



# south carolina STATE LIBRARY

## Persons with Limited English Proficiency (LEP)

### Policy and Procedures for South Carolina LSTA funded projects

In accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 200d, et seq. and its implementing regulations, as a recipient of federal Library Services and Technology Act (LSTA) funds, SCSL will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs, and other benefits free of charge. This commitment applies to all of SCSL's subgrants.

### LEP Definition

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP."

### LEP Meaningful Access Procedures

These procedures apply to all of SCSL's federally funded programs and activities and extends to all programs and activities conducted by SCSL's subgrants.

1. Identify LEP Persons and Their Language
  - a. Identify the language and communication needs of the LEP person.
2. Identify Appropriate Language Services
  - a. Maintain an accurate and current list showing translation technology and telephonic interpretation services available, as well as any bilingual staff members to contact.
  - b. Utilize translation technology or telephonic interpretation services to interpret, in the event that an interpreter is needed, or contact the appropriate bilingual staff member.
3. Provide Notice to LEP Persons
  - a. Inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand.
4. Monitor Language Needs and Implementation
  - a. On an ongoing basis, assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, regularly assess the efficacy of these procedures.
5. Proactively translate vital documents

- a. Vital documents will be translated into the non-English language of each regularly encountered LEP group eligible to be served or likely to be affected by the program or activity. Vital documents include any documents that individuals must understand, respond to or complete in order to access services or benefits.

All staff will be provided notice of this policy and procedure, and those staff that may have direct contact with LEP individuals will be trained in effective communication techniques.

### LEP Policy Application

What constitute reasonable steps to ensure meaningful access in the context of federally assisted programs and activities in the area of museums and library services will be contingent upon a balancing of four factors:

1. The number and proportion of eligible LEP constituents
2. The frequency of LEP individuals' contact with the program
3. The nature and importance of the program
4. The resources available, including costs

This four-factor analysis influences the "mix" of LEP services required. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis. Even those who serve very few LEP persons on an infrequent basis should determine whether the importance of the service(s) provided and minimal costs make language assistance measures reasonable. Recipients of subgrants have substantial flexibility in determining the appropriate mix.

It is the intention for the LEP policy and procedures to evolve as SCSL learns more about the many interactions South Carolina libraries have with LEP persons and groups, and as SCSL gains experience in providing language assistance services.

Approved by the South Carolina State Library Board on September 24, 2021.