



LANGUAGE ACCESS PLAN

APRIL 2021



THE CITY OF NEWPORT LANGUAGE ACCESS POLICY

POLICY STATEMENT

As part of our commitment to being the most welcoming community in New England, the City of Newport is dedicated to providing timely, meaningful access for LEP persons to all municipal programs, resources, and activities.

WHAT IS A LEP INDIVIDUAL?

LEP Individuals are defined as those who do not speak English as their primary language AND who have a limited ability to read, speak, write, or understand English.

PURPOSE AND CONTEXT

As a City, we are committed to ensuring that all of our programs, services, and activities are meaningfully accessible to all constituents. The Department of Housing and Urban Development (HUD) has established provisions for written language assistance when a Limited English language group consists of more than 1,000 individuals or surpasses a 5 percent threshold of total population.

While the demographic profile of Newport does not currently meet the minimum threshold for providing required Language Access Services, as part of the City's ongoing commitment to creating a welcoming and accessible environment for all Newport residents, we recognize that providing meaningful language access is a critical function of local governance, particularly as it relates to vital services, health, and safety.

This policy seeks to establish guidelines and best practices for providing language accessible services to individuals that are limited English Proficient and/or Deaf or Hard of Hearing in accordance with Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act.

The purpose of this LAP is to ensure meaningful access to agency services, programs and activities on the part of persons who have limited English proficiency, and is intended to be an iterative, inclusive,

and responsive document. Additional strategies for building relationships with, and increasing our capacity to serve, our multi-lingual communities will be outlined in this plan.

In preparation of updating this plan, the City will conduct a four-factor needs assessment, as outlined by HUD and published on the City's website, to include the following:

- An analysis of the number or proportion of LEP residents serviced or encountered
- The frequency with which LEP persons come into contact with City services and staff
- The resources available and costs associated to the City of Newport.
- The nature and importance of the program, activity, or service provided by the City.

This document is intended to be iterative, with a review conducted every two years based in order to accurately reflect American Community Survey (ACS) and U.S. Census data.



OVERVIEW/INTRODUCTION

LEP POPULATIONS SERVED & ENCOUNTERED

The City of Newport is a diverse, international destination, drawing more than 3 million visitors annually and boasting a dynamic year-round population of over 25,000 residents, according to 2020 Census Data. Of that total, roughly 4.8 percent of the population – or just under 1,200 individuals over the age of 18 identify as LEP, including:

- 2.7 percent of the population considered LEP Spanish speaking - (Approx. 662 adults)
- 1.3 percent of the population considered LEP European speaking - (Approx. 302 adults)
- 0.8 percent of the population considered LEP Asian/PI speaking - (Approx. 102 adults)

At present, Newport remains below HUD's LEP threshold. With the City's LEP population projected to grow over the coming years, it remains in the interest of the community to address language access in a proactive way.

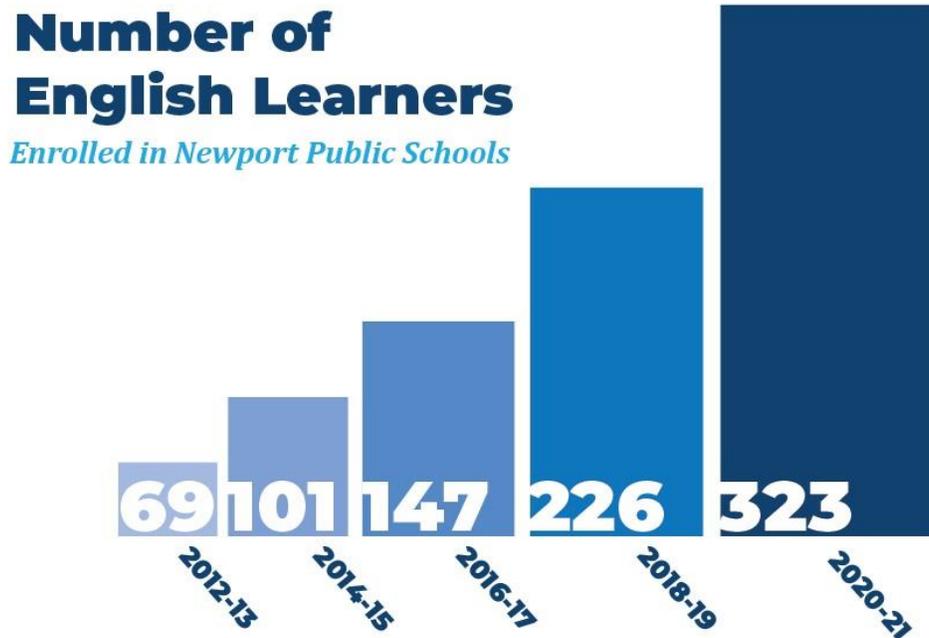
PERCENTAGE OF POPULATION SPEAKING A LANGUAGE OTHER THAN ENGLISH AT HOME

Based on 2020 U.S. Census Data



Source: U.S. Census Data, 2020

One indicator of Newport’s LEP growth is found outside official U.S. Census Data via the City’s Public School enrollment figures. As illustrated below, the NPS population identified as English Learners has grown significantly over the last decade.



**Source: Newport Public Schools, 2020*

LANGUAGE DATA & STRATEGY

In order to ensure future continuity with LAP best practices, The City of Newport shall conduct a biennial review of language use to determine the need for language access programs utilizing insights from the American Community Survey and decennial U.S. Census Data.

Our goal will be to use this data as a guide to make government more accessible through **Peoplebased Interpretation, Process-driven Translation**, and continually investing in **Assistive Technologies**.

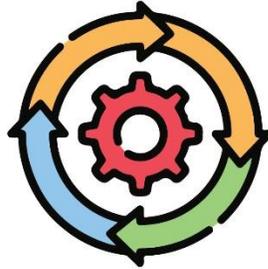


LANGUAGE ACCESS RESOURCES

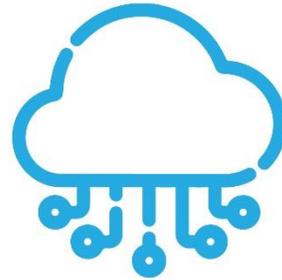
As the City of Newport implements its Language Access Plan, we intend to rely upon the following:



PEOPLE



PROCESS



TECHNOLOGY



PEOPLE

I. **PEOPLE** // *To provide trusted and timely INTERPRETATION*

Interpretation focuses on verbal communication with an emphasis on providing realtime, in person assistance for LEP constituents while conducting or participating in City business.

As a City, we will:

- Work with **COMMUNITY STAKEHOLDERS** to develop a resource list for interpretive service providers
- Recruit a **VOLUNTEER BANK** of City Staff and Community Members for in-person transactions and public meetings.
- Develop a **PREFERRED VENDOR** list for interpretive services not covered by community members or staff, utilizing the State Division of Purchasing's Master Price Agreement (MPA) where necessary.
- Identify City employees who are fluent in non-English languages. Detail which of these employees may act as interpreters and maintain an in-house list through the City's Human Resources Office.

STAFF TRAINING & COMPLIANCE

TRAINING

In order to ensure meaningful access to information and services for LEP individuals, Staff in positions of public contact and in managerial roles will receive training on the following:

- The content of the City's Language Access Policy
- How to identify the need for language access services
- Working with an LEP and Deaf individuals
- Obtaining interpreters over the phone, or in-person
- Providing language accessible service in a culturally sensitive manner
- Working with an interpreter and interpretation best practices.
- Documenting Language Access requests at the time of service and cataloging those encounters for future reference.

LANGUAGE ASSISTANCE PROCEDURES

1. Determine the need for language assistance

Staff at the initial point of contact will conduct an assessment for the need for language assistance, and notify the individual of the right to an interpreter at no cost. Staff members who have subsequent contact will continue to assess the need for language assistance.

Tips for Identifying the Need for Language Assistance:

- Ask open ended questions and avoid asking questions that would allow for yes or no responses. (Example: "How may I be of assistance?" instead of "Do you need help?")
- A Deaf individual may also be limited English proficient and not be proficient in American Sign Language. Staff shall work to identify the primary language of the Deaf individual, and provide language assistance in the primary language of the individual.

2. Identify the Client's Primary Language

Once the need for Language Assistance is determined, Staff will be charged with determining the client's Primary Language in order to provide the most effective service.



- a. Staff shall request the individual or companion identify the language of the LEP or Deaf individual by utilizing an “I Speak” card or poster, or requesting assistance from bilingual staff or volunteers.
- b. Staff should determine of the preferred mode of communication for a Deaf or Hard of Hearing individuals is interpretation or Communication Access Realtime Translation (CART).

3. Connect with Appropriate Resources

Once a primary language is identified, Staff will follow guidelines to ensure that individual is connected in a timely manner to the appropriate interpretive service(s). Such assistance may include:

- Bilingual Staff Member
- Community volunteer bank
- Phone-based interpretive services or CART technology

When Staff members are not fluent in the client’s primary language, the City may choose to utilize the services of a local interpreter service, with verified and trained interpreters. Whenever possible, the City will discourage the use of minor children for interpreter services in order to ensure confidentiality of information and the transfer of accurate information.

COMMUNITY OUTREACH AND COLLABORATION

The City of Newport will share its Language Access Plan and its LEP resources with community stakeholders and will seek to develop collaborative relationships with local and statewide organizations in order to further enhance and encourage LEP engagement.



PROCESS

II. **PROCESS** // *To ensure accurate and accessible TRANSLATIONS*

Our process will focus on written communication with an emphasis on providing translated “vital” documents, or those that contain information that is critical for obtaining services and/or benefits

- The City’s website, www.CityofNewport.com, is available in all safe-harbor languages via an integrated digital translation system powered by Google. In 2020, we added a conversational Spanish translation feature as a response to the COVID-19 outbreak.

- Currently, a wide variety of City services, including building permits, parking ticket disputes, and Police complaints, are submitted electronically. We will continue to migrate paper forms to web-based format to allow for automated translation.
- Ensure future guiding documents, such as the Comprehensive Land Use Plan, are delivered in digital format in order to allow for multi-lingual translation

TRANSLATION OF WRITTEN MATERIALS

In accordance with HUD’s Safe Harbor Rule, the City of Newport will provide a translated written notice of residents’ rights to oral interpretation of vital community documents as part of its public notices and at the point of in-person interaction. Based on current Census data, this notice shall appear in Spanish, which is the currently-identified language spoken by a significant number of LEP residents.

Determining Vital Documents

Vital Documents shall include the following:

- Public Comment Notices
- Public Hearing Notices
- Community Development Block Grant Documents, including CDBG applications

Translating Vital Documents

Complete translation of all plans and materials is not possible due to cost restrictions and current demand from LEP population. However, HUD allows for – and encourages – the development of executive summaries for Key Documents which may include the following:

- The Comprehensive Land Use Plan
- North End Urban Plan
- Open Space Master Plan
- Transportation Master Plan
- Others as determined by Staff or City Council

Outreach Materials

Spanish-language outreach materials will be utilized whenever appropriate, such as during annual budget reviews, and requests will be considered to provide key outreach materials in recognized LEP languages as new materials are developed and required, especially as it relates to Health and Safety notifications.



III. **TECHNOLOGY** // *To empower and engage Limited English Speakers*

Assistive Technology pertains to the development and incorporation of software-based solutions to bridge the language gap wherever reasonably possible.

As a City, we will:

- Pursue integrative language assistance technologies to enhance public meetings.
- Develop a **Community Participation Guide for LEP residents** to understand municipal policies and procedures
- Explore opportunities to leverage and train trusted community-based resources to enhance our Language Access capabilities
- Annually assess the availability of resources, including technological advances and outside funding to develop a more robust Language Access program.
- Continue to improve the City's website, www.CityofNewport.com, which is currently available in all safe-harbor languages via an integrated digital translation system powered by Google. In 2020, we added a conversational Spanish translation feature as a response to the COVID-19 outbreak.
- Create a dedicated Language Access section on the City's website, inclusive of LAP, community toolkit, and vendor/volunteer database.
- Continue to migrate from paper forms to web-based format to allow for automated translation.
- Encourage the adoption of mobile-first and deployable technologies targeting hard to reach communities.

COMPLIANCE

Once adopted, the City will distribute its Language Access Plan to all staff and will have a current electronic copy posted to its website.

- Staff shall be responsible for monitoring compliance with the organizations language access policy.
- The City shall periodically collect information on language use and need on a determinative basis, including:
 - a. primary language of clients;
 - b. use and language of interpretation services;
 - c. distribution of translated documents;
 - d. frequency of contact with LEP or Deaf individuals seeking services;
 - e. and referrals of LEP or Deaf individuals and the language of the referred LEP or Deaf individual.
- This plan shall be reviewed and updated every two years, or as needed as determined by Staff.

COMPLAINT PROCESS

Any person who believes that they were denied Language Access services may file a written complaint to the City through its online Complaint Form at CityofNewport.com/LEPComplaint or directed to the attention of the **City Clerk's Office, at 43 Broadway, Newport, R.I. 02840.**

Complaints should set forth as complete as possible, the circumstances and facts surrounding the claimed discrimination, and include the following information:

- Name, Address, and Telephone Number of the complainant
- The circumstances, individuals involved, and the nature of the client (i.e. the interpreter was summarizing, or an LEP individual or Deaf individual was denied services because they did not bring their own interpreter) and any witnesses.
- If applicable, the name(s) of the alleged discriminating official(s)
- Other agencies where the complaint is also being filed.
- Signature and Date

Review and Response

Upon receipt of the complaint, the City's Solicitor's Office shall review the complaint and forward to the appropriate Department Director or Supervisor for further action.

CITY FORMS & APPLICATIONS

The City of Newport's website currently hosts a number of online forms and applications that are translated by Google Translate into the user's native language. These forms include building permits, vital records requests, recreation registration forms, public information requests, and tax and utility



bill payments. In order to encourage multi-lingual engagement with our programs and services, the City will continue to transition to a web-based form and application system and seek out alternatives to paper-based records.

In addition, the City shall develop a keep a LEP Form Library on the City's website for distribution to community-based groups in order to facilitate Language Assisted submissions. Such forms may include, but are not limited to:

- Residential Parking Sticker Applications
- Business Registration Forms
- Voter Registration Forms
- City Employment Applications
- Concerned Citizen Request (CCR)
- On-Street Disability Parking Space Application
- Final Meter Reading Request Form
- Request for Service Form
- Exemption Application (Water Division)
- Temporary Water Service Application
- Beach Parking Sticker Applications
- Dog License Registration
- Senior/Veteran Tax Exemption Applications
- Memorial Bench Application
- Short Term Rental Registration Form
- Guest Pass Affidavit Form
- Fishing Permit

UNIFORM NOTICE OF LANGUAGE SERVICES

The City Council and other critical Boards and Commissions currently provide notice of language assistance on public meeting notices. This language should be reviewed and adopted across public meeting notices.

Signage will be placed in visible locations notifying individuals of the right to request an interpreter at no cost to the individual. Signage will be translated into the language(s) most frequently encountered by Staff. Staff at the initial point of contact will notify individuals of their right to an interpreters at no cost and the City shall maintain a list of internal and external resources that can provide both translation of key documents and oral language services.



DEFINITIONS

- a. Limited English Proficient individual means any individual whose primary language is not English, and has limited or no ability to speak, understand, read, or write English.
- b. Interpretation is the process of orally rendering a spoken or signed communication from one language into another language.
- c. Primary language means the language that an individual communicates most effectively in.
- d. Translation is converting written text from one language into written text in another language. 'Translation' is often misused to mean interpretation, but it is a written medium.
- e. A qualified interpreter or translator is a trained professional who is a neutral third party with the requisite language skills, experienced in interpretation or translation techniques, and knowledgeable in specialized content areas and technical terminology in order to effectively facilitate communication between two or more parties who do not share a common language.
- f. Simultaneous interpretation is the process of orally rendering one language into another language virtually at the same time that the speaker is speaking with only a very short lag time.
- g. Consecutive interpretation is the process of orally rendering one language into another language after the speaker has completed a statement or question and pauses. The interpreter then renders that statement into the other language.
- h. Sight Translation is the rendering of material written in one language, completely and accurately into spoken speech in another language.
- i. Vital Documents are any materials that are essential to an individual's ability to access services provided by the City, or are required by law.