

# Language Access

## The Title VI Rights of Limited English Proficient Individuals

U.S. Department of Justice  
Civil Rights Division



**1. Terms**



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graph TD; A[1. Terms] --> B[2. Legal Obligations]; B --> C[3. Language Access Program]; C --> D[4. Complaints / Enforcement]; D --> E[5. Resources]
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**2. Legal Obligations**

**3. Language Access Program**

**4. Complaints / Enforcement**

**5. Resources**

# Terms

- ① **Limited English Proficient (LEP)**
- ① **Language Access**
- ① **Language Access Program**
- ① **Language Assistance Services**
- ① **Meaningful Access**

<http://go.usa.gov/Wj2x>



# Legal Obligations

## Title VI

**“No person in the United States shall, on the ground of race, color, or national origin, be...subjected to discrimination under any program or activity receiving Federal financial assistance.” 42 U.S.C § 2000d**



# What is a Recipient?

- Entity that receives FFA and/or operates a "program or activity"
- Title VI coverage extends to all recipient and sub-recipient operations
- FFA = grants, loans, equipment, federal property or personnel.



<http://go.usa.gov/WWmw>

# National Origin and LEP

**National origin discrimination includes failing to provide LEP individuals “meaningful access” to recipient programs.**  
***Lau v. Nichols*, 414 U.S. 563 (1974)**



# Executive Order 13166

**Executive Order 13166**

**DOJ LEP Guidance**

**DOT LEP Guidance**

Wednesday,  
August 16, 2000

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**Part V**

**The President**

Executive Order 13166—Improving Access  
to Services for Persons With Limited  
English Proficiency

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**Department of  
Justice**

Enforcement of Title VI of the Civil  
Rights Act of 1964—National Origin  
Discrimination Against Persons With  
Limited English Proficiency; Notice

<http://go.usa.gov/bsC>



# Guidance

- 1. Number or Proportion of LEP Individuals**
- 2. Frequency of Contact**
- 3. Nature and Importance**
- 4. Resources Available**

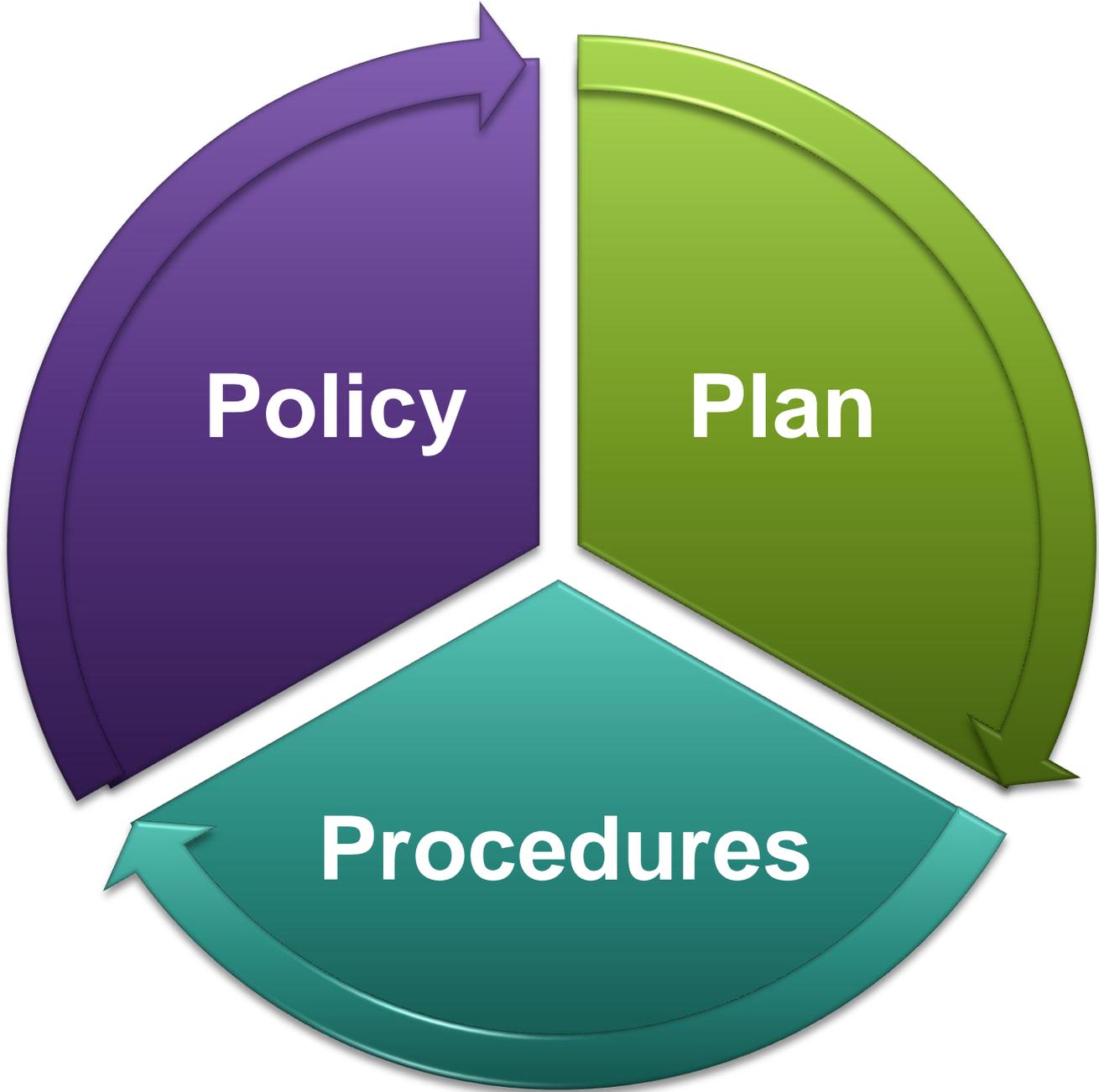
<http://go.usa.gov/bLK>



# Vital Documents

- 📄 **Applications to participate**
- 📄 **Complaint and intake forms**
- 📄 **Written notices of rights**
- 📄 **Award or denial notices**
- 📄 **Content on website**

<http://go.usa.gov/ELx>



# Language Access Program

# Language Access Program Self Assessment

How LEPs  
Interact With  
the Agency

Identify and  
Assess LEP  
Communities

Providing  
Language  
Assistance  
Services

Train Staff on  
Policies and  
Procedures

Provide  
Notice

Monitor,  
Evaluate,  
Update

<http://go.usa.gov/Wcb>

# Complaints / Enforcement

- **LEP Individual or a group can file a Title VI complaint**
- **Civil rights offices at the federal agency investigates the complaint**
- **If not sure which agency funds the entity, file the complaint with DOJ**



<http://go.usa.gov/bsd>

# Enforcement Examples

- ▶ DOJ Lawsuit Against MCSO, December 2012  
MTD Decision, <http://go.usa.gov/WWrY>
- ▶ DOJ Letter of Finding, North Carolina State  
Courts, March 2012 <http://go.usa.gov/rPtm>
- ▶ DOL Initial Determination, DEO, Florida, April  
2013, <http://bit.ly/1aVulqZ>
- ▶ HHS Resolution Agreement, Memorial Health  
System, CO, 2012, <http://go.usa.gov/WW2A>
- ▶ EPA Settlement Agreement, LDAF, Louisiana,  
December 2011, <http://go.usa.gov/rtZC>



# Wrap-Up

- **Title VI requires recipients to provide meaningful access to LEP individuals**
- **Recipients should have written LEP plan, policies, and procedures**
- **Federal agencies investigate complaints and enforce Title VI protections**

# LEP Resources

Federal Interagency Working Group on Limited English Proficiency, [www.lep.gov](http://www.lep.gov)

Title VI and LEP Videos, <http://go.usa.gov/EFi>

Language Access Assessment and Planning Tool, <http://go.usa.gov/jpJ>

FCS LEP Agreements and Settlements, <http://go.usa.gov/KTh>

# DOT LEP Resources

Implementing DOT's LEP Guidance, FTA,  
<http://go.usa.gov/ZFSG>

FTA Circular C 4702.1B, Chp. I-3 and III-6,  
Appendix M, <http://go.usa.gov/ZFhR>

LEP Desk Reference, FHWA,  
<http://bit.ly/1eNzQbx>

Presentation: LEP Overview, FAA,  
<http://go.usa.gov/ZMq3>

# Contact Information



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Salamat  
Спасибо  
谢谢  
Eskerrik asko  
감사합니다  
Дзякуй  
Gracias  
Asante  
Arigato  
Merci  
Kiitos  
Dankie  
Thank You  
ขอบคุณ  
dziękuję  
Gràzie  
Tודה  
Tak  
opagado  
köszönöm