



OFFICE OF GOVERNOR
ROY COOPER



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State of North Carolina
Language Access
POLICY
Office of Governor Roy Cooper

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State of North Carolina

Proposed Language Access Policy

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Introduction

Governor Roy Cooper is committed to advancing Language Access and Digital Equity to ensure equitable access and participation for all North Carolinians who use a language other than English (LOTE) and are Limited English Proficient (LEP).¹ North Carolina is home to 1,216,618 individuals who use LOTE. Of those, 451,823 individuals are LEP, and 867,946 are foreign-born. Given the State's growing cultural and linguistic diversity, language access is the cornerstone to building an inclusive, safe, and vibrant community. By prioritizing language access and digital equity initiatives, cabinet agencies, executive offices, and departments will ensure individuals with LEP can fully engage in programs, access vital information and services crucial to their safety and well-being, and participate in government. Language access and digital equity are also critical to allowing individuals who use a language other than English to contribute their talents and skills to the State's economic growth. By eliminating communication barriers, state government agencies will foster trust and strengthen relationships with linguistically diverse populations, enhancing overall social cohesion and community resilience.

This proposed language access policy aims to provide guidance for the State of North Carolina's cabinet agencies, executive offices, and departments to support meaningful access to state government services, programs, and opportunities for individuals with LEP and who use LOTE in compliance with Title VI and other applicable laws, regulations, and guidelines. These guidelines are set standards to promote access to services and positive quality of life for all people in North Carolina. This proposed policy also seeks to clarify standards cabinet agencies, executive offices, and departments should fulfill to ensure compliance and meaningful access.

These standards are presented below in three major sections:

1. Proposed Language Access Policy Overview
2. Responsibilities of Covered Entities
3. Responsibilities of Coordinating Entity

¹ *Language Other than English (LOTE) refers to individuals who read, speak, or write in a language other than English (LOTE) at home and is an alternative term to Limited English Proficient (LEP), the legal term denoting any person age five years and older who self-reports as speaking English less than "very well" in the US Census Bureau American Community Survey (ACS).*



1. Proposed Language Access Policy Overview

1.1 Authority

As a recipient of federal financial assistance, the State of North Carolina is bound by Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulations, 45 C.F.R. Part 80, which collectively prohibit discrimination based on race, color, or national origin (including Limited English Proficiency). The State of North Carolina is committed to advancing the goals of Title VI of the Civil Rights Act of 1964 and Executive Order 13166 in alignment with the State of North Carolina's *Digital Equity Plan*.

Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d) (Title VI), prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. As a recipient of federal financial assistance, the [Department/Agency] is bound by Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulation, 45 C.F.R. Part 80, which prohibits discrimination based on race, color, or national origin (including Limited English Proficiency).

Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (Aug. 16, 2000), requires federal agencies to take reasonable steps to provide meaningful access to their programs and activities for individuals with limited English proficiency. This includes providing individuals with LEP language services, such as interpretation and translation, to access and engage meaningfully in federally conducted programs and activities.

EO 13166 requires all federal agencies to develop and implement a Language Access Plan to "improve access to its federally conducted programs and activities by eligible LEP persons" (p. 50121).²

The *Memorandum for Heads of Federal Agencies, Heads of Civil Rights Offices, and General Counsels*, from the Office of the Attorney General, reaffirms the federal government's commitment to language access obligations under EO 13166 and the Justice Department's commitment to addressing linguistic barriers in government services. The memorandum seeks to assess whether federal agencies have updated their language access policies and plans; evaluated and improved federal resources, programs, and services to effectively reach individuals with LEP; considered modification to

² See Executive Order No. 13166, 3 C.F.R. 50121 (2000). <https://www.govinfo.gov/content/pkg/FR-2000-08-16/pdf/00-20938.pdf>



guidance on Title VI requirements; and adapted digital communication efforts for individuals with LEP.³

The Digital Equity Act of 2021 requires states that wish to be eligible for digital equity grant funding to develop and implement a statewide digital equity plan which identifies barriers to digital equity amongst covered populations, sets clear objectives to meet digital equity goals, and describes collaborations with key stakeholders in the state.

North Carolina's *Digital Equity Plan* responds to the digital inclusion and equity needs of defined populations, including people facing language barriers, people with limited English proficiency, and people with low levels of literacy. The plan outlines implementation strategies to address the needs and barriers of defined populations to advance digital equity. These strategies include increasing access to affordable and high-speed internet; promoting standards to support online accessibility and inclusivity of public resources and services; promoting education efforts and support to increase digital literacy; promoting best practices and tools to ensure online privacy and cybersecurity; and increasing access to affordable and public digital devices.

1.2 Guiding Principles

The State of North Carolina is committed to supporting immigrant inclusion through digital and language equity. This leads to more equitable outcomes, contributes to overall economic growth, and increases opportunities for the education and well-being of immigrant and refugee communities who use LOTE and are LEP. More specifically, prioritizing digital and language equity means all individuals have access to critical government services, programs, and opportunities. The State of North Carolina's guiding principles in advancing digital and language equity include:

- To ensure all individuals have a right to dignity, equitable treatment, and the ability to participate fully and safely in public life;
- To increase awareness and appreciation of the value of the multitude of cultures and languages that are part of North Carolina;
- To serve all individuals who use a language other than English by providing free, timely, culturally competent, and high-quality language access services;
- To ensure that the State of North Carolina's cabinet agencies and executive offices develop and implement comprehensive language access plans and take concrete steps towards meeting the administrative and language service standards set in federal law;

³ See Memorandum for Heads of Federal Agencies, Heads of Civil Rights Offices, and General Counsels (Nov. 21, 2022). <https://www.justice.gov/ao/file/1554086/dl?inline=>



- To support opportunities to achieve digital equity and examine digital language access opportunities, increasing people with limited English proficiency's access to resources, programs, and services made available digitally;
- To monitor progress closely across its cabinet agencies, executive offices, and grantees and to support statewide efforts to meet compliance standards; and
- To proactively build employee language skills throughout the state's cabinet agencies and executive offices to ensure they can communicate with and serve individuals who speak a language other than English, and to understand language access to be an essential component of culturally competent and responsive service delivery.

1.3 Definitions

The following terms are defined as used in this proposed Policy:

- **Covered Entity:** any State of North Carolina cabinet agency, executive office, or department under the direction of the Governor that provides direct or indirect services, resources, programs, information, data, policies, instructions, or activities to the public, funded entities, and staff.
- **Tier I Covered Entity:** covered entities that are large in size and capacity as defined by the Office of the Governor, and whose primary responsibility consists of providing direct or indirect services and information to the public, funded entities, and staff.
- **Tier II Covered Entity:** covered entities that are small in size and capacity as defined by the Office of the Governor, and whose primary responsibility consists of providing direct or indirect services and information to the public, funded entities, and staff.
- **Coordinating Entity:** the Language Access Program, housed in the Office of Public Engagement within the Office of the Governor, as the entity assigned to coordinate the efforts of the State of North Carolina's covered entities to provide meaningful language access to individuals with LEP in accordance with federal requirements.
- **Funded Entity:** any contractors, grantees, and recipients that receive financial assistance from the covered entity for the purpose of delivering programs, activities, research, information, or services to the public.
- **Individuals who use LOTE:** individuals who read, speak, write, or understand a language other than English (LOTE). Please see Individuals with LEP below.
- **Limited English Proficiency (LEP):** the inability or difficulty to understand or to effectively express oneself in spoken or written English as a result of one's national origin and the individual has not developed fluency in the English language.
- **Individuals with LEP:** individuals who self-identify as speaking English less than "very well" according to the U.S. Census American Community Survey.
- **Language of Lesser Diffusion:** any language used within a distinct geographic area, such as a city, county, or state, where the population of speakers is relatively small.



- **Language Access:** the process of ensuring that individuals who use LOTE have access to vital documents and services in a language they can understand, either through interpretation or translation services. Please see meaningful language access below.
- **Meaningful Language Access:** the ability to receive information in one's spoken or used language and to participate in and benefit from public services offered by a covered entity.
- **Digital Language Access:** the utilization of technology to guarantee that individuals who use LOTE can understand and engage with digital content in their preferred language. This includes the use of tools such as translation applications, multilingual websites, and various digital resources, all of which aim to enhance information accessibility for people, regardless of language disparities.
- **Language Access Plan (LAP):** a management document and roadmap that outlines the tasks and priorities to be implemented to ensure the covered entity will meet compliance standards set forth in the proposed policy.
- **Internal Three-Person Peer Review Translation Process:** the three-person process which involves multilingual staff who are trained to review and translate text from English to another language. One person translates the text, another ensures accuracy and clarity through review, and a third finalizes the edited version for delivery.
- **Statewide Director of the Language Access Program:** staff of the coordinating entity tasked with coordinating and overseeing all language access implementation statewide and across all covered and funded entities and overseeing the Language Access Coordinators.
- **Language Access Coordinator (LAC):** staff of a covered entity tasked with coordinating and overseeing the entity's language access implementation activities and coordinates and oversees the Language Access Liaisons to ensure that language access information is shared across all state agency programs and divisions.
- **Language Access Liaison (LAL):** staff of a division, program, or funded entity tasked with coordinating and overseeing the entity's language access implementation activities
- **Interpretation:** the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning. See also oral language services.
- **Oral Language Services:** includes various methods to provide verbal information and interpretation, such as staff interpreters, multilingual staff, telephone interpreter programs, tele-video interpretation services, and private interpreter programs. See also interpretation.
- **Multilingual Staff:** staff member who has demonstrated proficiency in one or more LOTE and is formally assigned and fairly compensated to either provide language assistance services such as interpretation and/or translation to individuals with LEP, or serve in a policy, resource, or advisory role to provide their cultural and linguistic expertise.
- **Contractor/Vendor:** a vetted language service provider contracted to perform language assistance services, such as interpretation and/or translation, for individuals with LEP.
- **Four-Factor Analysis:** a framework intended to aid recipients of federal financial assistance with conducting an individualized assessment of their programs and activities to help them prioritize language access services.
- **Translation:** the replacement of written text from one language (source language) into an equivalent written text in another language (target language).



- **Plain Language:** a style of communication that aims to make written or spoken information easy to understand for a broad audience. The Plain Language Act (2010) defines plain language as “clear, concise, well organized, and follows other best practices appropriate to the subject or field and intended audience.”⁴ Language intended for public consumption avoids non-essential information and complex phrasing; highlights essential information; avoids the use of technical terms and industry jargon; and simplifies complex information.
- **Vital Documents:** public-facing written materials in any format, created, issued, or made available on any platform, including websites, by a covered entity to inform and communicate with the public; allow the public to apply for benefits, services, or program participant; notify an individual about their eligibility, participation, benefits, or applications; advertise and inform the public about programs, services, resources, rules, rights, requirements, and events; provide instruction or guidance; or provide the public a concern submission process.

1.4 Effective Date

The Coordinating Entity is recommended to provide a copy of this proposed policy to all covered entities within 30 days of adopting this proposal.

2. Responsibilities of Covered Entities

2.1 Covered Entities

- a. Per the definitions in this proposed policy, “covered entities” is defined as “any State of North Carolina agency, executive office, or department that provides direct or indirect services, resources, programs, information, data, policies, instructions, or activities to the public, funded entities, and staff.”
- b. Covered entities are recommended to be categorized according to a two-tier system based on the size, capacity, and level of public contact of the covered entity, following the four-factor analysis, which considers the frequency and nature of contact with the public as well as the number of employees involved
 - i. Tier I Covered Entities are defined by the Office of the Governor, and whose primary responsibility consists of providing direct services to and interacting with the public. Tier I covered entities include, but are not limited to, the following agencies:
 - a. Department of Adult Correction (DAC)
 - b. Department of Commerce (DOC)

⁴ See Public Law 111-274, 124 Stat. 2861 <https://www.gpo.gov/fdsys/pkg/PLAW-111publ274/pdf/PLAW-111publ274.pdf>.



- c. Department of Health and Human Services (DHHS)
 - d. Department of Information Technology (DIT)
 - e. Department of Natural and Cultural Resources (DNCR)
 - f. Department of Public Safety (DPS)
 - g. Department of Transportation (DOT)
 - h. Department of Revenue (DOR)
- ii. Tier II Covered Entities are defined by the Office of the Governor, and whose responsibility consists of providing direct services to and interacting with the public. Tier II covered entities include, but are not limited to, the following agencies:
 - a. Department of Administration (DOA)
 - b. Department of Environmental Quality (DEQ)
 - c. Department of Military and Veteran Affairs (DMVA)
 - d. Office of State Budget Management (OSBM)
 - e. Office of the Governor (OG)
 - f. Office of State Human Resources (OSHR)

2.2 Funded Entities Compliance

- a. Covered entities are required to ensure that funded entities comply with this proposed policy and provide language assistance services to individuals with LEP and individuals who use LOTE.
- b. Covered entities must require each of their public-facing, both in-person or virtual, funded entities to certify, in writing, that they have a plan in place to provide meaningful access for individuals with LEP in accordance with this proposed policy.
- c. Covered entities must provide a copy of this proposed policy, within 30 days of adoption, to public-facing funded entities and offer at least one annual training for contractors, subcontractors, grantees, subgrantees, recipients, and subrecipients on the requirements of this proposed policy.
- d. Covered entities are recommended to include the following clause in their contracts and agreements with funded entities covered under this proposed policy:

ASSURANCE OF NONDISCRIMINATION

[Contractor/Grantee/Recipient/Subcontractor/Subgrantee/Subrecipient] agrees to comply with Title VI of the Civil Rights Act of 1964, the State of North Carolina Language Access Policy, and all requirements imposed by the regulations issued pursuant to Title VI and this Policy to the effect that, no person shall, on the grounds of race, color, or national origin (which includes Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination in any services performed pursuant to this contract.



2.3 Language Access Staffing

Language access needs impact the entire organization, necessitating dedicated staffing to support the development, management, and ongoing oversight of language access activities, and to ensure all staff are equipped to serve individuals who use LOTE. To facilitate this and provide organizational guidance on language access efforts, the following roles are recommended to be established:

Covered entities are recommended to ensure adequate staffing as follows:

- a. Tier I Covered entities are recommended to designate and employ at least two [2] Language Access Coordinators (LAC). LACs are preferably permanent full-time staff exclusively assigned to language access implementation duties.
- b. Tier II Covered entities are recommended to designate and employ at least one [1] LAC. LAC is preferably permanent full-time staff exclusively assigned to language access implementation duties.
- c. The role of an LAC for both Tier I and Tier II covered entities are recommended to include, at minimum:
 - Reporting directly to the leadership team of the covered entity and the coordinating entity
 - Leading the development of the covered entity's departmental Language Access Plan (LAP) and ensuring LAP is submitted to the coordinating entity every [2] years
 - Coordinating and overseeing the LAP implementation to ensure the covered entity fulfills responsibilities outlined in this proposed policy
 - Participating in language access training, professional development, and skill-building opportunities provided by the coordinating entity
 - Utilizing support and technical assistance provided by the coordinating entity
 - Serving as a liaison to the coordinating entity and fulfilling reporting responsibilities as outlined in Section 2.5
 - Monitoring and addressing the quality of language assistance services provided by the covered entity as outlined in Section 2.7
 - Monitoring and developing agency-specific language access training with LACs and LALs for all staff to use as needed within the different programs, divisions, and roles as outlined in Section 2.8
 - Monitoring and addressing language assistance concerns as outlined in Section 2.9
- d. Covered entities are recommended to designate and employ Language Access Liaison(s) (LAL) who are assigned language access implementation responsibilities at the division, program, and funded entity levels and report to the LAC of the covered entity.
 - i. Designating and employing LAL(s) are recommended to be phased in during the second year of implementation.
- e. **Multilingual Staff.** Per the definitions in this proposed policy, "multilingual staff" is defined as a staff member who has demonstrated proficiency in one or more LOTE and is formally assigned and fairly compensated to either provide language assistance services such



as interpretation and/or translation to individuals with LEP, or serves in a policy, resource, or advisory role to provide their cultural and linguistic expertise.

- f. **Recognizing the value of multilingual and multicultural capabilities**, covered entities are recommended to hire multilingual staff. All staff, including monolingual and those who are multilingual, are recommended to receive comprehensive language access training relevant to their roles and responsibilities. Additionally, covered entities are recommended to develop a Multilingual Staff Management Policy to fairly compensate multilingual staff for the language assistance services they provide as outlined in Section 3.2.
- g. Documenting the language access responsibilities of all designated positions through formal written job descriptions and work plans
 - i. Covered entities are recommended to designate and employ multilingual staff in public contact positions whose primary responsibilities consist of providing direct services and communicating with the public
 - ii. Covered entities are recommended to set clear benchmarks for hiring multilingual staff in public contact positions. Recruitment of multilingual staff are recommended to prioritize the five languages most widely spoken by individuals with LEP encountered or likely to be encountered by the covered entity
 - iii. Covered entities are recommended to ensure the responsibilities of multilingual and monolingual staff who provide language access are clear and formally stated in their job description
 - iv. Covered entities are recommended to ensure multilingual and monolingual staff in public contact positions receive ongoing translation and interpretation training
 - v. Covered entities are recommended to evaluate the language proficiency of multilingual staff to determine compensation of differential pay.
 - vi. Covered entities are recommended to employ multilingual staff in policy and resource positions and advisory roles to provide their cultural and linguistic expertise, which include:
 - a. Outreach and Engagement
 - b. Accessibility
 - c. Cultural awareness training
 - d. Translation and Interpretation quality assurance
 - e. Content and resource creation
 - f. Policies
 - g. Research
 - h. Evidence-based practice
 - i. Data
 - j. Human Resources
 - vii. Covered entities are recommended to ensure the responsibilities of multilingual and multicultural staff in resources or advisory roles are clear and formally stated in their job description and have their salary compensation reflect these skills.



- viii. Covered entities are recommended to ensure that the Multilingual Staff Management Policy includes an evaluation and compensation plan such as a pay differential for multilingual staff in resources or advisory roles

2.4 Language Access Budget

- a. State of North Carolina covered entities require funding for language access services and implementation of the LAP. The budget for language access services are recommended to be determined based on programmatic needs and the top five languages most used other than English.
- b. Recommended annual budget line items for covered entities include:
 - Staffing: to cover the salaries and benefits of program staff, which may include at least 2 preferably permanent full-time Language Access Coordinators (Tier I Covered Entities) or at least 1 preferably permanent full-time Language Access Coordinator (Tier II Covered Entities), and Language Access Liaisons.
 - Language Access Services: to cover the costs associated with providing language services to individuals with LEP, including interpretation services, translation services, and other language assistance services. The services may be provided via a contract with a Language Service Provider.
 - Signage: to cover the costs associated with the development and dissemination of multilingual signage and other visual notices to assist individuals with LEP.
 - Training: to cover the costs associated with providing language access training to state staff including language access policy training, cultural awareness training, plain language training, and other relevant training.
 - Multilingual Staff Evaluation and Premium Pay: to cover the costs associated with formalizing the role of multilingual employees as determined by the covered entities' multilingual Staff Management Policy requirements.
 - Technology: to cover the costs associated with procuring and maintaining technology solutions to facilitate language access services, including over-the-phone interpreting, video remote interpreting, digital platforms, and online programs and services.
 - Compliance Monitoring & Evaluation: to cover the costs associated with monitoring compliance with language access policies and procedures, including conducting language access audits, focus groups, and survey assessment processes.
- c. Covered entities will review and revise the budget annually in accordance with their internal approval protocols to ensure that budget allocations remain effective and responsive to the needs of state staff and individuals with LEP served or likely to be served by the covered entity.



2.5 Language Access Plan Development and Dissemination

- a. Covered entities are recommended to develop and update a LAP every two years in accordance with federal requirements, and ensure the LAP contains:
 - Goals and action items to be completed by the covered entity over an implementation phase of two years
 - Information on the covered entity's designated LAC(s), and any other staff with an assigned role in the covered entity's language access implementation activities
 - A multilingual staff management policy outlining the covered entity's goals with regard to recruitment, language proficiency evaluation (for LOTE), training, and compensation of multilingual staff
 - An outreach and notification plan to increase public awareness of the language access services provided by the covered entity
 - An identification of vital documents that will be translated by the covered entity and the languages that will be prioritized during the LAP implementation period
 - A plan to address identified gaps and challenges in the LAP implementation period
- b. Covered entities are recommended to report every 2 years to the coordinating entity and ensure the report contains the following information:
 - An update on the covered entity's progress with the implementation of goals and action steps outlined in the LAP
 - The number and language of individuals with LEP served by the covered entity within the reporting period
 - An assessment of any changes in languages spoken by individuals with LEP
 - An assessment of any gaps in the covered entity's capacity to implement the LAP or meet the needs of individuals with LEP
 - An assessment of multilingual staff in public contact positions determined to be needed for each language to provide meaningful language access for the population of individuals with LEP encountered by the covered entity
 - The number and language of multilingual staff in public contact positions and those in limited public contact positions serving in a resource or advisory capacity
 - Progress on implementation of the language access training plan
 - Progress in meeting the following translation implementation goals:
 - a. Translating the description of the covered entity's function and information
 - b. Displaying multilingual signage on the availability of language services
 - c. Identifying translation completed for vital documents, websites, and digital content, prioritized by the importance of service/program and frequency of public use
 - d. Identifying languages in which vital documents have been translated to date
 - e. Identifying vital documents, websites, and digital resources, to be translated in the upcoming two-year LAP period and/or fiscal year and languages into which the vital document(s) and other resources will be translated



- f. Identifying documents containing multilingual inserts/contact information and documents that will be updated in the upcoming two-year LAP period and/or fiscal year
- c. Covered entities are recommended to submit their LAP and implementation report to the coordinating entity.
- d. Covered entities are recommended to develop an internal communication and dissemination plan to distribute a final copy of the covered entity's LAP and any modifications to the LAP to staff and ensure staff are aware of available resources and of the department's obligation to provide meaningful access for individuals with LEP.
- e. Covered entities are recommended to develop and implement an external communication and dissemination plan to alert the public of the department's LAP and language assistance services provided. Community outreach activities are recommended to be culturally and linguistically focused and may include coordinated town halls, multilingual public service announcements, placement of multilingual ads in language-specific media, distribution of multilingual flyers at community events, and inclusion of multilingual taglines, websites, and digital content regarding available services on other created information (fact sheets, FAQs, flyers, etc.).
- f. Covered entities are recommended to post a summary of the final version of the LAP and subsequent modifications to the public website.
- g. A summary of the final version of the LAP and subsequent modifications are recommended to be translated into the top five languages and posted to the public website.
- h. A linguistically accessible feedback mechanism to accept public comment and input on the department's LAP are recommended to be included and made available in a minimum of 10 languages with a defined period of time for submitting feedback.

2.6 Needs Assessment and Data Collection to Identify Language Needs

- a. Covered entities are recommended to conduct a needs assessment every two years of the existing and potential individuals with LEP who may come into contact with the covered entity and require language assistance services in languages other than English.
- b. Covered entities are recommended to report this data to the coordinating entity every two years and use findings to update their LAPs.
- c. Covered entities should follow federal guidelines in applying the four-factor analysis to assist with prioritizing language services to be delivered. In using the four-factor analysis, the covered entity should document: (1) the number or proportion of individuals with LEP that could be served by or could encounter covered entity's services; (2) the frequency with which individuals with LEP come into contact with the covered entity; (3) the nature and importance of the program, activity, or service provided by the covered entity; and (4) the resources available, as well as the cost associated with providing needed language assistance services. The purpose of this analysis is to ensure that the covered entity is positioned to adequately identify underserved communities with LEP experiencing barriers to accessing



critical programs and services. It is also intended to ensure that covered entities identify communities with the most pressing needs, and prioritize language access and digital equity initiatives for programs and services that are most essential to the safety and well-being of individuals with LEP. Additionally, the analysis is intended to ensure covered entities uplift individuals who use LOTE by highlighting the value and impact of language access and the role individuals with LEP and who use LOTE play in North Carolina.

- d. Covered entities should conduct this needs assessment and analysis using comprehensive data tracked and compiled from a wide range of sources including:
 - i. Data on the number and percentage of individuals with LEP in the state/region, as well as the top languages spoken by individuals with LEP using the U.S. Census, American Community Survey, and information provided by statewide or local community organizations serving individuals with LEP. Covered entities may consult with the State Demographer housed in the Office of Budget Management to gather this information.
 - a. Covered entities should primarily compile data on individuals with LEP compared to individuals who use LOTE. Individuals who use LOTE is a broader term that refers to individuals who read, speak, or write in a language other than English (LOTE) at home, according to the U.S. Census Bureau American Community Survey. Individuals with LEP are individuals who do not speak English as their primary language and have limited ability to read, speak, write, or understand English. LEP is a legal term denoting any person age five years and older who self-reports as speaking English less than “very well” in the US Census Bureau American Community Survey.
 - ii. Language data tracked and compiled internally by the covered entity including:
 - a. Identification of language assistance services requested by individuals with LEP served by the covered entity
 - b. Language assistance needs of individuals with LEP tracked in the covered entity’s data and information management systems
 - c. Language assistance service requests and usage reports submitted by language service providers
 - d. Analysis of multilingual content accessed by individuals with LEP on digital platforms for future planning, budget projections, and outreach which highlights a need for further engagement
 - e. Languages spoken by individuals with LEP served by multilingual staff and the frequency of such interactions
 - f. Languages spoken by individuals with LEP served by contractors/vendors and the frequency of such interactions
 - g. Data reported by public-facing funded entities on individuals with LEP they’ve served or encountered



2.7 Language Assistance Services

In accordance with federal requirements and needs assessment findings, covered entities should deliver a range of language assistance services to support meaningful communication and participation in the department's programs and services for individuals with LEP. Language assistance services covered entities are required to provide include: translation services, interpretation services, quality assurance and alignment with plain language standards and digital equity goals, public notification, and evidence-based public outreach and engagement.

2.7- A. Translation Services

Covered entities are recommended to ensure that individuals with LEP have equal access to vital documents (including digital and hard copies) and services. Per the definitions in this proposed policy, "translation" is defined as the "rendering of written text from one language (source language) into an equivalent written text in another language (target language)." To meet this requirement, covered entities are recommended to:

- a. Clearly define and identify vital documents for translation
 - i. Per the definitions, "vital documents" are defined as "public-facing written materials in any format, created, issued, or made available on any platform, including websites and digital resources, by covered entities to:
 - inform and communicate with the public
 - allow the public to apply for benefits, services, program participation
 - notify or correspond with an individual about their eligibility, participation, benefits, or outcomes of an application
 - advertise and inform the public about programs, services, resources, rules, requirements, public meetings, and events
 - provide instructions and guidance
 - provide the public a feedback submission process"
- b. Translate all vital documents (including digital and hard copies) developed by covered entities with statewide service areas into the five languages most widely spoken by individuals with LEP encountered or likely to be encountered by the covered entity, as identified through the needs assessment analysis. These include, but are not limited to Spanish, Simplified Chinese⁵, Vietnamese, Arabic, and French.
 - i. For vital documents developed by covered entities for more localized audiences or a specific region of the state, the covered entity are

⁵ Please note that for written communication and translation services Simplified Chinese is used. For oral communication and interpretation services Mandarin and Cantonese are used.



recommended to translate vital documents into the five languages most widely spoken by individuals with LEP encountered or likely to be encountered in the target region.

- c. Ensure vital documents are translated accurately, completely, and in a timely manner by professional and qualified translators, provided by vetted contractors/vendors, or multilingual staff using an internal three-person peer review process (staff are recommended to be properly compensated):
 - i. If a covered entity utilizes multilingual staff to translate vital documents, the covered entity are recommended to establish a formal internal process for the translation and review of documents and information. To serve as translators, multilingual staff need to be a) formally evaluated to assess their language proficiency and translation skills in the language into which they are translating, and b) compensated for performing translation duties that need to be formally stated in the job descriptions and work plans.
 - ii. When using automated machine translations, such as Google Translate, human reviewers, such as multilingual staff who serve in resource or advisory roles, or a vetted contractor/vendor should review the translated content to ensure quality translations, and use the one to three peer review process, depending on the nature of the document. Automated machine translation applications, such as Google Translate, alone are not a reliable method for translating vital documents and application forms that exist in a PDF format, therefore human reviewers are necessary. PDF documents need to be translated and then digitized for easy access on websites and other digital platforms.
 - iii. Three-person peer review translation involves multilingual staff or vetted contractors/vendors who are trained to translate text from English to another language. One person translating the text, another ensuring accuracy and clarity through review, and a third finalizing the edited version for delivery.
- d. Within the first year of implementation, translate the following types of vital documents into the top five statewide or regional languages spoken by individuals with LEP. Translation of documents and digital content should use a certified translator and when the covered entity uses multilingual staff or a vetted contractor/vendor, they are recommended to use an internal three-person peer review process and staff are recommended to be properly compensated:
 - i. Signage in visible locations or covered entity websites informing individuals with LEP of their rights to language access and steps to request language assistance



- ii. Instructions on covered entity websites on how to request further information in LOTE
 - iii. Application forms, notices, and informational documents individuals with LEP need to access emergency, health, and public safety services
 - iv. Summary of services, benefits, and programs offered by the covered entity and key contact information
- e. Create multilingual digital content in languages spoken by individuals with LEP in formats that can more effectively reach communities with LEP. Formats may include audio public service announcements and messages; short online videos; and social media content. Multilingual format should be translated by qualified professional translators via vetted contractors/vendors or qualified multilingual staff and recorded material should be completed by native speakers of the language. Multilingual digital content should include a list of available languages and include translated links and images.
- f. Add multilingual inserts in, at minimum, the top five statewide or regional languages spoken by individuals with LEP on English-only or English/Spanish vital documents and covered entity websites and digital portals to notify individuals with LEP of their right to language assistance and provide them with a number or email address they can contact to receive the information in the document orally or written in their language. These include Spanish, Simplified Chinese, Vietnamese, Arabic, and French.
 - i. Covered entities are recommended to identify additional languages for translation during the planning process by assessing the language most widely spoken by individuals with LEP the entity encounters or is likely to encounter through internal data tracking and the most recent American Community Survey data.
- g. Report annually on the covered entity's progress in meeting the translation implementation goals, and develop translation goals for the upcoming two-year LAP period.

2.7- B. Interpretation Services

Covered entities are recommended to ensure that individuals with LEP have quality interpretation services when interacting with their staff, programs, and services. Per the definitions in this proposed policy, "interpretation" is defined as "the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning."

- a. **On-Demand Over-the-Phone Interpretation Service:** Covered entities are recommended to set up an account with an on-demand over-the-phone interpretation service contractor/vendor (e.g., Language Line) to ensure frontline and outreach staff can access an interpreter at any time. Covered entities should



ensure that staff have access to appropriate tools such as dual handset phones, instructions, and language identification instructions. Furthermore, staff should be trained on using over-the-phone interpretation services and effective use of interpreters, and a mechanism should be established to track and report the quality of interpreters/services.

- b. **In-Person and Over-the-Phone Services provided by Multilingual Staff in LOTE** (onsite services): Covered entities may use qualified and previously evaluated multilingual staff to provide services in languages other than English. These responsibilities are recommended to be included in their job description and should be properly compensated.
- c. **In-Person Interpretation Services** (face-to-face onsite oral interpretation): Covered entities are recommended to use qualified and trained in-person interpreters via vetted contractors/vendors for specific types of encounters with individuals with LEP. Covered entities should clearly define when staff need in-person interpreters or video remote interpretation (VRI) services and distinguish and prioritize encounters needing in-person or VRI interpretation during planning.
 - i. **Cultural Awareness, the use of waivers.** The covered entity shall provide an interpreter when needed, however, if an individual with LEP requests to use a family member or friend after being offered a trained interpreter by the service provider, the covered entity's staff shall obtain a signed waiver from the individual with LEP who requested to use their own interpreter and allow the request. For over-the-phone services, the waiver may be verbal. Individuals with LEP maintain the right to have family and friends present whether or not they utilize interpretation services provided by the covered entity. Using minors as interpreters is prohibited, however, they must remain with their parent or legal guardian, unless requested otherwise by their parent or legal guardian. Covered entities should ensure that frontline staff can access waivers available in the top 10 statewide or regional languages spoken by individuals with LEP. All frontline staff, regardless of multilingual status, should be trained on the use of waivers and procedures for obtaining and reporting signed waivers. The covered entities shall clearly state that it is the responsibility of frontline staff to identify the language spoken by individuals with LEP and offer interpretation services, even when not requested. The individual has the right at any time to request the removal of the interpreter and sign the waiver then or request a different interpreter
- d. Covered entities are recommended to formalize the role of multilingual staff in delivering interpretation services. To be able to serve as interpreters, multilingual staff need to be formally evaluated, their language proficiency and interpretation skills need to be assessed, and they need to receive interpretation training. Additionally, multilingual employees should be compensated for their role in delivering interpretation services, and interpretation duties assigned to them need to be formally stated in their job description and work plan.



2.7- C. Quality Assurance and Plain Language

Covered entities are recommended to develop and adopt quality assurance procedures to ensure the quality and accessibility of translation and interpretation services and follow plain language guidelines.

- a. Covered entities are recommended to follow plain language standards in content creation to improve the quality and accessibility of translated documents.
 - i. Covered entities are recommended to conduct plain language training for identified staff. When contracting out, covered entities are recommended to select vetted contractors/vendors that also offer plain language services.
 - ii. When using automated machine translations, such as Google Translate, human reviewers, such as multilingual staff who serve in resource or advisory roles or vetted contractors/vendors, should review the translated content to ensure quality translations, and use the one to three peer review process, depending on the nature of the document.
- b. Covered entities are recommended to implement quality assurance strategies that include:
 - iii. Documenting and tracking the quality of interpretation and translation services provided by vendors and equipping multilingual and monolingual staff with skills and tools to monitor the quality of interpretation services.
 - iv. Offering a public feedback process, made available online and in at least five of the top languages spoken by individuals with LEP.
 - v. Ensuring that language service provider contracts contain stringent quality assurance requirements and require providers to develop and maintain glossaries and translation memory designed specifically for the covered entity.
 - vi. Establishing a community-based quality assurance monitoring group.
 - vii. Conducting periodic testing of translated documents and interpretation services across languages.

2.7- D. Public Notification

Covered entities are recommended to ensure that the general public and individuals with LEP know of the language assistance services available and have information on how to request such services. Additionally, covered entities are recommended to provide multilingual notification of services in various formats that are fully integrated into the information shared digitally through email, social media, or the covered entity's websites, as well as printed documents mailed or distributed at the covered entity's physical locations. The communication of available language assistance services will assist individuals with LEP



in understanding the services provided by covered entities, which can increase the general public's use of covered entities' overall services and support public trust and confidence.

- a. Covered entities are recommended to prominently display signs in, at minimum, the top five statewide or regional languages spoken by individuals with LEP, notifying individuals with LEP of their right to request interpretation and translation services. Notifications should be placed in visible locations and prominently displayed on covered entity websites. Notifications should indicate that language services are available free of charge.
- b. Notices should be clear, legible, and include clear steps individuals with LEP need to take to request and receive language services. This includes how to request an interpreter or translated materials, as well as the covered entities' contact information and hours of operation.
- c. Covered entities are recommended to utilize a printed multilingual I-Speak resource card including, at minimum, the top 28 statewide or regional languages spoken by individuals with LEP, separated by continent for easy identification, to assist with the identification of the language requested by an individual with LEP. I-Speak cards are multilingual cards that individuals with LEP can point to select a language and specify to the covered entity's staff the language(s) they speak.
 - i. A minimum of the top 28 languages spoken by individuals with LEP separated by continent include the following:
 1. Africa:
 - a. Amharic, Somali, or Other Afro-Asiatic languages)
 - b. (Yoruba, Twi, Igbo, or Other West African Languages)
 - c. (Swahili or Other Central, East, and South African languages)
 - d. French (including Cajun)
 2. Asia:
 - a. Simplified Chinese
 - b. Vietnamese,
 - c. Arabic
 - d. Korean
 - e. Other Languages of Asia: Nepali, Marathi, or Other Indic Languages
 - f. Gujarati
 - g. Telugu
 - h. Tagalog
 - i. Hindi
 - j. Japanese
 - k. Thai, Lao, or Other Tai-Kadai languages
 - l. Hmong
 - m. Other Indo-European Languages



- n. Urdu,
 - o. Persian,
 - p. Tamil
 - q. Ilocano, Samoan, Hawaiian, or Other Austronesian languages
- 3. Europe:
 - a. Spanish
 - b. French (including Cajun)
 - c. Russian
 - d. German
 - e. Portuguese
 - f. Ukrainian or Other Slavic Languages
 - g. Other Indo-European Languages
- 4. Americas
 - a. Haitian
 - b. French (including Cajun)
 - c. Spanish
 - d. Portuguese
 - e. Ilocano, Samoan, Hawaiian, or Other Austronesian languages
- 5. Oceania:
 - a. Ilocano
 - b. Samoan
 - c. Hawaiian, or Other Austronesian languages
- ii. Covered entities are encouraged to include statewide or regional languages of lesser diffusion as determined by the interagency working group for New Americans. As defined in this proposed policy, a language of lesser diffusion is any language used in a distinct geographic area, such as a city, county, or state, where the population of speakers is relatively small.
 - 1. Examples of languages of lesser diffusion spoken in the State of North Carolina include Khmer and Pashto.
- d. Covered entities should periodically review and update their public notices and I-Speak cards to ensure they are accurate and up-to-date and meet the needs of their populations with LEP.
- e. Covered entities are recommended to identify the top languages spoken by individuals who use a language other than English at home and those who speak English less than very well and are limited English proficient. Covered entities are recommended to make this determination of languages that need to be prioritized for public notices and I-Speak cards based on data collected in accordance with the needs assessment as outlined in Section 2.6 of this policy.



2.7- E. Public Outreach and Engagement

In order to ensure that all individuals with LEP, and those who use a LOTE are aware of the services and programs offered by the covered entity, the covered entity must engage linguistically diverse individuals and establish relationships of trust through strategic community outreach. Such intentional engagement is pivotal to identifying and meeting the distinct service and communication needs of each language group served or likely to be served by the covered entity. As such, covered entities are recommended to conduct direct outreach and develop culturally and linguistically targeted communications strategies to reach individuals with LEP.

- a. Covered entities are recommended to set clear and measurable outreach and community engagement goals in their LAP and report progress annually.
- b. Covered entities who service local or regional areas are recommended to set clear and measurable outreach and community engagement goals for smaller and rural areas and communities.
- c. Covered entities are recommended to build and utilize comprehensive distribution lists that include local, culturally, and linguistically diverse community-based organizations and linguistically diverse media outlets to disseminate translated documents, alerts, and notices effectively.
- d. Covered entities are recommended to employ multilingual staff in resource or advisory roles to design and implement culturally and linguistically focused outreach programs.
- e. Covered entities are recommended to develop and translate informational materials introducing the service/benefit they offer, eligibility requirements, the application process, language assistance provided, and all similar services.
- f. Covered entities are recommended to design and implement initiatives to educate the public on the value of language access and its impact on the health, safety, and economic opportunities of individuals with LEP.

2.8 Training Plan and Implementation

“The day-to-day provision of language access services relies on the knowledge and skills of agency staff and managers who interact with [individuals with LEP] and develop frontline processes to facilitate language access. As a result, many state and local language access laws and policies set training requirements to ensure key agency staff and managers understand language access regulations and procedures.”⁶

⁶ See “A Framework for Language Access: Key Features of U.S. State and Local Language Access Laws and Policies” Hofsteter, Jacob, McHugh, Margie, and O’Toole, Anna. Migration Policy Institute. (2021). https://www.migrationpolicy.org/sites/default/files/publications/language-access-2021_final.pdf



Covered entities need to develop a language access training plan and deliver language access training to all staff (multilingual and monolingual) including specialized training for staff who will or may come into contact with individuals with LEP and individuals who use LOTE, and those who play a role in the design and delivery of programs, services, resources, or information intended for the public.

The training should be provided as initial training for all staff and should be provided as refresher training on a periodic basis. The training may include online or in-person training formats or a combination of both. Training should include an overview of the federal requirements related to language access and state requirements related to digital language access. Training should also include cultural and geographical context and the specific language assistance services staff should provide, including:

- Understanding the value of language access and digital equity and the implications of language barriers for individuals with LEP;
- Understanding the impact language access plays on the roles and responsibilities of all staff;
- How to obtain language services internally or from vendors;
- Protocols for responding to callers with LEP;
- Protocols for responding to written communications from individuals with LEP;
- Protocols for working with interpreters effectively;
- Ensuring competency of interpreters and quality of translation services;
- Collecting language data for all unique public encounters;
- Indicating LEP status in data and information systems;
- Communicating information to the LAC about perceived changes in language services needed by the population served and when that information will be communicated; and
- How to access Agency-specific language access resources and tools developed by the Language Access Coordinator and other language access staff.

As part of their language access training plans, covered entities are recommended to:

- Evaluate training efforts on an ongoing basis and determine if additional or new training components should be added based on changes in language access needs, emerging languages, or changes in policies or protocols.
- Provide refresher training to all existing staff who work with individuals with LEP or who may come into contact with individuals with LEP at minimum, every two years.
- Ensure that all new staff receive training on language access policies, protocols, and service delivery upon hire.
- Ensure that all new staff are trained in digital equity standards, policies, and protocols upon hire.
- Review the tracking list of training participation to ensure compliance for all staff and those who may come into contact with individuals with LEP.
- Provide training on the difference between the data for individuals who use LOTE and individuals with LEP, and the importance of creating resources and information based on the LEP data and needs.



- Report progress on the implementation of the language access training plan every two years.

2.9 Concerns Process

Covered entities are recommended to develop and make publicly available a concern form and instructions regarding a process for members of the public to use to report and pursue a concern resolution process for instances of noncompliance.

- a. Covered entities are recommended to make publicly available a concern process, including instructions for submitting concerns online, in a written format, or via telephone.
- b. The language access concern form, instructions, and description of the concern process are recommended to be translated into, at minimum, the top five statewide or regional languages spoken by individuals with LEP.
 - Multilingual versions of the concern form, instructions, and process need to be visibly displayed on the covered entity's website and shared widely with community partners and stakeholders who work with or serve individuals with LEP.
- c. Covered entities are recommended to promptly address language access concerns shared by individuals with LEP, members of the general public, or other stakeholders.
- d. Covered entity's LAC are recommended to track, address, and report all language access concerns filed against the covered entity and be responsible for:
 - Taking proactive steps to work with relevant staff of the covered entity to address concerns associated with language access concerns and respond to concerns within 15 business days.
 - Track all received concerns and report the concerns and updates on their resolution to the coordinating entity and relevant members of the covered entity's leadership team.

3. Responsibilities of the Coordinating Entity

The Office of the Governor is recommended to establish a Language Access Program within the Office of Public Engagement to serve as the coordinating entity and coordinate the efforts of covered entities across the State of North Carolina to meet the requirements of the Statewide Language Access Policy.

The coordinating entity is recommended to:

- Provide technical assistance and support to covered entities by developing tools and resources they need to provide meaningful access to individuals with LEP and meet federal language access compliance requirements.
- Monitor and evaluate compliance of covered entities with this policy.



- Work in collaboration with covered entities to ensure a linguistically accessible concern process is available for individuals who wish to file a concern and seek a resolution for noncompliance and/or believe that they have been denied full and equal access to a covered entity because of their national origin.
- Conduct public outreach and engagement to ensure individuals with LEP in the State of North Carolina are aware of available language services, how to utilize the services, and the value of language access for individuals with LEP.

3.1 Coordinating Entity Staffing

The coordinating entity is recommended to:

- Designate and employ a full-time Statewide Director of the Language Access Program who reports directly to the Deputy Director of the Office of Public Engagement (OPE) or designated supervisor. The role of Language Access Program Manager is recommended to include:
 - Overseeing and leading the establishment of a Language Access Program in accordance with this proposed policy
 - Monitoring and supporting covered entities in their implementation of the proposed policy
- Designate an Administrative Assistant to provide administrative support to the Language Access Program Manager.

3.2 Technical Assistance

The coordinating entity is recommended to:

- Develop tools and resources that advance language access implementation and facilitate resource-sharing among covered entities.
- Support covered entities to develop policy standards and procedures for the creation of a multilingual Staff Management Policy. These standards should include but are not limited to:
 - Monolingual and Multilingual staff should have all the tools necessary to provide services to individuals with LEP regardless of multilingual abilities.
 - Clear instructions for monolingual staff on when to use over-the-phone interpretation services. Only request support from multilingual staff when strictly necessary, or when it is part of their job description.
 - In partnership with the Office of State Human Resources, coordinate efforts to develop statewide policy standards. These standards should include but are not limited to:
 - Standards for evaluating language skills of multilingual staff and training aligned to their role in language access implementation



- Guidelines for compensation of multilingual staff
- In partnership with the Department of Administration, coordinate efforts to negotiate and oversee a competitive statewide contract for language assistance service provider(s) which ensures covered entities can access a pool of vetted providers offering quality language services.
- In partnership with the Department of Information Technology, coordinate efforts to develop statewide policy standards and procedures for the use and creation of multilingual digital content and digital tools across digital platforms utilized by covered entities.
- Develop and deliver onboarding training for new LACs, and provide ongoing professional development and skill-building opportunities for LACs.
- Convene LACs regularly to facilitate the sharing of tools, best practices, and language access implementation across cabinet agencies and executive offices.

3.3 Compliance Monitoring

The coordinating entity is recommended to:

- Monitor and evaluate statewide implementation of federal and state requirements and provision of meaningful access for individuals with LEP.
- Annually track and share statewide and local data on individuals with LEP, as well as population changes and information on new or emerging language needs to determine needed changes or modifications to statewide language assistance services.
- Provide support and ensure covered entities appoint and onboard a LAC assigned to coordinate and lead the covered entity's implementation.
- Provide support and ensure covered entities develop a comprehensive LAP by October 2024 and update the LAP on a biennial basis.
- Review needs assessment and implementation update reports submitted by covered entities on an annual basis, and ensure any gaps, needs, and priorities identified in the annual report are used to generate and revise action steps in covered entities' LAP.
- Conduct annual reviews of data submitted by covered entities including the budget, cost of language assistance services, and any estimates for changes in costs that may necessitate budgetary changes or alternate methods of service delivery for language assistance services.

3.4 Increase public awareness about digital language access initiatives

The coordinating entity is recommended to increase public awareness about digital language access initiatives, language assistance services, multilingual resources, concern mechanisms available across covered entities, and the value and impact of digital language access for individuals who speak



LOTE and are LEP. This may be done in a variety of ways, including through statewide campaigns and initiatives, stakeholder outreach, and existing methods of communicating with the public.

Statewide efforts to educate the public are recommended to:

- Be designed to align with the State of North Carolina Digital Equity Plan and account for the equipment and digital literacy needs of individuals who use LOTE and are LEP.
- Address overlapping barriers to access and participation that impact individuals with LEP and who use LOTE, particularly those who live in rural areas.
- Align with language-specific communication needs of communities with LEP
- Be refined over time based on culturally and linguistically targeted outreach and engagement designed to deepen understanding of how the availability and affordability of devices impact language communities and specific groups of individuals who use LOTE.

3.5 Accountability

The coordinating entity is recommended to consider the following ways of ensuring accountability for language access efforts:

- Language access audits/reviews based on the level of compliance and/or public contact.
- Review reports assessing the overall progress and compliance of covered entities with this proposed policy.
- Create a concern form and process for members of the public to be able to report instances of noncompliance with the proposed policy.
- Collaborate with LACs to resolve concerns and develop improvements
- Compile an annual report summarizing statewide compliance efforts to Executive Branch agency leadership which includes:
 - Highlights of covered entities' efforts to provide meaningful access for individuals with LEP
 - Language access concerns filed across covered entities and their resolution
 - Any findings as a result of audits, tests, or assessments carried out to evaluate statewide implementation



State of North Carolina
[Office of New Americans | Office of Public Engagement]
Coordinating Entity
Statewide Language Access Coordination
Plan

Purpose

The purpose of the State of North Carolina Statewide Language Access Coordination Plan (Coordination Plan) is to create a roadmap for activities undertaken by the State of North Carolina Office of Public Engagement (OPE) (coordinating entity) to establish a Language Access Program and coordinate language access implementation and compliance efforts across State of North Carolina cabinet agencies, executive offices, and departments (covered entities). The Coordination Plan outlines steps the coordinating entity will take to ensure that covered entities provide meaningful access to state services, programs, and activities for individuals with limited English proficiency (LEP) in accordance with federal requirements and the State of North Carolina Proposed Language Access Policy.

The coordinating entity will provide support to covered entities and coordinate statewide efforts to meet the requirements of the State of North Carolina Proposed Language Access Policy. This Coordination Plan outlines a [3]-year roadmap to guide the work of the coordinating entity in the following four core areas:

1. Provide technical assistance and support to covered entities by developing the tools and resources they need to provide meaningful access to individuals with LEP and meet federal and state language access compliance requirements.
2. Monitor and evaluate compliance of covered entities with federal requirements.
3. Work in collaboration with covered entities to ensure a linguistically accessible concern process is available for individuals who wish to file a language access concern
4. Conduct public outreach and engagement to ensure individuals with LEP in the State of North Carolina are aware of available language services and how to utilize the services.



Coordination Plan (3-Year)

Timeline <i>(Note: Years I-III are implementation years of the coordination plan. This can be modified to align to the State of North Carolina's Fiscal Year and corresponding quarters, or by using exact dates.</i>				
	Q1 Jul-Sep	Q2 Oct-Dec	Q3 Jan-Mar	Q4 Apr-Jun
Year I	December 2024 - December 2025			
Year II	December 2025 - December 2026			
Year III	December 2026 - December 2027			

A. Compliance Monitoring and Coordination

Coordinating Entity Responsibilities:

- Monitor and evaluate statewide implementation of federal requirements and provision of meaningful access for individuals with LEP
- Annually track and share statewide and local LEP data, as well as population changes and information on new or emerging language needs provided by the State Demographer to determine needed changes or modifications to statewide language assistance services
- Provide support to Language Access Coordinators (LAC) assigned to coordinate and lead department/agency's implementation
- Provide support and ensure covered entities develop a comprehensive LAP and update it on a biennial basis
- Review needs assessment and implementation update reports submitted by covered entities, and ensure any gaps, needs, and priorities identified are used to generate and revise action steps in covered entities' LAP.
- Conduct annual reviews of data submitted by covered entities including the budget, the cost of language assistance services, and any estimates for changes in costs that may necessitate budgetary changes or alternate methods of service delivery for language assistance services.



Objective 1: Notification of State of North Carolina Proposed Language Access Policy

Disseminate the State of North Carolina Proposed Language Access Policy to covered entities and update every two years.

Action 1.1 Disseminate a copy of the final State of North Carolina Language Access Policy to all covered entities, divisions, programs, and State of North Carolina staff.

Timeline Phase 1 |
Phase 1.2
*(or within 30 days of
policy adoption)*

Action 1.2 Require covered entities to provide a copy of the policy to their funded entities and have each funded entity certify in writing their commitment to comply with the State of North Carolina Language Access Policy.

Timeline Phase 2 |
Phase 2.1

Action 1.3 Review, and affirm or revise, the Policy every two years and ensure the policy is distributed to covered entities within 30 days of adoption.

Timeline Phase 3 |
Phase 3.1
(biennially)

Objective 2: Establish a Language Access Program

Establish a coordinating entity via creation and staffing of a Language Access Program tasked with coordination and oversight of statewide language access implementation.

Action 2.1: Formalize and develop a comprehensive list of duties for the Language Access Program role in the Office of Public Engagement.

Timeline Phase 1 |
Phase 1.1

Action 2.2: Consider methods to seek funding to recruit and hire a full-time Statewide Director of Language Access Program.

Timeline Phase 2 |
Phase 2.1

Action 2.3: Send communication to covered entities introducing the Language Access Program point of contact and informing all staff about the role, authority, and function of the coordinating entity.

Timeline Phase 2 |
Phase 2.1

Objective 3: Ensure Appointment of Language Access Coordinators (LACs)

Provide support to covered entities to ensure they appoint and onboard a LAC assigned to coordinate and lead implementation

Action 3.1: Develop a description for the LAC role and other staff assigned to language access implementation (e.g. Language Access Liaison (LAL), and recommend that the LACs report directly to the leadership team of the covered entity with regard to their language access

Timeline Phase 1 |
Phase 1.2



responsibilities.	
Action 3.2: Compile a directory of LACs and other support staff.	Timeline Phase 1 Phase 1.3
Action 3.3: Train LACs on the Proposed Statewide Language Access Policy. This includes familiarizing LACs on compliance requirements and their duties and responsibilities with regard to implementation of the Statewide Language Access Policy.	Timeline Phase 1 Phase 1.3
Action 3.4: Send statewide communication introducing LACs and informing state staff about the role, authority, and function of LACs.	Timeline Phase 1 Phase 1.3
Action 3.5 Support LACs in creating language access teams within their covered entity by appointing a Language Access Liaison (LAL) per division, program, and funded entity.	Timeline Phase 2 Phase 2.1

Objective 4: Development of Department Plans Guide and support LACs in development of department plans, and ensure they set clear action goals and timelines in their LAPs.	
Action 4.1: Develop language access plan templates for covered entities to use to draft their own department-level plans, and identify a submission mechanism and timeline.	Timeline Phase 1 Phase 1.1
Action 4.2: Meet with Tier I and Tier II LACs individually to initiate development of department plans.	Timeline Phase 1 Phase 1.1 (<i>biennially</i>)
Action 4.3: Review and affirm or revise LAPs every two years. Final plans are to be signed by the department head, circulated to all department staff, submitted to the coordinating entity, and posted on the covered entity's website	Timeline Phase 1 Phase 1.4 (<i>biennially</i>)
Action 4.4: Explore development of software that supports digital submission of LAPs and allows LACs to easily update LAPs and track progress through a centralized platform.	Timeline Phase 2- Phase 3



Objective 5: Reporting and Compliance Monitoring Assess implementation of department plans, ensure milestones are met, and oversee progress of covered entities towards compliance with the LAP and Policy.	
Action 5.1: Develop a reporting tool that LACs will use to submit annual reports under the Statewide Language Access Policy (recommended to include encounters with LEP, language assistance service usage, spending, implementation updates, gaps identified, etc..).	Timeline Phase 1 Phase 1.3
Action 5.2: Host training on reporting requirements to ensure LACs understand reporting responsibilities, where to start to gather the data that needs reporting and expectations around submission timeline and process.	Timeline Phase 1 Phase 1.3
Action 5.3: Provide an annual report on implementation progress including an evaluation of progress and compliance for each covered entity.	Timeline Phase 2 Phase 1.2 (<i>annually</i>)

B. Technical Assistance

Coordinating Entity Responsibilities:

- Develop tools and resources that advance language access implementation and facilitate resource-sharing among covered entities
- In partnership with the Office of Human Resources, coordinate efforts to develop statewide standards and procedures for the creation of a Multilingual Staff Management Policy. These standards will include:
 - Monolingual and Multilingual staff should have all the tools necessary to provide services to individuals with LEP regardless of multilingual abilities.
 - Clear instructions for monolingual staff on when to use over-the-phone interpretation services. Only request support from multilingual staff when strictly necessary, or when it is part of their job description.
 - Standards for evaluating language skills of multilingual staff and training aligned to their role in language access implementation
 - Guidelines for compensation of multilingual staff
- In partnership with the Department of Administration, coordinate efforts to negotiate and oversee a competitive statewide contract for language assistance services provider(s) which ensures covered entities can access a pool of vetted providers offering quality language services



- In partnership with the Department of Information Technology, coordinate efforts to develop statewide policy standards and procedures for the use and creation of multilingual digital content across digital platforms utilized by covered entities
- Develop and deliver onboarding training for new LACs, and provide ongoing professional development opportunities for LACs
- Convene LACs on a monthly basis to facilitate sharing of tools and best practices across cabinet agencies and executive offices

Objective 6: Technical Assistance to Covered Entities

Offer tools, resources, training, and guidance via support for and coordination of LACs to ensure covered entities can fully meet the needs of individuals with LEP and fulfill language access compliance requirements.

Action 6.1 Develop instructional guides, templates, resources, and tools LACs can use to coordinate language access implementation within their departments. Prioritize the development and dissemination of:

1. Language Access Plan Development Template
2. Data Collection Guidance (for assessing language needs)
3. Translation Management Guidance
4. Contract Language Guidance
5. Multilingual Taglines (Babel Notices)
6. Multilingual Interpretation Waivers

Timeline Phase 1 | Q2
(ongoing)

Action 6.2 Offer a comprehensive LAP development workshop to train LACs on using the Language Access Plan Template to develop actionable goals for meeting compliance requirements.

Timeline Phase 1 |
Q2-3

Action 6.3 Provide one-on-one coaching to LACs to identify unique needs and equip them with additional tools and resources needed to finalize their LAP

Timeline Phase 1 | Q2-3

Action 6.4 Provide a train-the-trainer training for LACs to use to provide language access training within their covered entity. Training module should include:

1. LA Policy requirements
2. Procedures for responding to individuals with LOTE/LEP
3. Information on obtaining interpreters (in-person and over-the-phone)
4. Procedure for using and working with interpreters (in-person and over-the-phone)
5. Translation procedures
6. Documenting language requests and tracking LEP encounters

Timeline Phase 1 | Q2



7. Use of interpretation waivers 8. Procedures to ensure digital equity and inclusion 9. Procedures to understand the value and impact language access plays for individuals with LEP and covered entity staff	
Action 6.5 Monitor and share with covered entities LEP population trends and emerging language needs of individuals with LEP.	Timeline Phase 2 Q1 <i>(annually)</i>
Action 6.6 In partnership with the Office of Human Resources, initiate steps to develop statewide multilingual Staff Management Policy, including a plan, standards, and procedures. First step may be to create a committee/task force with participation from LACs with experience/interest in this area. A statewide multilingual Staff Management Policy would set standards and establish guidance for covered entities that include but are not limited to: 1. Monolingual and Multilingual staff should have all the tools necessary to provide services to individuals with LEP regardless of multilingual abilities. 2. Clear instructions for monolingual staff on when to use over-the-phone interpretation services. Only request support from multilingual staff when strictly necessary, or when it is part of their job description. 3. Standards for evaluating language skills of multilingual staff and training aligned to their role in language access implementation 4. Guidelines for compensation of multilingual staff 5. Designating public contact positions as ‘multilingual positions’ 6. Designate resource or advisory roles for multilingual staff in limited public contact positions	Timeline Phase 2 Q1
Action 6.7 In partnership with the Department of Administration, initiate a process to secure a competitive statewide contract for vetted and quality contractor(s)/vendors(s) to provide language assistance services. First step may be to create a committee/task force with participation from LACs and multilingual staff in advisory roles with experience/interest in this area.	Timeline Phase 2 Q1
Action 6.8 In partnership with the Department of Information Technology, initiate steps to develop statewide policy standards for the use and creation of multilingual digital content across digital platforms utilized by covered entities	Timeline Phase 2 Q1



Action 6.9 In partnership with the Department of Information Technology, establish a centralized web portal containing language access implementation tools and resources for easy staff access; publish list and contact information of LACs and LALs.	Timeline Phase 2 Q4
Action 6.10 Convene LACs regularly to facilitate resource-sharing, and provide ongoing skill-building and professional development.	Timeline Ongoing
Action 6.11 Develop and provide shared templates, resources and tools to LACs.	Timeline Ongoing
Action 6.12 Research best practices and implement/recommend strategies for improving the breadth and quality of language services provided by covered entities, i.e.; use of multilingual automated responses, multilingual digital signage, centralized multilingual website for translated materials, culturally and linguistically-targeted statewide campaigns to increase outreach to individuals with LEP, etc.	Timeline Ongoing

C. Concerns and Accountability

Coordinating Entity Responsibilities:

- Encourage agencies to conduct language access audits/tests annually based on level of compliance and/or public contact
- Review reports to assess overall progress and compliance of covered entities with this Policy
- Create a concern form and process for members of the public to be able to report instances of noncompliance with the State of North Carolina Language Access Policy
- Collaborate with LACs to resolve concerns and develop remedies
- Submit an annual report summarizing statewide compliance efforts to Executive Branch agency leadership which includes:
 - Highlights of covered entities' efforts to provide meaningful access for individuals with LEP
 - Language access concerns filed across state departments and agencies, and their resolution
 - Any findings as a result of audits, tests or assessments carried out by the Coordinating Entity to evaluate statewide implementation

Objective 7: Accountability

Develop accountability processes to ensure there is a concern process for individuals with LEP seeking to report issues, and to address gaps in covered entities' compliance with the LA Policy.



Action 7.1: Develop a language access concern form and process that is culturally appropriate (based on community input), follows plain language standards, and can be easily accessed and completed in the complainant's primary language. Recommend providing the concern form in the top 5 statewide or regional languages and ensure it is easily accessible in person, on covered entity websites, and via phone.	Timeline Phase 1 Q2
Action 7.2: Publicly promote concern form and concern process widely in collaboration with community partners serving diverse individuals with LEP to encourage individuals to report any issues or concerns related to language access services.	Timeline Phase 1 Q4
Action 7.3: Publish the concern form on public websites and distribute to all LACs with instructions for notifying their LOTE/LEP customers about the concern process.	Timeline Phase 1 Q4
Action 7.4: Encourage agencies to conduct annual language access audits to evaluate covered entities' compliance with federal requirements and the LA Policy.	Timeline Phase 2 Q4 (annually)
Action 7.5: Report concerns and their resolution annually to Executive Branch agency leadership in accordance with reporting requirements outlined in the Proposed Statewide Language Access Policy.	Timeline Phase 2 Q4 (annually)



D. Public Outreach

Coordinating Entity Responsibilities:

- Conduct statewide campaigns and initiatives to increase public awareness about language assistance services and multilingual resources,
- Ensure there is a mechanism available across departments for individuals with LEP seeking to report issues

Statewide public education efforts are recommended to:

- Be designed to align with the State of North Carolina Digital Equity Plan and account for the equipment and digital literacy needs of individuals who use LOTE and are LEP.
- Address overlapping barriers to access and participation that impact individuals with LEP and who use LOTE, particularly those who live in rural areas and/or areas with limited high-speed internet access.
- Align with language-specific communication needs of communities with LEP
- Be refined over time-based on culturally and linguistically targeted outreach and engagement designed to deepen understanding of how the availability and affordability of devices impact language communities and specific groups of individuals who use LOTE.

Objective 8: Public Outreach and Engagement of Individuals with LEP Conduct direct outreach and develop culturally and linguistically targeted communications strategies to reach individuals with LEP	
Action 8.1: Develop a comprehensive public outreach and communication <u>plan</u> with clear and measurable goals for reaching individuals with LEP from different language communities (including top languages and languages of lesser diffusion).	Timeline Phase 1 Q4
Action 8.2: In partnership with covered entity communications/outreach teams: 1. Develop comprehensive language-specific distribution lists that provide contact information and points of contact from local, culturally and linguistically diverse community-based organizations, media outlets, social media platforms, and other targeted communication mechanisms that can be used for effective dissemination of translated documents, alerts, notices to individuals with LEP. 2. Develop statewide and regional distribution lists of stakeholder organizations and community leaders in accordance with top	Timeline Phase 1 Q4 <i>(ongoing)</i>



languages and language communities identified in the demographic analysis presented in the 2024 Needs Assessment Report. 3. Update distribution lists periodically by sourcing information from departments and community partners, and promote statewide use of the list in support of public outreach and engagement efforts across State of North Carolina departments and agencies.	
Action 8.3: In partnership with covered entity communications/outreach teams and community partners: 1. Design a multilingual effort promote language assistance services offered by covered entities 2. Coordinate with covered entities to facilitate dissemination of language access information through their routine operations and encounters with individuals with LEP 3. Utilize language-specific distribution lists for effective dissemination of multilingual information and content based on content customized for specific language communities and platforms	Timeline Phase 2 Q4 <i>(ongoing)</i>