



Language Assistance Plan (LEP Plan)  
Organization Name: Black BRAND  
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## **I. Introduction**

Black BRAND is committed to ensuring that individuals with Limited English Proficiency (LEP) have meaningful access to its programs and activities, consistent with Title VI of the Civil Rights Act of 1964 and its implementing regulations. This LEP Plan outlines the steps Black BRAND will take to identify LEP individuals, provide appropriate language assistance services, train staff, notify LEP persons of available services, and monitor and update this plan.

## **II. Legal Authority and Policy Statement**

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI to prohibit conduct that has a disproportionate effect on LEP persons, deeming such conduct as national-origin discrimination.

It is the policy of Black BRAND to take reasonable steps to ensure meaningful access to its programs and activities for LEP persons. This includes providing language assistance services free of charge when necessary and reasonable, based on a four-factor analysis.

## **III. Who is Covered?**

This LEP Plan applies to all programs and activities conducted by Black BRAND that receive Federal financial assistance from the Department of the Treasury. This includes, but is not limited to:

- \* Business development workshops, entrepreneurial training, community outreach events, and fiscal services for distressed communities.

- \* Any subrecipients who receive Federal funds passed through from Black BRAND.

\* Coverage extends to Black BRAND's entire program or activity, meaning all parts of its operations.

#### **IV. Definition of Limited English Proficient (LEP) Individual**

An individual is considered LEP if they do not speak English as their primary language and have a limited ability to read, write, speak, or understand English.

#### **V. Four-Factor Analysis for Determining Language Assistance Obligations**

Black BRAND will conduct an individualized assessment balancing the following four factors to determine the extent of its obligation to provide LEP services:

\* The Number or Proportion of LEP Persons Served or Encountered: This factor assesses the number or proportion of LEP persons from a particular language group served or likely to be encountered in the eligible service population.

\* Data Sources: Black BRAND will examine prior experiences with LEP encounters, consult the latest census data for the service area, and gather data from relevant community organizations, school systems, and State and local governments.

\* Action: Regularly review demographic data for our service area; Track language preferences of individuals served; Conduct surveys or intake forms to identify language needs.

\* The Frequency with which LEP Individuals Come in Contact with the Program: This factor assesses how often LEP individuals come into contact with Black BRAND's programs and activities.

\* Action: Monitor the frequency of LEP individual inquiries and service requests; Analyze registration data for events and programs; Review website and social media analytics for language preferences.

\* The Nature and Importance of the Program, Activity, or Service Provided by the Program: This factor considers the importance of the activity, information, service, or program, and the potential consequences for LEP individuals if they are denied or delayed access.

\* Action: Prioritize services with critical implications (e.g., access to funding, legal guidance, business certifications) for language assistance; Classify documents as vital or non-vital based on potential impact on participants' ability to access or benefit from programs.

\* The Resources Available to the Recipient and Costs: This factor considers Black BRAND's resources and the costs associated with providing language services.

\* Action: Explore cost-effective means of delivering competent and accurate language services (e.g., telephonic interpretation, partnerships with community organizations, leveraging

existing bilingual staff); Include reasonable translation and interpretation costs in budget requests and grant applications.

## **VI. Language Assistance Measures**

Black BRAND will provide language services through both oral and written means, ensuring quality and accuracy.

### **A. Oral Language Services (Interpretation)**

When interpretation is needed and is reasonable, Black BRAND will consider the following options for providing competent interpreters in a timely manner:

- \* **Competence of Interpreters:** Interpreters will demonstrate proficiency in both English and the target language, have knowledge of specialized terms relevant to business and community development, and understand confidentiality and impartiality rules.
- \* **Hiring Bilingual Staff:** When particular languages are frequently encountered within the communities Black BRAND serves, Black BRAND will consider hiring bilingual staff for public contact positions.
- \* **Hiring Staff Interpreters:** For frequent needs in one or more languages, hiring dedicated staff interpreters will be considered, particularly for core programs.
- \* **Contracting for Interpreters:** Contract interpreters will be utilized for less regular language skill needs, including through community-based organizations or professional interpretation services.
- \* **Using Telephone Interpreter Lines:** Telephonic interpretation services will be used for speedy assistance in various languages, particularly for phone-based interactions and initial inquiries.
- \* **Using Community Volunteers:** Recipient-coordinated community volunteers may be used as a supplemental strategy for less critical programs, ensuring they are trained and competent and adhere to confidentiality standards.
- \* **Use of Family Members or Friends as Interpreters:** While generally not relied upon for important programs, LEP persons may use their own interpreters (family, friends) if they desire, at their own expense, or in unforeseen exigent circumstances. Black BRAND will ensure the LEP person's choice is voluntary and that they are aware of potential issues regarding competency, confidentiality, or conflict of interest, especially with minors.

### **B. Written Language Services (Translation)**

- \* **Translation of Vital Documents:** Based on the four-factor analysis, Black BRAND will translate vital written materials into the languages of frequently-encountered LEP groups.

- \* Examples of Vital Documents: Notices advising of free language assistance, program application forms, agreements, and critical informational brochures about services or benefits.

- \* Consideration of Outreach Materials: Black BRAND will regularly assess the need to translate critical outreach materials to ensure awareness of rights and services, especially for new programs or initiatives.

- \* Partial Translation: For large documents, vital information such as the title, a brief summary, and a phone number for obtaining interpretations may be translated.

- \* Languages for Translation: Translation will prioritize languages frequently encountered by Black BRAND, based on demographic data and direct interactions. Well-substantiated claims of lack of resources will not necessarily relieve the obligation to translate vital documents into at least several frequently encountered languages, with benchmarks for future translations.

- \* Safe Harbor: Black BRAND will consider the "safe harbor" provisions as strong evidence of compliance for written translation obligations. This includes:

- \* Providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000 persons (whichever is less) of the population Black BRAND serves.

- \* For groups with fewer than 50 persons reaching the 5% trigger, providing written notice in their primary language of the right to free oral interpretation of written materials.

- \* Competence of Translators: Translators will be competent, which may involve using certified translators for vital documents, independent "checks" or "back translation" of work, and understanding the target audience's reading level. Consistent terminology will be used, and glossaries of relevant business and program terms will be developed or utilized.

## **VII. Elements of Effective LEP Plan Implementation**

Black BRAND will implement its LEP Plan through the following steps:

- \* Identifying LEP Individuals Who Need Language Assistance:

- \* Utilize "I speak cards" or visual aids in reception areas and at events to help individuals identify their language needs.

- \* Record the language preference of LEP persons in client intake forms and program registration systems where applicable.

- \* Post notices in commonly encountered languages about available language assistance in physical locations and on the website.

- \* Language Assistance Measures:

- \* This plan outlines the types of language services available, how staff can obtain these services, and how to respond to LEP callers, written communications, and in-person contacts.

- \* Develop clear internal procedures and a contact list for accessing interpretation and translation services.

- \* Training Staff:

- \* All staff who interact with the public will be trained annually on LEP policies and procedures and on how to work effectively with interpreters (in-person and telephone). Training will be integrated into new employee orientation and ongoing professional development.

- \* Providing Notice to LEP Persons:

- \* Post signs in intake areas, event registration points, and other public entry points in common languages, explaining how to access free language assistance.

- \* Include statements about available language services in outreach documents, program brochures, recruitment materials, and on Black BRAND's website and social media.

- \* Work with community-based organizations, cultural centers, and ethnic media outlets to inform LEP individuals about Black BRAND's services and language assistance.

- \* Utilize telephone voice mail menus in common languages, directing callers to appropriate language services.

- \* Consider notices in local non-English newspapers and on non-English radio and television stations.

- \* Conduct presentations and/or provide notices at community meetings, schools, and religious organizations frequented by LEP individuals.

- \* Monitoring and Updating the LEP Plan:

- \* Periodically reevaluate the LEP Plan, at least annually, considering changes in demographics of the target population, services offered, available resources, and associated costs.

- \* Seek feedback from the community, LEP individuals, and staff to assess the effectiveness and quality of existing language assistance.

- \* Ensure all staff are aware of and understand the current LEP plan and their roles within it.

- \* Confirm that identified sources for interpretation and translation assistance are still available, viable, and provide competent services.

## **VIII. Voluntary Compliance and Complaint Process**

Black BRAND is committed to achieving voluntary compliance with Title VI and its LEP obligations.

- \* Complaint Process: Anyone who believes they have been discriminated against based on race, color, or national origin in violation of Title VI may file a complaint with the Department of the Treasury within 180 days.

- \* No Retaliation: Black BRAND will not retaliate against any person who files a complaint or participates in an investigation.

- \* Technical Assistance: Black BRAND will work with the Department of the Treasury during any investigations to explore cost-effective ways of coming into compliance and will document its efforts to provide meaningful access to LEP persons.

## **IX. Responsible Parties and Contact Information**

Overall LEP Plan Coordinator: Jill Anwaar, Experience Director  
Contact Information: Jill.anwaar@blackbrand.biz, 757.798.0590  
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This LEP Plan will be reviewed and updated annually.