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Greetings!

Limited English Proficiency and Executive Order 13166

Recently, several articles appeared in our local newspaper about the lack of language services provided by governmental agencies to those who speak a limited amount of English. It reminded me that both Executive Order 13166, as well as the Protection of Limited English Proficient (LEP) Individuals under Title VI of the Civil Rights Act of 1964, should be protecting those individuals from getting services without the assistance of a qualified interpreter. These provisions are directed at those agencies that receive federal funding, but they are best practice guidelines that should be followed by all agencies that provide services to communities that speak another language or who are not yet proficient in English as a second language.

The LEP Executive Order 13166 says that individuals who are LEP should have "meaningful access to federally conducted and federally funded programs and activities" (www.lep.gov). This order requires these organizations to review the services they provide, identify the needs of those they service who are LEP, and implement a plan to provide language services so that those they serve can have meaningful access. This order was signed by the President of the United States on August 11, 2000. It acted as a supplement to Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on national origin. An excellent resource to help implement these requirements can be found in the policy guideline document, "Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination Against Persons With Limited English Proficiency" at www.lep.gov.

Whether you receive federal funding or not, when creating an LEP plan there are four factors that should be considered:

- The number of LEP persons eligible to be served by a program
- The frequency the LEP person comes in contact with the program
- The nature and importance of the program, activity or service to the LEP person's life
- The resources and costs to the agency, keeping in mind that the guidelines should not cause a burden to the nonprofit or small business

By calculating the number of potential LEP clients, an effect budget can be executed, including the cost of interpreting and translation, or the salary for a qualified bilingual staff member, or both depending on the number of different languages that are spoken by the clientele of each program within the agency or business. Understanding this budget line will better prepare a grant writer to request the appropriate amount of funding, or a financial officer to understand the necessary expenses to provide the best service. By providing language services, an organization will in turn increase productivity, as the LEP client will be served more efficiently and effectively when communicated with in their native language.

This plan does not need to be provided to the Federal Coordination and Compliance Section, but if a complaint is issued and a review is executed, the organization will be required to provide a copy of the LEP plan. If an organization does not receive federal funding, this plan should be in place as well to protect against discrimination claims. In today's multicultural communities, it is more important than ever to execute an inclusive business philosophy, and have a plan in place to serve LEP customers with respectful, effective services.