

How to identify Limited English Proficient (LEP) Populations in your locality

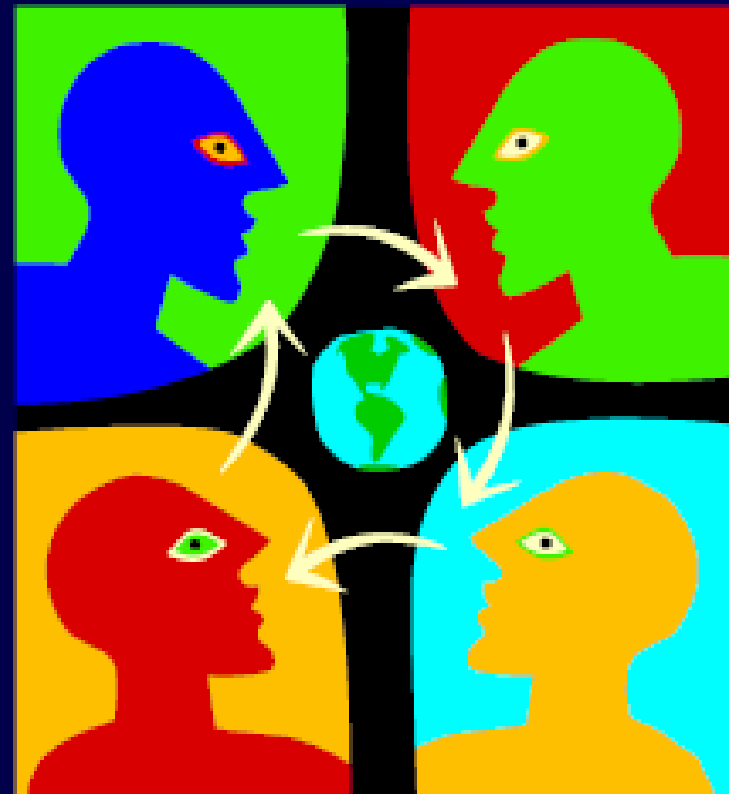


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EXECUTIVE ORDER 13166

Provision of Programs and Services to Limited English Proficient (LEP) Populations

- Presidential directive to federal agencies to ensure people who are LEP have **meaningful access to programs, services and benefits**



Who Must Comply With the LEP Executive Order?

- All programs and operations of entities that receive federal funds or assistance (recipients and sub-recipients)
 - State agencies
 - Local agencies
 - Private and not-for-profit entities
- Failure to comply may be national origin discrimination under Title VI of the Civil Rights Act of 1964.

US Dept. of Transportation LEP Guidance

- **Four Factors Test** - Used to determine what services to provide in languages other than English
- **Demography (Factor 1)**– Number and/or proportion of LEPs served and languages spoken in service area

Who is a LEP Person?

- Person who does not speak English as a primary language AND has limited ability to read, speak, write or understand English;

What is NOT Limited English Proficiency

- Hearing or visual impairments - sign language interpretation and Braille texts are accommodations of disabilities provided under the Americans with Disabilities Act and/or Section 504 of the Rehabilitative Acts of 1973.
- Illiteracy - LEP individuals protected by the Executive Order and Title VI are those who not only cannot speak, read, or write English, but primarily speak, read or write an language other than English

LEP Population Identification Resources

- Census 2000 data
- Web sites
- Educational Institutions (school districts)
- Bilingual Coordinators

Census 2000 Website

– www.census.gov

OR go direct to:

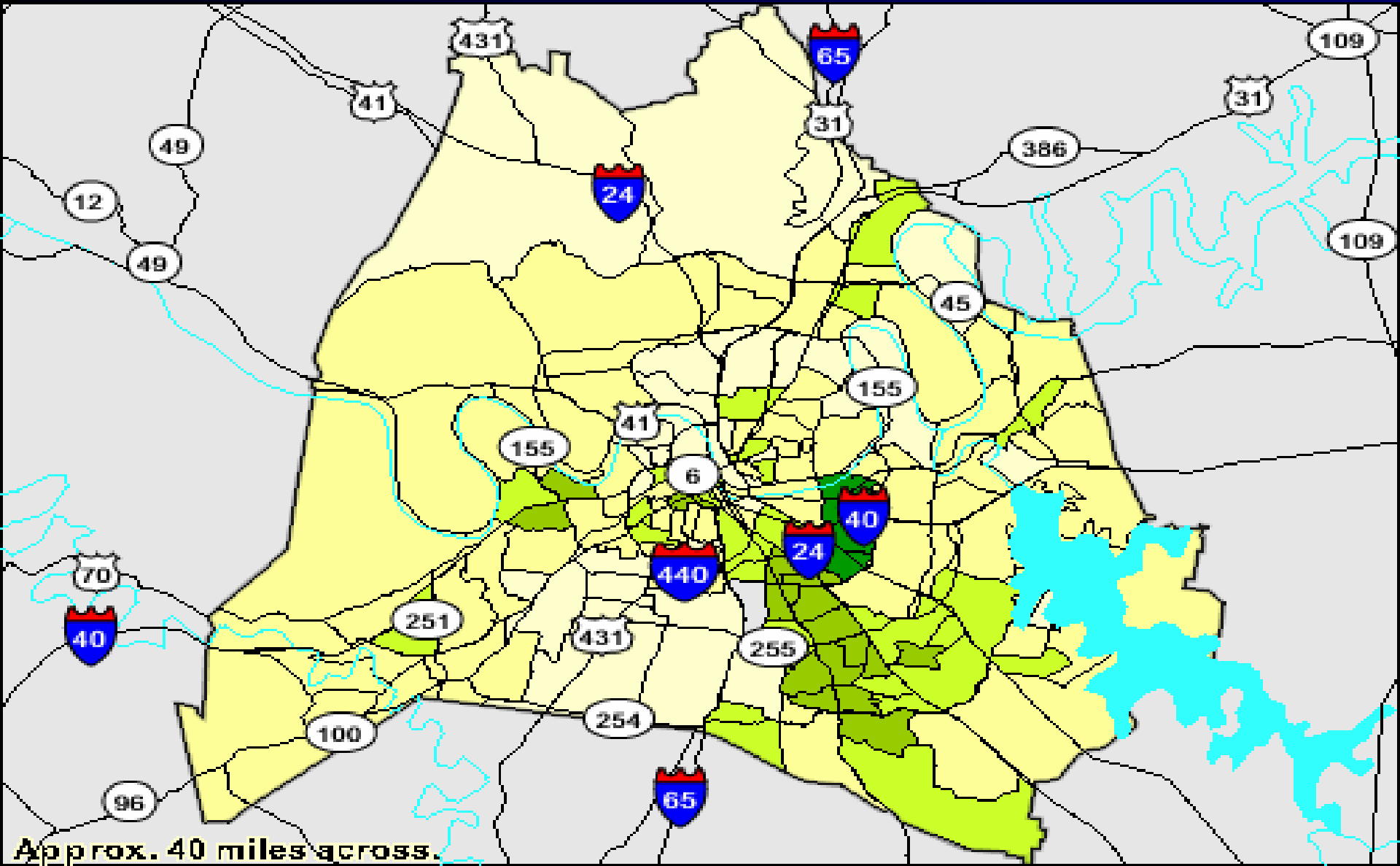
<http://factfinder.census.gov/servlet/BasicFactsServlet>

Contains numerical data and mapping tools down to Census block groups

Census 2000 – Data Sets

- Those who speak a language other than English
- Those who speak a language other than English and do not speak English well.
- Based on sampling data from the Census 2000 long form (segment of the US population)

Percentage who speak a language other than English, but speak English less than "very well" Nashville TN



State Departments of Education

- SDOEs may have a bilingual education office that collects LEP student enrollment data from all the school districts in a state
- SDOE bilingual education staff may be able to help you identify LEP populations and types of languages spoken in these areas.

New Jersey Department of Education Statistics on LEP

2003-2004 Languages with Highest LEP Enrollment Statewide

Language	Native Speakers	LEP Students
SPANISH	167,481	44,192
KOREAN	10,049	1,660
PORTUGUESE	8,763	1,483
CREOLE (French)	5,143	1,407
ARABIC	8,422	1,350
GUJARATI	9,114	1,251
MANDARIN (CHIN,KUOYU,PEKINGESE, N. CHINESE,PUTONGHUA)	7,851	1,003
POLISH	5,809	981
URDU	4,707	779
TAGALOG (PILIPINO, FILIPINO)	5,694	509
VIETNAMESE	2,442	483

School Districts

- School Districts have a responsibility to identify those students who are LEP and whose Primary Language is Other Than English (PHLOTE) and provide language assistance to these students.
- Newly registered students and parents complete Home Language Surveys that identify the primary language spoken by the student and his/her family.
- School districts retain these records- very useful data!!
- Caution: FERPA (Buckley Amendment) Privacy Law.

Types of LEP Education Services

- **English as a Second Language (ESL)** classes that teach all aspects of English grammar, vocabulary, and pronunciation to LEP students.
- **Bilingual Education** LEP students receive regular curriculum (math, science, social studies) in their native language.
- *Lau v. Nichols* Supreme Court Case (1974)

School District Staff

- Since teachers and staff interact directly with students and parents, they can provide excellent information on:
 - Level of English Proficiency
 - Languages spoken other than English
 - Dialects
 - Cultural factors

Bilingual Education

- In MA, NJ, NY and several other states, if a school district, a grade in a district or a school building has 20 or more LEP students who speak a particular language, they get instruction in that language.
- This information can help you identify major languages in a project area for public involvement purposes.
- Bilingual/ESL teachers and staff are a possible source of qualified translators.

Other Websites

- www.mla.org - Interactive mapping. You can identify many languages spoken in the US, States, Counties and even in a particular zip code!
- <http://www.ncela.gwu.edu/policy/states/reports/statedata/2001/index.html> National Clearinghouse for English Language Acquisition & Language Instructional Educational Programs (NCELA)
- State by state LEP data

Local Government Bilingual Coordinators

- Position created in a local government usually as a result of a U.S. Department of Justice Title VI LEP compliance investigations of local government services (fair housing, voting).
- Usually for Spanish speaking citizens

THE END

Thank You!