and accurate interpretations.

Translation of Vital Documents

Through periodic assessment, if translation of vital documents is identified as an appropriate service, the ACA may then translate these documents in the most frequently interacted languages in a timely manner so that they may be made available. For documents with a mix of vital and nonvital information, at a minimum, only the vital information needs to be translated.

Providing Notice

The ACA shall make reasonable efforts to inform LEP persons of the free language assistance services available and how they can be accessed. In addition, this Policy will be publicly posted on the ACA website at www.azcommerce.com.

V. STAFF TRAINING

LEP training should reflect the contents of this Policy and importance of providing meaningful access to ACA programs to LEP individuals.

Training includes, but is not limited to:

1. **Basic Training.** All ACA staff should be aware of this Policy and their role(s) in ensuring compliance with this Policy. This Policy will be distributed annually to all ACA staff.
2. **Public Contact Training.** All ACA staff with regular public contact should be, at a minimum, fully aware of the LEP compliance methods and services and able to reinforce the importance of the LEP policy. Training will include guidance on how to respond to written and oral communications from LEP individuals and how staff may obtain services for LEP clients.

VI. COMPLIANCE

Department leadership is responsible for ensuring that activities within the leader's work unit are conducted consistent with this Policy. Any non-compliance shall be remediated in a timely manner once detected.

VII. MONITORING & UPDATING THE PLAN

The ACA will periodically evaluate the policy and the needs of the LEP populations frequently encountered or affected to determine the appropriate mix of services based four-factor analysis outlined in federal guidance, which includes:

1. the number or portion of LEP persons eligible to be served or likely to be encountered by the ACA.
2. the frequency with which LEP persons using a particular language come into contact with ACA.
3. the nature and importance of the program, activity, or service provided by the programs of the ACA to people's lives
4. the resources available to the ACA and cost

VIII. DEFINITIONS

- “Client(s)” refers to a person or group of persons to which the ACA provides services.
- “Interpret” means the oral or verbal conveyance of words in one language to another.
- “Limited English Proficiency” or “LEP” is a term used to describe persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English.
- “Nonvital Documents” are documents that are not critical to access ACA services.
- “Translate” means the written conveyance of a document from one language to another.
- “Vital Documents” hold critical information regarding ACA programs and services.