

# North Dakota Meat and Poultry Inspection Program

## LIMITED ENGLISH PROFICIENCY PLAN

### I. INTRODUCTION AND BACKGROUND

#### A. INTRODUCTION

This Limited English Proficiency (LEP) plan was developed to ensure equal access to services provided by the North Dakota Meat and Poultry Inspection Program (NDMPIP) for person with limited English proficiency. LEP persons are defined as individuals who do not speak English as their primary language and have a limited ability to read, write, speak or understand English.

#### B. Definitions/Key Terms

**Agency** - The departmental program with delegated authority to deliver programs, activities, benefits, and services.

**American English** – The language/dialect primarily used in the United States.

**Certified Interpreter** – An individual who has taken and passed an examination administered by a knowledgeable authority.

**Discrimination** – The unfavorable treatment or consideration of, or making a distinction in favor of or against, a person based on the group, class, or category to which that person belongs rather than on individual merit.

**Federally Assisted Program** – All programs and operations of entities that receive assistance from the Federal government.

**Interpretation** – Listening to communication in one language and orally converting it to another language while retaining the same meaning.

**Language Access** – Efforts to make programs and services accessible to individuals who are not proficient in English.

**Language Assistance Services** – Interpretation or translation services that assist Limited English Proficient individuals in understanding or communicating in another language.

**Limited English Proficiency Person** – An individual who does not speak English as his or her primary language and has a limited ability to reason, speak, write, or understand English.

**Translation** – The process of transferring ideas expressed in writing from one language to another.

**Translator** – A person who converts language into an alternative form of communication so it is understandable to persons who communicate differently.

**Vital Document** – Paper or electronic written material that contains information that is critical for accessing a program or activity, or is required by law, such as consent forms, applications, and notices of rights.

#### C. POLICY STATEMENT

It is the policy of the NDMPIP to take reasonable steps to provide meaningful access to all individuals who wish to access State services regardless of their national origin or limited ability to speak, read, write or understand English. Should NDMPIP employees receive requests from current recipients or prospective applicants of inspection services, they should contact NDMPIP Bismarck headquarters for guidance.

#### D. BACKGROUND AND PURPOSE

Title VI of the Civil Rights Act of 1964 prohibits discrimination, in part, on the basis or national origin in the delivery of services or benefits funded by the Federal government. Under this law, federally assisted agencies are required to take reasonable steps to provide meaningful access to LEP individuals. Executive Order 13166, "Improving Access to Services for Persons with LEP", was signed on August 11, 2000, provides further direction, requiring that Federal agencies provide meaningful access to federally assisted programs and activities for LEP persons. In addition, the Order requires that federal agencies create plans to provide LEP persons with meaningful access to federally conducted programs and activities. As a recipient of federal funds, the NDMPIP must comply with federal LEP requirements.

In order to ensure that LEP customers are provided adequate services, the NDMPIP will conduct a four factor analysis upon determining that LEP services are needed in order to provide meaningful access to the NDMPIP for LEP persons. The four factor analysis addresses the following:

1. The number or proportion of LEP persons eligible to be serviced or likely to be encountered by the NDMPIP;
2. The frequency with which LEP persons using a particular language come in contact with the NDMPIP;
3. The nature and importance of the NDMPIP provided to the individual's life; and
4. The resources available to the NDMPIP and costs associated with providing LEP services.

#### II. Four Factor Analysis

In order to ensure that LEP customers are provided adequate services, the NDMPIP has conducted a four factor analysis. The four factor analysis addresses the following:

1. The number or proportion of LEP persons eligible to be serviced or likely to be encountered by our state program: **To date the NDMPIP has never received a request nor detected a need for translation assistance from current recipients or prospective applicants. A review of the most current census data indicates approximately 1.7% of North Dakota residents speak English less than "well". Census data will be periodically reviewed for changes in trends. Census data will be periodically reviewed for any changes in trends.**
2. The frequency with which LEP persons using a particular language come in contact with the state: **To date NDMPIP has never received a request for translation assistance from current recipients or prospective applicants.**
3. The nature and importance of the NDMPIP provided to the individual's life: **Food safety is important to everyone and our agency's policy as outlined above is to provide meaningful access to all, including LEP individuals. If documents are deemed vital to a service requested, these would then be translated to the language required by the individual. Options for contracted interpretation services are currently being explored as well, so these could be made available to LEP individuals.**
4. Determine the resources available to LEP persons and the costs to the state: **Should a request for language assistance be received through the Director, the contract with a certified translation service would be processed through the business office for approval. The costs would vary depending on services requested.**

### III. LANGUAGE ASSISTANCE

LEP individuals will be informed of the availability of language assistance services free of charge at the point when it appears that the person is not able to communicate in English. Once identified, staff has the following assistance options available:

- Locate a certified interpreter from within NDMPPIP resources
- Locate a certified interpreter from North Dakota State University's (NDSU) Extension Office Agriculture Communication Division at 701-231-7875.
- Contact Verbatim Solutions at 1-800-573-5702 or an equivalent telephone interpreter service

### IV. Implementation

Our current implementation goals include similar actions and timelines as listed in Appendix 1 of the March 2017 guidelines for federally assisted programs for LEP implementation strategy. This table is included as part of this LEP Plan for our state meat inspection program.

RESPONSIBLE PERSON/STAFF	ACTION TO BE TAKEN	TIMELINE
State Director	1. Ensure employees who interact with LEP individuals receive LEP training.	Ongoing
	2. Review and reissue LEP plan.	October 12, 2018
	3. Gather data for languages spoken in geographic areas being serviced. Review and analyze any new data gathered to determine what new LEP services are needed.	Ongoing
	4. Identify any new vital documents to be translated.	Ongoing
	5. Secure contractor for translation and interpretation services.	Ongoing
	6. Ensure that there is adequate funding, and that other resources are available to provide effective and efficient LEP services.	Ongoing
	7. Notify beneficiaries of LEP services	May 16, 2018
	8. Track LEP interactions.	Ongoing
	9. Report LEP interactions to the Agency's Civil Rights Staff.	Annual basis

**V. Communication/Outreach (Current LEP practices)**

This plan and the availability of LEP services will be posted on the ND Department of Agriculture's website and through the non-discrimination statement published on applications for inspection services, letterhead, and all other NDMPIP publications.

**VI. LEP Training**

NDMPIP employees will be trained on LEP policy procedures every two years and will sign verification of training. The training requirement may be fulfilled through review of the LEP plan at performance appraisal discussions, employee meetings, or other means as appropriate. The state will indicate compliance on the FSIS 1520-1 civil rights self assessment form.

**VII. Roles and Responsibilities**

The State Director is responsible for an annual review and update of this LEP Plan as needed. This administrative directive is part of the mandatory reference material for all inspection personnel. Any requests for interpretation or translation shall be directed to the Director through the supervisory chain. NDMPIP offers its programs to people of all ages, regardless of race, color, sex, religion, national origin, or disability and is an equal opportunity employer.