

LOUISIANA STATE UNIVERSITY AGRICULTURAL CENTER

POLICY NUMBER: AG CENTER PS-52

VERSION: 0

EFFECTIVE: 8/1/2023

REVISED: N/A

RESPONSIBLE OFFICER: Director, La. Cooperative Extension Service

CATEGORY: Extension

Limited English Proficiency and Language Access Plan

I. Purpose

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color or national origin by an entity receiving federal financial assistance. This Limited English Proficiency policy and Language Access plan was developed to ensure effective communication and equal access to outreach services provided by the Louisiana Cooperative Extension Service and the Louisiana Agricultural Experiment Station for persons with limited English proficiency. Limited English Proficient (LEP) persons are defined as any prospective, potential, or actual recipient of Extension Service benefits or services, who cannot speak, read, write, or understand the English language at a level that permits them to interact effectively with Extension and Research faculty and/or staff. The plan provides a comprehensive and shared understanding of how Cooperative Extension, as a part of the U.S. land grant system, operationalizes its organizational responsibilities and commitment to serving the linguistically diverse persons and communities of Louisiana.

II. Policy

It is the La. Cooperative Extension's and Agricultural Experiment Station's policy to ensure no person is prohibited from participation based on national origin in any program or service. It is our policy to ensure that reasonable steps are taken to provide timely, meaningful access and an equal opportunity to participate in services, activities, programs, and other benefits to individuals whose first language is not English.

This policy includes providing oral interpretation or written translation of vital documents and other information to limited English proficient (LEP) persons and their authorized representatives. All interpreters, translators, and other aids needed to comply with this policy will be provided without cost to the person(s) being served. LEP people and their authorized representatives will be informed of the availability of such assistance.

Louisiana Cooperative Extension Service and the Louisiana Agricultural Experiment Station will conduct a review of the language access needs of its customers and update this plan periodically as warranted. Employees having direct contact with LEP persons will be trained in effective

communication techniques, including the procedures for securing interpretation and translation services.

III. Definitions

Bilingual. The knowledge and ability to understand, read, and write fluently in two languages.

Discrimination. The unfavorable treatment or consideration of, or making a distinction in favor of or against, a person based on the group, class, or category to which that person belongs rather than on individual merit.

Interpretation. Listening to communication in one language and orally converting it to another language while retaining the same meaning.

Language Access. Efforts to make programs and services accessible to individuals who are not proficient in English.

Language Assistance Services. Interpretation or translation services that assist LEP persons in understanding or communicating in another language.

Limited English Proficient (LEP) Person. An individual who does not speak English as their primary language and self-identifies as having a limited ability to read, speak, write or understand English.

Meaningful Access. Denotes access to programs, activities and services that are not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient persons.

Qualified Interpreter. An individual who provides interpretation services at a level of fluency, comprehension, impartiality, and confidentiality appropriate to the specific nature, type and purpose of the information at issue.

Reasonable Steps. The affirmative and appropriate measures and resources used to mitigate access barriers to information and participation in educational programs.

Translation. The process of transferring ideas expressed in writing from one language to another language.

Translator. A person who transfers ideas expressed in writing from one language to another.

Vital Document. Paper or electronic written material that contains information that is critical for accessing a program or activity, or is required by law, such as consent forms, applications, and notices of rights.

IV. Procedures

Statewide Four Factor Analysis

FACTOR 1: NUMBER OR PROPORTION OF LEP PERSONS SERVED OR ENCOUNTERED

Extension and research staff must consider who would potentially be excluded from the program or activity if efforts to remove language barriers are nonexistent. The greater the number or proportion of LEP persons within the eligible service population, the more likely language services are needed. Most people living in Louisiana read, write, speak, and understand English. There are a number of people, however, for whom English is not their primary language. Approximately 125,000 people aged 5 years and older speak a language other than English at home (2.85% of the population). Languages with the highest prevalence include Spanish, Vietnamese, French, and Korean. Spanish is the most frequently spoken language (by 161,117

individuals) of which 46.64% of Spanish speakers reported speaking English less than “very well.”

It is estimated that statewide 2.9 percent of individuals self-identify as limited in their ability to speak, read, write or understand English. Among Louisiana’s 64 parishes, 3 have high concentrations of LEP persons (>5%). Below is a breakdown by parish of LEP populations.

Parish	Total Population:	Total Speak Only English or English "very well"	% Speak English "very well"	% LEP Population
Jefferson Parish, Louisiana	406,653	370,398	91.08%	8.92%
Cameron Parish, Louisiana	6,513	6,188	95.01%	4.99%
St. Mary Parish, Louisiana	46,603	44,437	95.35%	4.65%
Evangeline Parish, Louisiana	31,212	29,804	95.49%	4.51%
Allen Parish, Louisiana	23,995	22,942	95.61%	4.39%
St. Bernard Parish, Louisiana	43,344	41,724	96.26%	3.74%
Vermilion Parish, Louisiana	55,805	53,916	96.61%	3.39%
East Baton Rouge Parish, Louisiana	414,110	400,158	96.63%	3.37%
Plaquemines Parish, Louisiana	21,774	21,058	96.71%	3.29%
Iberia Parish, Louisiana	65,854	63,869	96.99%	3.01%
Grant Parish, Louisiana	21,071	20,448	97.04%	2.96%
Lafayette Parish, Louisiana	227,124	220,431	97.05%	2.95%
St. Martin Parish, Louisiana	50,049	48,591	97.09%	2.91%
Orleans Parish, Louisiana	368,304	358,199	97.26%	2.74%
St. Tammany Parish, Louisiana	243,012	236,577	97.35%	2.65%
St. Landry Parish, Louisiana	76,631	74,682	97.46%	2.54%
Bossier Parish, Louisiana	118,253	115,261	97.47%	2.53%
Ascension Parish, Louisiana	116,284	113,372	97.50%	2.50%
St. Helena Parish, Louisiana	9,660	9,424	97.56%	2.44%
St. John the Baptist Parish, Louisiana	40,283	39,307	97.58%	2.42%
Washington Parish, Louisiana	43,357	42,357	97.69%	2.31%
Lafourche Parish, Louisiana	91,758	89,691	97.75%	2.25%
Lincoln Parish, Louisiana	44,509	43,571	97.89%	2.11%
Tangipahoa Parish, Louisiana	124,141	121,541	97.91%	2.09%
Terrebonne Parish, Louisiana	103,588	101,454	97.94%	2.06%
Assumption Parish, Louisiana	21,047	20,616	97.95%	2.05%
Acadia Parish, Louisiana	58,023	56,847	97.97%	2.03%
Calcasieu Parish, Louisiana	188,226	184,488	98.01%	1.99%
Vernon Parish, Louisiana	45,314	44,452	98.10%	1.90%
Rapides Parish, Louisiana	121,556	119,418	98.24%	1.76%
Livingston Parish, Louisiana	130,995	128,707	98.25%	1.75%
Jefferson Davis Parish, Louisiana	29,173	28,701	98.38%	1.62%
St. Charles Parish, Louisiana	49,628	48,845	98.42%	1.58%

LaSalle Parish, Louisiana	13,978	13,774	98.54%	1.46%
Concordia Parish, Louisiana	18,282	18,017	98.55%	1.45%
West Feliciana Parish, Louisiana	14,802	14,606	98.68%	1.32%
Union Parish, Louisiana	20,965	20,712	98.79%	1.21%
Caddo Parish, Louisiana	227,016	224,340	98.82%	1.18%
Madison Parish, Louisiana	10,322	10,203	98.85%	1.15%
West Carroll Parish, Louisiana	10,370	10,258	98.92%	1.08%
Beauregard Parish, Louisiana	34,840	34,488	98.99%	1.01%
East Feliciana Parish, Louisiana	18,313	18,135	99.03%	0.97%
Avoyelles Parish, Louisiana	37,779	37,421	99.05%	0.95%
Webster Parish, Louisiana	36,499	36,161	99.07%	0.93%
Richland Parish, Louisiana	18,995	18,825	99.11%	0.89%
Pointe Coupee Parish, Louisiana	20,585	20,405	99.13%	0.87%
Iberville Parish, Louisiana	30,842	30,582	99.16%	0.84%
Jackson Parish, Louisiana	14,989	14,866	99.18%	0.82%
Ouachita Parish, Louisiana	144,126	143,010	99.23%	0.77%
Winn Parish, Louisiana	13,396	13,300	99.28%	0.72%
Sabine Parish, Louisiana	22,534	22,373	99.29%	0.71%
St. James Parish, Louisiana	19,913	19,778	99.32%	0.68%
Natchitoches Parish, Louisiana	36,027	35,784	99.33%	0.67%
West Baton Rouge Parish, Louisiana	24,614	24,478	99.45%	0.55%
Claiborne Parish, Louisiana	15,083	15,013	99.54%	0.46%
De Soto Parish, Louisiana	25,561	25,447	99.55%	0.45%
Tensas Parish, Louisiana	4,130	4,114	99.61%	0.39%
Morehouse Parish, Louisiana	23,499	23,414	99.64%	0.36%
Bienville Parish, Louisiana	12,589	12,546	99.66%	0.34%
Franklin Parish, Louisiana	18,712	18,649	99.66%	0.34%
Red River Parish, Louisiana	8,067	8,044	99.71%	0.29%
East Carroll Parish, Louisiana	6,544	6,532	99.82%	0.18%
Catahoula Parish, Louisiana	9,158	9,152	99.93%	0.07%
Caldwell Parish, Louisiana	9,337	9,335	99.98%	0.02%
TOTAL Population > 5 yr old	4,359,716	4,235,236	97.14%	2.86%

FACTOR 2: FREQUENCY WITH WHICH LEP PERSONS COME INTO CONTACT WITH THE PROGRAM OR ACTIVITY

Frequency of contact with specific language groups is related to the need for enhanced language services. The steps that are reasonable when serving an LEP person on a one-time basis are very different than those expected when serving LEP persons daily. LCES nor LAES has not historically collected data on such contact so a proper analysis cannot be made at this time. Steps are underway to add an additional question in 4-H Online that seeks to gather this information on participants in youth development activities. Also, the La. Extension Reporting System will be updated so that extension faculty can add such data to that system. Such collection is expected to begin no later than January 1, 2024, with the first evaluation of language

contacts to occur after 6 months of data collection. With such data, extension services will be able to determine in what geographic areas and programs translation services will be most effective.

FACTOR 3: NATURE AND IMPORTANCE OF THE PROGRAM, ACTIVITY OR SERVICE

If programs and services are not provided in languages other than English, LEP persons would not have access to Extension or Research information. Each program of the AgCenter has a different importance and effect. The importance of the activity, or the likelihood of consequences to LEP people, is reviewed and balanced against the other three factors. Extension program leaders, specialists, and/or program teams will identify activities and services which would have serious consequences to persons if language barriers prevented access to information, or the benefits of those programs and language assistance services will be made available. La. Cooperative Extension Service and the La. Agricultural Experiment Station will determine the appropriate form of language assistance (written or oral) to be provided at no cost to the LEP individual.

FACTOR 4: RESOURCES AVAILABLE TO THE RECIPIENT AND COSTS

The most cost-effective means of delivering competent and accurate language services should be carefully explored before deciding to limit services due to resource concerns. "Reasonable steps" may cease to be reasonable where the costs imposed substantially exceed the benefits. Resource and cost issues, however, can often be reduced by technological advances; the sharing of language assistance materials and services; the formalized use of qualified community volunteers; and reasonable business practices. Prior to denial of services consideration should be made whether there is a potential for an LEP person to be adversely impacted, be excluded from use or benefits of a program, or be injured if language assistance services are not provided. Externally funded and self-supported programs should build language support services into the program budget.

Making Information Accessible for LEP Clientele

Louisiana Cooperative Extension Service and the Louisiana Agricultural Experiment Station have an obligation to provide accommodations for individuals with limited English proficiency. Therefore, it is unlawful to deny a request for language support services to a person who is a participant or wants to participate in Cooperative Extension or Research programs, services, and activities. The AgCenter is legally obligated to provide translation or interpretation services any time a member of the public who requests services in connection to their—or someone else's—restricted ability to access or understand English-only information that is related to our educational programming activities.

At the point of contact with an LEP person, employees will determine whether the person has limited English proficiency, determine his or her primary language and implement or procure the appropriate language assistance service. The primary methods to identify LEP persons who require language assistance services are self-identification during program registration and using "I Speak" language identification cards.

In response to the needs of LEP persons, faculty or staff may provide interpretation assistance by qualified interpreters including employees, volunteers, shared parish resources, contacted vendors, or telephonic interpretation services. Persons providing interpretation services will either be native speakers and/or qualified interpreters. Cooperative Extension local offices and stations may utilize the services of contract telephone interpretation services for in-office interpretation. Parish offices are encouraged to utilize qualified bilingual staff, volunteers, shared staff from the parish agencies, or staff from neighboring parishes. Contracts with interpreters will also be established through the state office if internal resources are not available. La. Cooperative Extension Service plans to purchase two sets of one-way microphones to use during programs, activities and services that need simultaneous interpretation. Once in stock, these items can be checked out from the Office of the LCES Director.

The translation of vital documents into languages other than English is particularly important. Examples of vital documents include but are not limited to applications, public notices, release or consent forms, letters containing important information regarding participation in a program, eligibility rules, documents related to a participant's medical history, emergency information, documents that ask for information that is sensitive in nature, notices advising of the availability of language assistance and outreach and community education materials. Identified vital documents will be translated and made available to parish offices. Other written materials that are routinely provided to applicants, customers and the public may be translated into languages that are regularly encountered upon request. Written materials include electronic documents and websites. Written translation can range from translation of an entire document to translation of a short summary of the document. Safe Harbor Provisions provide for the following actions to be considered strong evidence of compliance with written-translation obligations: Written translations of vital documents for each eligible LEP language group that constitutes 5 percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered are provided. Translation of other documents, if needed, can be provided orally. Or, if there are fewer than 50 persons in a language group that reaches the 5 percent trigger in (a), vital written materials are not translated but written notice is provided in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

Communications Plan

Louisiana Cooperative Extension Service and the Louisiana Agricultural Experiment Station will inform customers of our free limited English proficiency services. This limited English proficiency plan will be posted on our web page. Language identification posters will be in each parish office and station. Information on language access services will be provided during targeted outreach activities. Outreach documents will be available that indicate that free language services are available. Collaborative efforts will be made with community-based organizations to inform LEP people of these services, including the availability of language assistance services.

Monitoring and Evaluation

Regional LEP self-assessments will be completed annually and maintained in the region's civil rights file. Regional Directors will provide oversight of the annual review process. The Assistant

to the LCES Director will spearhead administrative oversight for monitoring and evaluating the reach and impact of language access efforts and to ensure LEP policies and procedures remain current and result in effective language services and meaningful access. The Language Access Plan will be reviewed and updated every five years.

V. Required Training

Faculty or staff who could potentially interact or communicate with LEP people are required to complete annual Civil Rights training which will include information on addressing the language needs of LEP customers. Training will include procedures for requesting translation and interpretation services. The LSU AgCenter training staff will work with AgCenter leadership to develop an online training module that will help the organization meet its language access needs and goals.

VI. Complaints and Violations

A complaint or charge of discrimination or harassment can be registered by any person (employee, program or activity participant, job applicant, visitor, volunteer, etc.) who has reason to believe that they have been subjected to or witnessed unlawful discrimination, harassment, or retaliation in an Extension education program or activity, or in the employment setting. For specific questions or to file a discrimination complaint, please contact:

- **LSU Agricultural Center**
Director, La. Cooperative Extension Service
(225) 578-4161
LCESDirector@agcenter.lsu.edu
- **LSU Agricultural Center**
Director, La. Agricultural Experiment Station
(225) 578-4161
LAESDirector@agcenter.lsu.edu
- **U.S. Department of Agriculture**
Director, Center for Civil Rights Enforcement
1400 Independence Avenue, SW
Washington, DC 20250-9410
(866) 632-9992

VII. References and Resources

Title VI of the Civil Rights Act of 1964, Section 601; 42 U.S.C. 2000d et seq.; and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination. The following core set of laws, policies, regulations, and tools formulate the legal standards for language access accountability and nondiscrimination compliance:

- Title VI of the Civil Rights Act of 1964
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (2000)
- U.S. Department of Justice Guidance to Federal Financial Assistance Recipients Regarding Title
- VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (DOJ LEP Guidance) reprinted at 67 FR 41455 (June 18, 2002)
- U.S. Department of Justice Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs (2011)
- National Institute of Food and Agriculture's (NIFA) Limited English Proficiency Tool Kit (2011)
- 7 CFR Part 15 Subpart A U.S. Department of Agriculture's (USDA) Final Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency (2014)
- National Institute of Food and Agriculture's (NIFA) Limited English Proficiency (LEP) Implementing Strategy for Federally Assisted Programs (2016)

VIII. Additional Information/Questions/Contacts

The following officers can provide additional information on the AgCenter's commitment to language access:

- Assistant VP for Human Resource Management
- Director, La. Cooperative Extension Services
- Director, La. Agricultural Experiment Station

Additional resources and information on limited English proficiency (LEP) can be found at www.lep.gov.