

## **Limited English Proficiency Frequently Asked Questions**

### **Who is a Limited English Proficient (LEP) individual?**

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP." These individuals may be entitled language assistance with respect to a particular type or service, benefit, or encounter.

### **What are the relevant laws concerning language access for LEP individuals?**

Federal laws particularly applicable to language access include Title VI of the Civil Rights Act of 1964, and the Title VI regulations, prohibiting discrimination based on national origin, and Executive Order 13166 issued in 2000. Many individual federal programs, states, and localities also have provisions requiring language services for LEP individuals.

### **What is Executive Order 13166?**

An Executive Order is an order given by the President to federal agencies. The LEP Executive Order (Executive Order 13166) says that people who are LEP should have meaningful access to federally conducted and federally funded programs and activities.

### **Who will enforce the LEP rules?**

Most federal agencies have an office that is responsible for enforcing Title VI of the Civil Rights Act. To the extent that a recipient's actions are inconsistent with their obligations under Title VI, then such agencies will take the necessary corrective steps.

### **Who is affected by LEP?**

All programs and operations of entities that receive federal funds or assistance (recipients and subrecipients)

- 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 and other federal and state laws.

**What is the difference between interpretation and translation?**

Interpretation involves the immediate communication of meaning from one language (the source language) into another (the target language). An interpreter conveys meaning orally, while a translator conveys meaning from written text to written text.

Professional interpreters and translators are subject to specific codes of conduct and should be well-trained in skills, ethics, and the subject-matter language. Those utilizing the services of interpreters and translators should request information about certification, assessments taken, qualifications, experience and training. Quality of interpretation should be a focus of concern for all recipients.

**If a federal agency contracts with a private or other entity to conduct certain activities of the agency, does the Executive Order apply to the activities of the contractor?**

Yes. When a different entity conducts certain activities for a federal agency, then the Executive Order applies to the entity's activities. An agency should ensure that the entity knows the general standards for LEP access and applies the agency's plan to the activities it is conducting on behalf of the agency.