TOWN OF CHAPEL HILL

LANGUAGE ACCESS PLAN

2019

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Introduction

Why Does Chapel Hill Need Language Access?

The Town's mission is to create a community where people thrive.[1] As part of that commitment, the Town Council established a goal to *Create a Place for Everyone* and build a *Vibrant and Inclusive Community*.[2] One crucial step to achieve this goal is ensuring meaningful access to Town information and services, regardless of language.

The Town of Chapel Hill is increasingly aware of the communication gap with limited English proficient (LEP) residents. Through extensive community engagement during the Town's Building Integrated Communities[3] Initiative, immigrant and refugee residents identified language access as a key strategy for the Town to more effectively reach them. Communications that are accessible to the whole community will help Chapel Hill be more inclusive and welcoming to all.

In addition to advancing the Town's goal, language access is also required for legal compliance with federal regulations, which require organizations that receive funding from the Federal Government to take reasonable steps to ensure meaningful access to services for LEP individuals.

These regulations ensure that no person – on the ground of race, color, or national origin – are excluded from, denied benefits of, or be subjected to discrimination under any services receiving federal financial assistance. The regulations include, but are not limited to Title VI of the Civil Rights Act of 1964, the 1987 Civil Rights Restoration Act, and Executive Order 13166. Refer to the Appendix for additional details on legal compliance and requirements.

Purpose

The Town of Chapel Hill's Language Access Plan (LAP) is an action-oriented implementation plan to guide the Town towards language justice. More specifically, the LAP establishes policies and procedures to ensure access to Town resources and services for LEP residents. These policies and procedures will apply to all Town programs and services, unless otherwise indicated in the LAP. Through consistent monitoring and updating of this LAP, the Town will better serve and understand the needs of residents and improve the accessibility of services and resources. Further, the Town will ensure it moves towards policies and procedures supporting the right of all residents to communicate with the Town in the language in which they prefer.

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[1] https://www.townofchapelhill.org/town-hall/departments-services/human-resource-development/mission-and-values

[2] https://www.townofchapelhill.org/town-hall/mayor-and-council/town-strategic-goals-objectives

[3] https://www.townofchapelhill.org/town-hall/departments-services/housing-and-community/community-programs/chapel-hill-bic-project-proyecto-chapel-hill-bic-3532

Demographics

Chapel Hill is diverse: Chapel Hill has experienced an influx of immigrants and refugees in recent years. From 2000 to 2017, the percentage of Chapel Hill residents born outside of the U.S. steadily increased from 11.2% to 15.7%, an increase of over 40%. Chapel Hill has a variety of living, learning, and working opportunities that contribute to the Town's increasing international diversity.

Chapel Hill residents come from many countries across the world: In 2017, Chapel Hill's population of 59,234 included 9,307 (16%) people born in over 78 countries outside of the U.S.[4] The top five countries of origin are China, India, South Korea, Mexico, and the United Kingdom. In addition, since 2005, 1,177 refugees have arrived in Orange County, primarily from Burma/Myanmar, Cameroon, and the Democratic Republic of Congo.

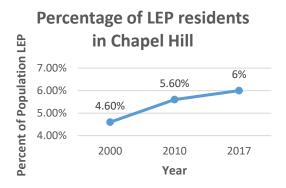Chapel Hill residents are from all over the world. Here are just a few places:

China India S. Korea

Mexico United Kingdom

Democratic Republic of Congo Myanmar

Percentage of LEP residents in Chapel Hill

Chapel Hill residents speak languages other than English: Among Chapel Hill residents age 5 and over, 20% (11,611) report speaking languages other than English. In Chapel Hill, 6% (3,465) of residents report their English-speaking ability as "less than very well"[5]. This number has gradually increased over time from 4.6% in 2000 and 5.6% in 2010. For this LAP, we identify LEP individuals as those who describe their English-speaking ability as "less than very well."

More LEP residents are foreign-born: Among Chapel Hill's foreign-born population, nearly 34% reported having "less than very well" English-speaking ability, compared to only 0.8% of those who are native of the United States. The top non-English languages spoken by residents of Chapel Hill are Spanish, Mandarin Chinese, Korean, and other Asian languages, including Burmese and Karen. With such a large number of LEP individuals, it is essential for Chapel Hill to develop a LAP to better serve its people.

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[4] U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates.
[5] U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates.

Definitions

Interpretation: The process of adapting oral speech from one language to another, either simultaneously or delayed (consecutive), without loss or change in meaning.

Language Access Plan (LAP): A set of policies and procedures established to provide the most effective services for those with limited English proficiency.

Limited English Proficiency (LEP): Describing persons with limited ability to communicate (e.g. speak, read, write, or understand) effectively in English. When reviewing data, we will follow the U.S. Census Bureau classification for LEP individuals.[6] According to the bureau, an LEP individual is anyone above the age of 5 who reported speaking English less than "very well." The Bureau's classifications are 'very well', 'well', 'not well', and 'not at all.'

Language Justice: The right for all people to communicate in the language they prefer.

Meaningful Access: Ability to use resources without significant restriction from language barriers.

Primary Language: The non-English language groups most commonly used in Chapel Hill. For this current Plan, the languages are Burmese, Karen, Mandarin Chinese, and Spanish.

Translation: The process of adapting written text in one language to other language(s), with consistent and accurate meanings.

Vital Document: Document that is necessary or significant towards using or receiving any activity, service, program, or other resource offered by the Town.

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[6] https://www.lep.gov/

Developing the Language Access Plan

In developing the LAP, Chapel Hill Town staff completed a needs assessment, identified resources available to support the LAP, and gathered information from community and stakeholder groups. Our process for developing the LAP is outlined below.

Needs Assessment: Completing a Four Factor Analysis

As a starting point to creating a LAP, the U.S. Department of Justice recommends completing a [Four Factor Analysis](#)[7]. The Four Factor Analysis helps the Town plan and provide language access based on:

1. Number or proportion of LEP individuals in the community
2. Frequency with which LEP individuals come in contact with Town services
3. Nature and importance of the services
4. Resources available and costs

These factors create a picture of the needs in the community. The greater a number of LEP individuals, the greater a frequency of contact with the Town, and the greater the importance of the service, the more likely language services will be needed. Findings can change over time based on changing community demographics.

Factor 1: Number or proportion of LEP individuals in the community
Data for this analysis was gathered from U.S. Census Bureau's American Community Survey.[8]

> **6% of Chapel Hill residents are defined as LEP individuals**: LEP residents are those who reported an English speaking ability of less than "very well" in the U.S Census Bureau's American Community Survey (See Table 1). HUD provides guidance for providing accommodations to language groups.[9] For certain Town services, such as Public Housing, we surpass HUD's threshold (5%), highlighting the importance of implementing this LAP.

Table 1. Language Spoken at home by Chapel Hill residents

Languages	Population Estimate	Percent
Total Population	57,402	--
Speak only English	45,791	79.8%
Speak languages other than English	11,611	20.2%
Number of LEP residents	3,465	6.0%

Source: ACS 2017 (5 Year Estimates)

> **According to the 2017 American Community Survey (ACS), resident speaking Asian and Pacific Islander languages make up Chapel Hill's largest LEP group (Table 2).** The U.S. Census groups several languages into subgroups outlined in Table 2. Examples of Asian and Pacific Island

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[7] https://ojp.gov/fedregister/fr_2002-06-18.pdf
[8] https://www.census.gov/
[9] https://www.hud.gov/sites/documents/DOC_9880.PDF

languages include Chinese, Vietnamese, Hmong, Korean, Burmese, and Karen. Examples of "other" Indo-European languages spoken (besides Spanish) include French, Haitian, Portuguese, Hindi, Russian, and German.

Table 2. Language Spoken at home by Chapel Hill residents

Language and English speaking ability	Population Estimate	Percent
Speak Spanish	3,079	5.36%
Speak English "very well"	2,253	3.92%
(LEP) Speak English less than "very well"	**826**	**1.44%**
Speak other Indo-European languages	3,202	5.58%
Speak English "very well"	2,741	4.78%
(LEP) Speak English less than "very well"	**461**	**0.80%**
Speak Asian and Pacific Islander languages	4,934	8.60%
Speak English "very well"	2,775	4.83%
(LEP) Speak English less than "very well"	**2,159**	**3.76%**
Speak other languages	396	0.69%
Speak English "very well"	377	0.66%
(LEP) Speak English less than "very well"	**19**	**0.03%**

Source: ACS 2017 (5 Year Estimates)

*Examples of **Asian and Pacific Island languages** include: Chinese, Vietnamese, Hmong, Urdu, Bengali, Korean, Iloko, Nepali, Burmese, and Chuukese.*

*Examples of **"other" Indo-European languages spoken** (besides Spanish) include: French, Haitian, Gujarati, Portuguese, Polish, Hindi, Russian, German, and Persian.*

For the purposes of this LAP, we also looked at data to identify which specific languages are most prominent. Chapel Hill residents' top languages are Spanish, Chinese, Korean, Other Asian Languages, and French. From our community partners and interactions with residents through Town services and programs, we know that the Other Asian Languages most often encountered in Chapel Hill are Burmese and Karen - the common Asian languages spoken by refugee residents in the community.

Table 3. Top 5 of non-English languages and percent of LEP population in Chapel Hill

Non-English Language	Estimated Number of Speakers	Percent of Total Population	Percent LEP of Total Population
Spanish or Spanish Creole	3,206	5.63%	1.92%
Chinese	2,727	4.79%	2.15%
Korean	987	1.73%	1.06%
Other Asian languages	852	1.50%	0.61%
French (incl. Patois, Cajun)	613	1.08%	0.14%

Source: ACS 2015 (5 Year Estimates), Table B16001

Refugee arrival data further informs our understanding of the most common languages spoken in Chapel Hill. Since 2005, 1,177 refugees have arrived in Orange County (See Table 4). Burma (Myamar) is one of the most common countries of arrival, with many of those residents speaking Burmese or Karen.

Table 4. Refugee Direct Arrivals in Orange County, Trends 2005-2019

Fiscal Year (July 1- June 30)	Refugee Arrivals	Countries of Origin
2005-2006	19	**Burma,** Cuba, Iran
2006-2007	55	**Burma**
2007-2008	255	**Burma,** Iran, Colombia
2008-2009	194	**Burma,** Bhutan, Iran, Iraq
2009-2010	57	**Burma**, DRC (Congo), Haiti
2010-2011	86	**Burma**, Laos
2011-2012	53	**Burma**
2012-2013	83	**Burma,** DRC, Iraq
2013-2014	80	**Burma**, Iran, Cameroon
2014-2015	54	**Burma, Iraq, Iran, DRC**
2015-2016	83	**DRC, Burma, Iraq, Russia**
2016-2017	102	**Burma, Syria, DRC,** El Salvador
2017-2018	22	**Burma, DRC,** Nepal
2018-2019 (as of Sept 2019)	34	**Burma, DRC,** Syria, El Salvador

*Data and chart provided by the Orange County Health Department in September, 2019. *NOTE: Unable to measure in and out migration. These data reflect direct arrivals to Orange County, NC.*

Factor 2: Frequency of Contact

Several Town departments, such as Public Housing, Housing and Community, Police, Fire, and Parks and Recreation have frequent contact with LEP residents. For example, approximately 35% of public housing residents have a preferred language other than English. The largest non-English preferred language was Burmese, consisting of over 17% of the 283 total public housing households (See Table 5 on next page). Police and Fire regularly interact with LEP residents through routine traffic stops, emergency response calls, etc. where communication is critical. Housing and Community and Parks and Recreation also have frequent contact with LEP residents through their various program offerings.

Table 5. Chapel Hill Public Housing Households Preferred Language (July, 2019)

Language	Number	% of Total
English	183	64.7%
Burmese	50	17.6%
Karen	27	9.5%
Rohingya	8	2.8%
Spanish	7	2.5%
Arabic	3	1.1%
Chin	2	0.7%
French	1	0.4%
Mandarin	1	0.4%
Swahili	1	0.4%

Source: Chapel Hill Public Housing

Factor 3: Nature and importance of the services

The Town of Chapel Hill offers many services and programs to residents, such as public safety services, ownership and management of public housing, management of a public transit system and infrastructure where communication with residents is critical to effective delivery of services. The nature of these services are important to an individual's day-to-day quality of life. By improving language access for Town services we can improve the quality of life of our residents.

Factor 4: Resources Available and Costs

The Town will continually assess the resources available for interpretation and translation. Assessment includes identifying appropriate documents for translation, assistance in implementing the LAP, developing contracts with local language service organizations, and more. For professional translation, the cost is per-word and rates can vary by language, turnaround times, and specialized content. For a drafted LAP budget, refer to the Appendix.

Stakeholder Engagement

Through the Building Integrated Community (BIC) Initiative, Chapel Hill engaged with over 250+ immigrant and refugee residents beginning in 2018 to understand their experiences and develop recommendations for the Town Council to consider that support their integration, wellbeing, and leadership development. The BIC team gathered data from community meetings with 160 immigrant and refugee residents, the U.S. Census, analysis of 25+ oral histories, 13 interviews with organizations and businesses that work with immigrant and refugee residents, and surveys of 74 refugees.

One of the key recommendations that the Town heard was to improve accessibility to Town communications. A first step in this process is creating a LAP. Resident recommendations to consider when developing the LAP included:

- Translate Town resources such as bus schedules, public housing applications and materials, public meeting materials, permits, and the Town website
- Provide interpretation for public meetings
- Hire more bilingual staff

Staff also surveyed all Town departments to learn about their experiences engaging with LEP residents and language access needs.

The BIC Implementation Team, comprised of immigrant and refugee residents, community organization representatives, and Town staff, provided significant input into the policies and procedures of the LAP and will continue to play a central role in evaluating the plan's effectiveness should we move forward with implementation.

[The LAP Policies and Procedures begin on the next page]

Language Access Policies and Procedures

This section outlines key policies and procedures that the Town of Chapel Hill will implement to improve the language access for LEP residents for Town programs, processes, and services. These policies and procedures are based on the recommended policy directives put forth in the Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs[10], a document prepared by the U.S. Department of Justice Civil Rights Division. Additionally, the four-factor analysis described above informed our approach to the policies and procedures, as well as review of model LAPs from local governments across the nation (See Appendix).

Policies for Notice of Availability of Language Assistance Services

The Town will notify LEP individuals of their right to language assistance services.

- Town departments and staff will let LEP individuals know they have the right to language services at no charge to the resident requesting assistance. Notices will include information about available language services.
- Notices will be translated into the Town's identified primary languages.

Language assistance notices will be provided in a variety of ways, including, but not limited to:

- Flyers or posters in appropriate Town reception areas and other points of entry at facilities.
- Notice of free language services on the Town website.
- Standard translated notice in Town outreach documents for public meetings.
- Using a telephone voice mail menu in the most common languages encountered.
- Including notices in local newspapers in languages other than English.
- Airing notices on non-English language radio and television stations.
- Working with cultural community organizations and other stakeholders to inform Chapel Hill residents of their right to language access services.

> **What are the Town's primary languages?**
>
> **The Town's primary languages are Burmese, Mandarin Chinese, Karen, and Spanish.** From the American Community Survey data, Town service data, and information gathered through Building Integrated Communities community engagement, we have identified these are the most common language groups in Chapel Hill.

The U.S. Department of Health and Human Services has translated notices that the Town will use as templates found at https://www.hhs.gov/civil-rights/for-individuals/section-1557/translated-resources/index.html

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[10] https://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

Policies for Interpretation & Translation

Interpretation and translation will be offered free of charge.

- The Town will provide interpreters at no charge to the resident requesting interpretation for Town services or programs.
- The Town will provide translation of vital documents and emergency communications at no charge to the resident requesting translation.
- The Town will make its best effort to ensure timely access to interpretation and translation services.

> **What is the difference between interpretation and translation?**
>
> The difference is in how messages are delivered.
>
> An **interpreter** is trained to convert **oral messages** from one language to another. They are often used for meetings.
>
> A **translator** is trained to convert **written text** from one language to another. They help with converting text in documents to another language.

The Town will translate vital documents and emergency communications into the Town's identified primary languages.

- Vital documents are those that are necessary to use or receive Town services or programs. The Town will create and maintain an inventory of vital documents.
- The Town will distribute key messages in the identified primary languages during emergency situations, such as natural disasters, wide-spread utility service outages, etc.
- Not all documents can be translated and available in every language. When possible, the Town will use cost effective free language services, such as Google Translate, for website content, etc.

Town departments will be responsible for securing interpretation and translation services. Assistance in securing services will be provided by Housing & Community staff.

- Interpretation and translation requests should be submitted in as far advance as possible to allow adequate time for language assistance services to be arranged.
- If departments need assistance setting up language services, Housing & Community staff can provide guidance.

On-demand interpretation will be available for public meetings, and small group and one-on-one interactions.

- LEP individuals may request interpretation for public meetings, small group meetings, or one-on-one interactions with Town staff. Such requests should be made 48 hours in advance to ensure adequate time to make arrangements for interpreters.
- Public meeting notices will include statements in the Town's primary languages announcing on-demand interpretation for public meetings.

The Town will use competent, trained, and culturally sensitive interpreters and translators.

- For the provision of language services, the Town will use professional interpreters and translators who abide by a code of ethics and professional practice standards and are trained in their field.
- The Town commits to *not* using untrained interpreters and translators to assist with language services, such as residents' family members or friends or persons under the age of 18.
- Interpretation and translated materials will be randomly evaluated for accuracy.

The Town will support the training of bilingual staff as interpreters and translators and offer a pay incentive to those who satisfy criteria for serving as an interpreter or translator for the Town.

- The Town will offer language service training and assessments to multi-lingual staff who speak the Town's priority languages and are willing to use their language skills as an interpreter or translator for the Town on an as needed basis.
- Employees who successfully complete the required training and assessment to serve as an interpreter or translator for the Town on an as needed basis will receive an annual pay incentive.
- The pay incentive will be equivalent to that currently offered in the Chapel Hill Police Department (2.5% per language annually).
- The Town will regularly evaluate the need for dedicated staff to serve as interpreters and translators and coordinate LAP implementation.

Procedures for determining the need for language assistance

At point of first contact with LEP individual

- Staff will make reasonable efforts to assess the need of language assistance. Staff can determine language assistance needs in several ways, including:
    - Self-identification by the LEP individual
    - Inquiring as to the primary language of the individual if they have self-identified as needing language assistance services
    - Use the US Census "I Speak" language identification cards (see Appendix).
- Staff should notify the individual of the right to an interpreter at no charge.

At public meetings

- Free, demand-based interpretation for public meetings will be advertised in notices prior to the meeting. LEP individuals will be asked to give 48 hour notice to allow adequate time for scheduling interpreters for the requested meeting.
    - If an LEP individual arrives to a public meeting without providing notice to the Town, staff will make their best effort to provide access to language assistance. However, due to limited notice, service may not be available in such cases.
    - If a Town department is planning a community meeting where they expect community members from a LEP population to attend, staff will secure appropriate language services in advance of the meeting. For these meetings, staff should advertise availability of language services in multilingual outreach materials.
- If the language requested is not available through a local language service, Town staff will work with the requesting individual to determine what options are available.
- To request interpretation for a public meeting, residents should call Housing and Community (insert phone number) or email (insert).

For one-on-one and small group interactions

- The Town requests that LEP individuals give 48 hour notice to allow adequate time for scheduling interpreters for the requested meeting. If the language requested is not available through a local language service, Town staff will use a phone-based language line.

- If a LEP resident does not provide notice 48 hour notice, Town staff will use a phone-based language line.
- The Chapel Hill Police and Fire departments will continue to provide interpretation services through a phone-based language line Tele-language (https://telelanguage.com).

Procedures for scheduling interpretation & translation

How to request interpretation or translation services

- Housing & Community staff will assist departments in scheduling interpretation & translation services as needed (insert phone and email).
- The Town will utilize a variety of interpretation and translation services, including:
    - Professional interpretation and translation through contract services with local language service organizations
    - Professional telephone interpreters
    - Trained Town staff
- Town staff should allow as much time as possible in advance of needed language services to secure interpretation and translation services.

Identifying the type of interpretation service needed

- There are two types of interpretation services – simultaneous and consecutive. The format of interpreting services is dependent on the context.
    - Consecutive language interpretation: Suitable for one-on-one or small group meetings in which the speakers will pause after each sentence to allow the interpreter to communicate their statement.
    - Simultaneous language interpretation: Suitable for large group meetings in which the speaker does not pause for the interpreter. Typically, simultaneous interpretation is provided through interpretation equipment (radio headsets).

Reserving the Town's interpretation equipment *[procedure under development]*

Procedures for training

Town-wide Staff Training

- The Town will provide periodic training for all current Town staff to familiarize departments with the LAP policies and procedures.
- This training offerings may include topics such as:
    - Language Access Plan Overview
    - Skill building on how to identify individual's primary language, how to respond to LEP callers, how to obtain language assistance services, etc.
- All new employees will receive the language access and assistance training as part of orientation.
- Language assistance training will be updated with the Plan, regarding changes in demographic and community data.

Additional Staff Training

- Additional training may be provided for staff and employees who:
    - have frequent interaction with residents or LEP individuals

- - are multilingual staff and provide translation or interpretation services as part of their job
- ▪ These trainings may be more focused on topics that will assist staff in effectively interacting with LEP individuals.

Carrying Out the Language Access Plan – (to be developed)

Implementation Timeline

Monitoring and Updating the LAP

Monitoring and Oversight

Resident Evaluation

Staff Support

References (to be developed)

1. Executive Order 13166. (2019, March 10). Retrieved from
   https://www.justice.gov/crt/fcs/T6manual5

2. Section V - Defining Title VI. (2017, February 10). Retrieved from
   https://www.justice.gov/crt/executive-order-13166

3. Town of Chapel Hill. General Policies. Retrieved from https://www.townofchapelhill.org/town-hall/government/policies/general-policies

4. United States Census Bureau American FactFinder. Retrieved from https://factfinder.census.gov

Appendix (to be developed)

Sample Language Access Plans

Minneapolis 2015 Language Access Plan:
http://www.minneapolismn.gov/www/groups/public/@ncr/documents/webcontent/wcmsp-172695.pdf

City of Madison, Wisconsin Language Access Plan:
https://bloximages.chicago2.vip.townnews.com/madison.com/content/tncms/assets/v3/editorial/a/76/a768f98d-e61f-5658-bb64-6db36de4537d/5a970d56432a7.pdf.pdf

Atlanta Regional Commission Limited English Proficiency Plan: https://cdn.atlantaregional.org/wp-content/uploads/lep-plan-final-2017.pdf

City of Cleveland Language Access Plan:
http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/LanguageAccessPlan#definitions

City of Detroit Limited English Proficiency Plan: https://detroitmi.gov/document/limited-english-proficiency-plan

City of San Francisco Language Access: https://sfgov.org/oceia/language-access

NYC Department of Citywide Administrative Services: https://www1.nyc.gov/site/dcas/about/language-access-plan.page

Orange County, NC Limited English Proficiency Policy: http://orangecountync.gov/1920/LEP-Policy

Winston-Salem LEP Policy and Procedures: http://www.cityofws.org/Portals/0/pdf/human-relations/LEP%20Policy%20and%20ProceduresR.pdf

City of Durham draft Language Access Plan:
https://cityordinances.durhamnc.gov/OnBaseAgendaOnline/Documents/ViewDocument/WS-Published%20Attachment%20-%2013238%20-%20OTHER%20-%20PROPOSED%20LANGUAGE%20ACCESS%20PLAN%20-%206_.pdf?meetingId=310&documentType=Agenda&itemId=11421&publishId=52347&isSection=false

City of Greensboro Language Access Program: https://www.greensboro-nc.gov/departments/human-relations/education-and-outreach/language-access-program