

## POLICY

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<b>CATEGORY:</b>	<b>Workforce Programs- General</b>	<b>No: 4.0.120.05</b>
<b>TITLE:</b>	<b>Limited English Proficiency (LEP)</b>	
<b>SUPERSEDES:</b>	<b>4.0.120.0-4, dated December 18, 2018</b>	
<b>EFFECTIVE:</b>	<b>May 23, 2024</b>	
<b>BOARD APPROVAL:</b>	<b>May 22, 2024</b>	
<b>DATE OF LAST REVIEW:</b>	<b>May 9, 2024</b>	

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### **I. PURPOSE:**

To ensure the development and implementation of effective workforce services for customers with Limited English Proficiency (LEP), especially Spanish-speaking customers.

### **II. DEFINITIONS:**

*Limited English proficient (LEP) individual* means an individual whose primary language for communication is not English and who has a limited ability to read, speak, write, and/or understand English: Characteristics of persons who are LEP:

- Do not speak English as their primary language.
- Have a limited ability to read, speak, write, or understand English.
- Native language is not English.
- Live in a family or community environment in which a language other than English is dominant.

*Babel notice* - a short notice included in a document or electronic medium (e.g., Web site, “app,” email) in multiple languages informing the reader that the communication contains vital information, and explaining how to access language services to have the contents of the communication provided in other languages.

### **III. POLICY STATEMENT:**

Workforce Solutions of the Coastal Bend will ensure reasonable measures are taken to provide an integrated approach to effectively deliver employment, literacy, and training services to persons with Limited English Proficiency. The Board will include a “Babel notice,” indicating in appropriate languages that language assistance is available, in all communications of vital information, such as hard copy letters or decisions or those communications posted on Web sites.

### **IV. PROCEDURES:**

The following measures will be taken by service provider to develop the capacity to serve LEP customers:

- A. Alternate language assistance will be provided to LEP individuals to assist in giving and receiving accurate and effective information. This will include access to translators (work with written documents) and interpreters (translate spoken

- language).
- B. The “Babel notice” will be provided in all communications of vital information to the public.
  - C. Businesses will be assisted to successfully link to the LEP population.  
Case Management will focus on the strengths of the LEP customer such as abilities, positive traits, and transferable job skills rather than concentrate on limited English language and education skills.
  - D. English as a Second Language (ESL) classes offered are linked directly to participation in activities leading to employment and developed by the customer’s Individual Employment Plan (IEP). In any instance in which ESL is provided as a stand-alone service, the IEP must document why ESL is the only service needed for employment.
  - E. Focus job training efforts, including ESL classes, on industries that provide high-growth, high-demand jobs.
  - F. Provide training to career center staff on how to effectively work with LEP customers to include effective communication and cultural context.
  - G. Ensure that all documents related to programs that have a high contact rate with limited English skills participants are translated into the appropriate language and understood.
  - H. Under Trade Adjustment Assistance (TAA), ESL classes must be included in the training plan if the participant needs the classes as a prerequisite for vocational skills training.
  - I. Record the LEP Status of each applicant, registrant, participant, and participation ended during the applicable program year, in addition to recording the preferred language of LEP customers, in a manner that ensures confidentiality and allows for accurate reporting.
  - J. Identifies point of contacts (POCs) at each career center to train career center team members and maintain compliance with WIOA 188: which prohibits discrimination based on limited English proficiency. In addition, works with career center service provider management to place Language Access Services & Translations accommodations. POCs must be provided via monthly service deliverables report.

## **V. RELATED POLICY INFORMATION:**

Texas Workforce Commission LEP Guide for Workforce Professionals

Texas Workforce Commission WD Letter 47-09 dated 11/30/2009 and entitled “Job Training Course Requirements for English as a Second Language Classes.”

Discrimination prohibited based on national origin, including limited English proficiency - 29 CFR

§38.9 (g)(3)

Texas Workforce Commission WD Letter 16-19 dated 07/18/19- Collection of Limited English Proficiency Status and Preferred Language Data

2024 Equal Opportunity (EO) Letter- 01-2024. – rescinds EO Letter 03-01.

## **VI. RESPONSIBILITIES:**

Contracted Service providers must ensure Career Center professionals are apprised of and complies with the requirements of this policy.

**VII. FORMS AND INSTRUCTIONS:**

N/A

**VIII. DISTRIBUTION:**

Board of Directors       Board Professionals       Service Provider Professionals

**IX. SIGNATURES:**

Ricardo Munoz  
Reviewed by EO Officer

5/23/2024  
Date

[Signature]  
President/CEO

6/7/2024  
Date