

LIMITED ENGLISH PROFICIENCY PLAN

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INTRODUCTION:

The United States Census Bureau defines a Limited English Proficiency (“LEP”) individual as one who does not speak English as their primary language and has a limited ability to speak, read, write, or understand English. An individual is considered to have a limited ability to access the English language when they speak, read, write, or understand English either “not well” or “not at all.”

The City of Orangeburg (“City”) is a municipal corporation organized and existing under the laws of the State of South Carolina, located in Orangeburg County, South Carolina. Orangeburg County has a population of 13,280 (US Census Bureau, estimate as of June 20, 2024) in the midlands of South Carolina, and consists of approximately 8.5 square miles.

The City consistently strives to ensure that LEP persons are provided meaningful access to City programs, benefits, activities, and services. In striving for this goal, the City has developed this LEP Plan (“Plan”). This Plan further ensures the City is in compliance with the Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d), and Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency, which require a recipient of federal financial assistance to take reasonable steps to ensure LEP individuals are able to enjoy meaningful access to the recipient’s programs and activities. As a recipient of federal financial assistance, the City seeks to reduce language barriers that may prevent LEP persons from accessing the programs and activities of the City.

The City will review and update, on a biannual basis, this Plan to ensure continued responsiveness to community needs and compliance with federal laws.

To take reasonable steps to ensure meaningful access for LEP individuals to the City programs and activities, the City intends to:

1. Conduct the Four-Factor Analysis (See Section I).
2. Develop a Language Access Plan (See Section II).
3. Implement the Plan to provide appropriate language assistance.

Although the population is predominately English speaking, The City’s continual growth is diversifying the population. The City’s goal is to provide services and programs to all City residents towards improving and protecting the community, no matter what language they speak.

SECTION I: Four Factor Analysis

Recipients of federal financial assistance must take reasonable steps to ensure meaningful access to LEP persons. The United States Department of Justice formulated LEP Guidance, including a four-factor analysis, which is an individualized assessment that is used to determine the appropriate language assistance services to ensure LEP individuals have meaningful access to program activities and services. This four-factor analysis is a flexible and fact- dependent standard that serves as a guide for determining which language assistance measures need to be taken to guarantee access to LEP persons.

The four factors that influenced the making of this Plan are:

- 1. Number or proportion of LEP persons served or encountered in the eligible service**

population, in this case, the City.

According to the American Community Survey conducted by the United States Census Bureau, approximately 96.6% of the City's population speaks English, while 3.4% of the population speaks a language other than English. The estimation of the proportion of the population that speaks languages other than English does not stipulate which residents were bilingual, nor does it indicate the level at which English was spoken or understood. Of the other languages spoken 1.3% of the residents spoke Spanish and the next most frequently spoken language category was Asian and Pacific Islander languages at 1.6%.

According to the Report from the Task Force on Minority Language Voting Materials by the South Carolina Legislature less than 1% of voting age citizens in the City speak Spanish and are considered LEP persons. These estimates are calculated using a methodology that is different from the Census Bureau, utilizing calculations required by the Voting Rights Act as outlined in the *Statistical Modeling Methodology for the Voting Rights Act Section 203 Language Assistance Determinations 2011*. These estimations also do not account for non-citizens or any residents under the age of 18.]

However, through EPA's EJSCREEN tool, we can get more accurate estimations for LEP persons in the City. EJSCREEN's Community Report for the City (see Attachment 1) identifies less than 15% of the City's population that would be determined to be LEP persons. LEP individuals are people who are 5+ years old and self-identify that their ability to speak English is "less than very well." The EJSCREEN report for the City is attached.

2. Frequency with which LEP persons come into contact with the City programs, services, and activities.

This information is tracked on a limited scale, primarily through the City of Orangeburg's Department of Public Safety and Municipal Court divisions. In 2023, there were approximately seven (7) cases where LEP assistance was needed. Year-to-date 2024, approximately five (5) cases have been recorded. For other city departments (Finance, Parks and Human Resources), the need has been limited.

- Most of the interactions with LEP individuals are in-person in the field; some interaction with LEP individuals have been in-person, i.e., Municipal Court, Victims Advocacy, and Patrol; some LEP interactions have been both telephonically and electronically, i.e., Communications (911) and Patrol.
- Regarding Patrol, officers use smart phones to interpret dialogue if needed.
- The City hired a bilingual Communications Operator to provide electronic assistance if needed.
- In court, officers who are bilingual are used to interpret dialogue. If officers are not available, smart phones are used.
- In emergencies, such as with Victim Advocacy, a combination of tools described above are utilized.
- Regarding the Finance Department, if someone comes in with limited English, they always have someone with them to help interpret. Frequency has been maybe a handful of times. The need for smart tools, etc., has not been an issue.
- Regarding the Parks Department, flyers announcing community events will be sent with a disclaimer (in Spanish) to contact the Parks office if any assistance is needed. Once contacted, Parks will utilize smart tools to interpret the dialogue.

- Human Resources has not reported any LEP issues. A few online applications have been received by persons who appear to be bilingual. Adjustments will be made if LEP assistance is needed in the future.

No survey has been conducted to evaluate the LEP frequency needed, however interactions are being monitored for any needed future changes. Nature and importance of program, activity, or service provided by the program.

3. Nature and importance of program, activity, or service provided by the program.

The City conducts an array of community-oriented programs and activities, so information about the City programs and activities is accessible to all City residents, including LEP individuals. Key City programs identified for LEP individuals are:

Fair Housing Month (April – See attached flyer)

Parks and Recreation activities (See attached example).

4. Resources available and costs to the recipient.

The City maintains a list of ‘vital documents’ which are considered critical to city operations, which can be translated and made available upon request. All documents are a part of the city’s municipal codes and policies, which can be found on the city’s website:

www.orangeburg.sc.us. The website can be translated using Google’s online tool interpreters and selecting a language available from the drop-down menu.

Title VI Notice

Information about Title VI and other non-discrimination laws that apply to the City’s programs and activities is available at www.orangeburg.sc.us and upon request. Any person who believes that they have been aggrieved by an unlawful discriminatory practice under Title VI may file a complaint with the City. Any such complaint must be in writing and filed with the City within 90 days following the date of the alleged discriminatory occurrence. For information on how to file a complaint, contact the City by any of the methods provided below. Title VI Complaint Forms and instructions for their completion are available on the City website on the City’s Non- Discrimination Policy page.

Public Outreach

The City conducts public outreach activities within the community about the City’s programs. The City will continue to provide public language accessibility to any who request it, at no cost. A notice of such services, and how to contact the City’s Non-Discrimination Coordinator, is displayed on the City’s website. This notice to services will appear in both English and Spanish on all public outreach announcements made by the City.

During public outreach events, all “vital documents” listed under Printed Materials above will be present and available in English and Spanish. The City will accommodate all requests for language interpretation services, including qualified ASL interpretation, at public events provided the request is received by the City’s office at least 5 business days in advance allowing the City to acquire the most comprehensive interpretation services available.

In instances where a language interpretation service request was not received 5 days prior to a public

outreach event, the City will provide on-site translation by use of a telephonic translation services through use of a cellphone as needed.

SECTION II: The City Language Access Plan Goals and Objectives

1. Comply with federal law and regulations¹ to “Improve Access to Services for Persons with Limited English Proficiency” by providing meaningful access to the benefits, services, information, and other important portions of the City’s programs and activities for individuals with limited English proficiency.
 - a. Translate “vital documents” into Spanish and, if necessary, replace text with pictograms or universal icons.
 - b. Notify Spanish-speaking population of the availability of free translation and interpretation, upon request, for non-vital but important documents.
 - c. Identify programs affecting areas with high concentrations of LEP persons and develop mitigation strategies.
2. Develop programs and materials to educate both community leaders who serve Spanish-speaking LEP populations, and LEP community members about the City’s services and programs.
3. Educate the City staff regarding LEP programs and policies.
 - a. Work with key staff to improve programs related to home wood heating, outdoor burning and complaint responses and communicating with LEP individuals.
 - b. Work with permitting staff to improve informational meetings and public hearings by providing options for translation and interpretation.

General Strategy

- This program will utilize existing Spanish-speaking materials and create new materials when needed to contact, engage, and educate community leaders serving Spanish-speaking LEP populations, and LEP community members about the City’s programs.
- Utilize the City’s internal taskforce to ensure the City’s LEP program and services appropriately meet the needs of Spanish-speaking LEP populations, other LEP populations as appropriate, and the City’s frontline personnel.
- Create a “one stop shop” within the City to handle all communications for the Spanish-speaking LEP community.

Primary Target Audience: New immigrants, whose primary language is Spanish and who read, at least, some Spanish. Members of this group vary in age, education, and income.

Secondary Target Audience: Recent immigrants from rural areas of Mexico, Central America, and South America. This group is noteworthy because they comprise much of the recent Latino population growth in the Eugene Urbanized area².

Stakeholders:

- Internal: the City management, Non-Discriminator Coordinator, the City staff needing to

¹ Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency

² The 2000 Census showed 11% of the 5 years and older population within the City area spoke Spanish, while the 2012 ACS showed that number to be 17%.

communicate with the Spanish speaking LEP community regarding home wood heating, outdoor burning and odor complaint issues.

- External: Spanish-speaking LEP communities, Community-based organizations (“CBOs”) serving Spanish-speaking LEP populations, State, Orangeburg County, and other governments serving Spanish-speaking LEP populations, and Hispanic business groups.

Program Elements:

1. Outreach – External stakeholders
 - a. CBOs serving Spanish-speaking LEP populations
 - b. Spanish-speaking LEP communities
 - c. Hispanic business associations
 - d. State, Orangeburg County, and other governments serving Spanish-speaking LEP populations
 - e. Provide a bilingual the City staff person at public hearings, open houses and other service outreach activities
2. Outreach – Internal stakeholders
 - a. Employee Training
 - b. Service and Scheduling
 - c. Board and Citizens Advisory Committee (“CAC”)
3. Training – City Employees
 - a. Employee Training (initial focus on front-line staff: phone and front desk reception, and field staff)
 - b. Provide staff with a description of language assistance service offered by the City.
 - c. Provide staff with specific procedures to be followed when encountering an LEP person, including how to handle a potential Title VI/LEP complaint.
4. Translation Service
 - a. Identification of available written translation services
 - b. Identification of available oral translation services
 - c. Identification of a telephone interpreter line
 - d. Maintain the website translation service
5. Recruit and hire bilingual/bicultural: Place job announcements encouraging bilingual individuals to apply, in local newspapers, website, e-mail notifications and any other medium used to attract potential employees.

Monitoring and Updating the Plan

This plan is designed to be flexible. As such, it is important to consider whether new documents, services, and technologies need to be made available for LEP persons by monitoring changes in demographics and the most commonly utilized the City programs and activities. The City will update the LEP at least yearly, using 5-year American Community Survey estimates, or when it is clear that higher concentrations of LEP individuals are present in the City.

ATTACHMENT 1
EJSCREEN COMMUNITY REPORT FOR THE CITY

