

County of Monterey Board Policy Manual

Policy Name Language Access and Effective Communication Policy	Policy Number P-130	Page 1 of 4
Policy Category Personnel		

I. Purpose

1. To provide for the communication needs of clients who have Limited English Proficiency (LEP) in order to ensure meaningful access to programs, activities, and services for persons with in accordance with state and federal laws.
2. To ensure the employment of an ethnically and culturally diverse workforce where individuals enjoy the opportunity to speak their primary language.

II. Definitions

Limited English Proficient (LEP) person/population: individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English.

Translation: the rendering of written text in one language (source language) in a comparable written text in another language (target language).

Interpretation: the conversion of a message spoken in a source language into an equivalent message in the target language.

Substantial number of non-English-speaking people: people who either do not speak English or who are unable to effectively communicate in English because it is not their native language, and who comprise five (5) percent or more of the people served by the County. In federal law this is referenced as a “threshold language” when five (5) percent or 3,000 people (whichever is fewer) speak the language.

III. Background

The County is a recipient of federal financial assistance and acknowledges that as a condition of receiving these funds, we must comply with Title VI of the Civil Rights Act of 1964 which includes provisions that require us to provide meaningful access to services for Limited English Proficiency (LEP) persons. In addition, the County must comply with California's Dymally-Alatorre Bilingual Services Act, which has requirements similar to Title VI. Furthermore, since 2013, the County, through its Diversity Policy, has expressed its commitment to primary language use in the workplace. This policy supersedes the Diversity Policy.

Monterey County's population includes a significantly-sized population of individuals who face communication barriers to accessing County benefits and services due to their language abilities. The 2010 census showed that Monterey County is home to more than 25% of people who cannot communicate in English, with close to 100,000 people who speak only Spanish. Our community is home to speakers of many other languages other than Spanish, such as Tagalog (2,280 individuals) and Korean (1,099 individuals). For legal purposes, Spanish is considered the only "significant" or "threshold" language. In addition, it is known that there is a large population of speakers of Mexican indigenous languages including Mixteco, Triqui, and Chatino, among others.

We are committed to ensuring all community members have fair and meaningful access to County programs, activities, and services, which means we must have procedures for serving LEP populations.

IV. Policy

Monterey County will ensure that LEP Persons have meaningful access to its programs, services, and activities. The County recognizes that language can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with regulations, or understanding key information if bilingual staff or proper interpretation and translation is not utilized.

The County recognizes that languages other than English are both necessary and welcoming and seeks to provide efficient and accessible public services to its non-English speaking communities.

All employees of the County may use a language other than English without threat of discrimination or reprisal. Departments may require, after consultation with the Civil Rights Office, that specific employees speak only English at certain times when it is justified by business necessity or emergency.

In addition, Monterey County will strive to employ a sufficient number of qualified bilingual persons in public contact positions to ensure provision of information and services to the public, in the language of the non-English-speaking person.

V. Procedure

Departments must ensure that language services are available to members of the public and may use the following means:

1. Utilize County-certified bilingual staff members; or,
2. Utilize a qualified interpreter or translator.

Departments may not require advance notice for an individual interacting with the County in person or over the phone to receive language interpretation services.

Material translation: Departments distributing documents to the public should endeavor to make available those documents, at minimum, in Spanish and English. Materials should be translated by a qualified translator and be reviewed by at least two staff members.

Language interpretation services shall be available at all Board of Supervisors meetings, coordinated by the Clerk of the Board. When requested by the public or staff, depending on availability of County resources, and at the County's discretion, interpretation may also be provided for additional meetings or events.

Departments are encouraged to offer simultaneous interpretation services at meetings, events, and public outreach events.

Language interpretation services will only help the County accomplish its goals of ensuring meaningful access for all residents if residents are properly informed of these services. Departments should provide notices wherever feasible to inform members of the public of the option to obtain language services. Notices can be included:

1. On the department's website;
2. On departmental handouts, forms, brochures, pamphlets, meeting agendas, flyers, or other informational handouts; and/or,
3. On a sign posted at the department's reception area.

All new public signage created by the County shall be completed in both English and Spanish, with the goal of having all public access points in both languages.

County Department Heads, managers, and supervisory personnel are responsible for implementing this policy within their areas of authority.

The Civil Rights Office is responsible for developing a Language Access Plan to help guide departmental implementation.

VI. Review Date

- a. This Policy will be reviewed for continuance by January 8, 2023.

VII. Board Action

- a. Legistar File Number 17-1262, January 9, 2018.