Final Limited English Proficiency Plan

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I. Introduction

Executive Order 13166 requires that all Federal agencies and programs take steps to ensure that federally funded activities are accessible to all persons who, as a result of national origin, are not proficient or are limited in their ability to communicate in the English language.

On June 4, 2013, USDA released Departmental Regulation (DR) 4330-005: Prohibition against National Origin Discrimination Affecting Persons with Limited English Proficiency in Programs and Activities Conducted by USDA. USDA DR 4330-005 requires that all Agencies and departmental offices develop a written Limited English Proficiency (LEP) plan to provide a framework for the provision of timely and reasonable language assistance and for eliminating or reducing LEP as a barrier to accessing USDA programs and activities.

This Forest Service LEP Plan provides guidance for improving the access and participation of LEP individuals in Forest Service conducted programs and activities.

The Forest Service expects to operationalize the LEP Plan through several phases within the next five years and incorporate the activities it references as part of its' ongoing mission, at all levels of the Agency. Fully achieving the objectives of the plan will require additional resources, and the pace and scope of implementation will be subject to budgetary constraints. The Agency has set priorities within those constraints.

II. Forest Service LEP Goal and Elements of Plan

Goal: The Forest Service programs, information and activities shall provide access to quality, timely language assistance services to limited English proficient individuals and communities.

The following seven elements are components of the overall Forest Service LEP Goal, as outlined in DR 4330-005. The Forest Service will implement each element and support systems, tools and resources, at the appropriate organization unit level, establishing priorities that will best meet the needs of LEP individuals in mission program service delivery, within resource constraints.

Element 1-Assessment: Needs and Capacity
Each Forest Service program office will have in place mechanisms to assess, on a regular and consistent basis, the LEP status and language assistance needs of current and potential customers and contacts, as well as mechanisms to assess the agency or office's capacity to meet these needs according to the elements of this plan.

Element 2-Oral Language Assistance Services
Each Forest Service program office will arrange for the provision of oral language assistance, including interpretation assistance by certified interpreters, in response to the needs of LEP customers, in both face-to-face and telephone encounters.
Element 3 - Written Translation Services
Each Forest Service program, and activity will produce vital documents in languages other than English where a significant number or percentage of the customers served or eligible to be served has limited English proficiency. These written materials may include paper and electronic documents such as publications, notices, correspondence, web sites, and signs.

Element 4 - Policies and Procedures
Each Forest Service program office will have in place specific written policies and procedures related to each of the plan elements and designated staff that will be responsible for implementing activities related to these policies. Given the disparate activities and areas of focus within the Forest Service, it will be incumbent upon each program office to determine the threshold needed for its programs and activities and implement a translation strategy.

Element 5 - Notification of the Availability of Free Language Services
Each Forest Service program office will proactively inform LEP customers of the availability of free language assistance services through both oral and written notice, in the primary languages spoken by LEP customers and potential customers.

Element 6 - Staff Training
Each Forest Service program office will train frontline and managerial staff on the policies and procedures of its language assistance activities.

Element 7 - Assessing Accessibility and Quality
Each Forest Service program office will institute procedures to assess the accessibility and quality of language assistance activities for LEP customers.

III. Plan to Accomplish Elements

a. General

The Forest Service LEP Plan provides a road map for addressing LEP strategies within FS mission goals identified in the Forest Service Strategic Plan. This LEP Plan allows individual operating Deputy Area program office staffs and the Regional Offices, Research Stations, and the Area (RSA’s) to plan, decide, and implement the most effective means to address LEP Strategies, while facilitating a learning climate for growth and evolution as Forest Service staff build relationships, information management systems and partnerships considering the needs of affected LEP customers.

Forest Service will continually update and manage national and RSA LEP strategic plans that reflect the overall mission goals for improving language access for customers/individuals who receive services directly from the Forest Service.
b. Element Specific Phased Approach

*Element I - Assessment: Needs and Capacity*

**Phase 1: Fiscal Years 2014-2015**
- Forest Service will complete a full four factor analysis to assess the language needs of its customers at the national and regional levels.
- Forest Service will examine existing data sources to evaluate the need for particular language services where program-specific data is not available or sufficient.
- Forest Service will develop mechanisms for assessing LEP status and language assistance needs of current and potential customers, particularly for outreach and assistance activities such as customer service phone numbers, websites, and "front office" points of contact.
- Forest Service will explore the use of LEP operational effectiveness criteria and the employee's individual development plans (FSM 6140) to identify and monitor existing staff-based knowledge of non-English languages and various cultures and how to leverage that knowledge base throughout the agency.

**Phase 2: Fiscal Years 2016-2017**
- Forest Service Office of Civil Rights will work with each Deputy Area program office to develop and provide program specific national guidance to ensure all units have similar/consistent resources, provide language services/public access options, and effectively monitor/interpret results.
- Forest Service will work with other USDA agencies to identify areas where coordination or collaboration would improve the efficiency with which similar services or messages can be conveyed to similar populations.

**Phase 3: Fiscal Years 2018 and beyond**
- Forest Service Office of Civil Rights will work in collaboration with the Office of Communications, local Public Affairs Staff, Chief Information Office, Human Resources Management and Acquisitions Management to implement support systems and mechanisms to provide the appropriate set of program technology for program specific language interpretation and translation services at the LEP individual's point of contact, and to address national and local language access issues.
- Forest Service will continue to assess its capacity to meet the language assistance needs of LEP customers and to the extent practicable, use coordination across Forest Service programs in order to maximize the efficiency with which the Forest Service can serve its customers.
- Forest Service will continue to identify best practices and examples of needed skill sets for recruiting and the continued development of bilingual and bi-cultural staff.
Element 2 - Oral Language Assistance Services

Phase 1: Fiscal Years 2014-2015
- Forest Service will continue to provide oral language assistance services in response to the needs of LEP customers, in both face-to-face and telephone encounters.
- Forest Service will identify the current arrangements and resources available to each program and activity for the provision of oral language assistance and make such resources known within each program. Support system mechanisms and assets will be identified and shared across program areas.
- Forest Service will examine new arrangements that may provide language assistance resources more efficiently throughout the agency, such as the potential use of a central language line for oral translations.

Phase 2: Fiscal Years 2016-2017
- Forest Service will work with the Human Resources Management Staff to assemble a viable list of certified bilingual staff members/volunteers, to establish a network of volunteer certified bilingual staff members can be called upon to assist with communications, interpretation and translation services for LEP individuals and communities.

Phase 3: Fiscal Years 2018 and beyond
- Forest Service will identify "best practices" in the delivery of oral language assistance services that can be used in throughout the Forest Service.

Element 3 - Written Translation Services

Phase 1: Fiscal Years 2014-2015
- Through the four factor analysis, the Forest Service will define and identify its "vital documents" and take steps to ensure that vital documents are translated where the program regularly encounters languages other than English in serving its customers. These written materials may include paper and electronic documents such as publications, notices, correspondence, websites, and signs.
- Forest Service will identify the current arrangements and resources available to each program and activity for the provision of written language assistance and make such resources known within each program. Forest Service will also identify those assets that can be shared across programs.
- In response to the needs identified by the four factor analysis and within resource constraints, Forest Service will take steps to make written language assistance available to individuals seeking assistance from Forest Service programs.
Phase 2: Fiscal Years 2016-2017

- Forest Service will pursue new arrangements that may provide language assistance services more efficiently throughout the agency.
- Forest Service will identify "best practices" in the provision of vital documents in languages other than English that can be used across the Forest Service.
- The Forest Service will provide policy guidance and resources for translating "vital" documents throughout the agency.

Phase 3: Fiscal Years 2018 and beyond

- As the prominent languages found within the national and RSA service areas are better understood by program office staffs, those offices will begin to engage and dialogue with the local external LEP communities and seek their input on existing Forest Service (vital) documents needing translation; and the creation of new documents in the preferred prominent languages; including discussing opportunities for partnering to perform translation services from the LEP stakeholders.

Element 4 - Policies and Procedures

Phase I : Fiscal Years 2014-2015

- Forest Service RIMS data base(s) (existing and new) will be considered for use as a tool for confidential and voluntary collection, monitoring and reporting of related information from Form FS-1700-5, Optional Ethnicity Questionnaire (Rev 1/14).
- Forest Service LEP Policy Directives will be included in the Civil Rights Handbook 1709.II; including cross references to the Human Resources Management Handbook 6109.11.
- Forest Service will designate staff that will be responsible for coordinating and implementing activities related to improving services to individuals with limited English proficiency.

Phase 2 : Fiscal Years 2016-2017

- Future Forest Service manual and handbook directives will be updated to address procedures for Forest Service staff that encounter and identify LEP individuals, and staff procedures for maintaining a record of their contact and the primary language used.

Phase 3: Fiscal Years 2018 and beyond

- Forest Service conducted programs and activities will have specific written policies and procedures related to each of the plan elements and have designated staff that will be responsible for implementing activities related to these policies, modified as needed for each program or activity with public contact.
Element 5 - Notification of the Availability of Free Language Services

Phase 1: Fiscal Years 2014-2015
- Forest Service will proactively inform LEP customers of the availability of free language assistance services through oral, written, and website notices in their primary language.

Phase 2: Fiscal Years 2016-2017
- Forest Service will identify "best practices" in providing notice to LEP individuals that can be replicated throughout the agency.

Phase 3: Fiscal Years 2018 and beyond
- Forest Service will continue to ensure that LEP customers are informed of the availability of free language assistance services.

Element 6 - Staff Training

Phase 1: Fiscal Years 2014-2015
- Forest Service will provide training to managers and supervisors concerning the policies and procedures of its language assistance activities, and the resources available in each program.
- Forest Service will provide training to staff who communicates with Forest Service funded entities about the requirements of Title VI and the OCR policy guidance.

Phase 2: Fiscal Years 2016-2017
- Forest Service will, in conjunction with the Office of Civil Rights and Human Resource Management, develop and implement LEP Training modules for Forest Service employees to access at any time through the Human Resource Management Learning Center.

Phase 3: Fiscal Years 2018 and beyond
- Forest Service will identify "best practices" in programs for training and maintenance of proficiency that can be implemented throughout agency activities and programs.
- Forest Service will develop mechanisms to monitor the needs of LEP customers and to relate those needs into specific training for individuals identified by their programs and agencies as responsible for providing language access services.

Element 7 - Assessing Accessibility and Quality

Phase 1: Fiscal Years 2014-2015
- Forest Service will regularly assess the accessibility and quality of language access services.
- Forest Service will, based on the four factor analysis, institute procedures to assess the accessibility and quality of language assistance activities for LEP persons and communities.
• Forest Service will clearly identify a responsible staff and/or office where customers of conducted activities with language issues can take their concerns and complaints if they feel that they are not being understood.

Phase 2: Fiscal Years 2016-17
• Forest Service will collaborate with the Human Dimensions/Natural Resources Information System (NRIS) Staff to assist Washington Office and RSA units in compiling unit LEP demographic assessment report(s). The Human Dimensions/NRIS staff and Office of Civil Rights staff will work with Units to conduct social/economic/environmental justice, civil rights impact assessments to define the Mission’s geographic service area and to consider the relevant U.S. population (U.S. Census Bureau statistics) affected by program activities and LEP Plan.

Phase 3: Fiscal Years 2018 and beyond
• Forest Service will identify "best practices" for monitoring and quality assurance procedures that can be used in language assistance activities in Forest Service programs and offered as technical assistance to grantees, contractors, and other recipients.
• Forest Service will work to measure improvements in language access in individual programs and across the agency. Forest Service will take steps to insure that such information is collected in a manner that increases comparability across programs.