

Limited English Proficiency Participants

Policy

USDA Federal Regulations:

7 CFR Part 246.8 (c) Non-English materials. Where a significant number or proportion of the population eligible to be served needs service or information in a language other than English in order effectively to be informed of or to participate in the Program, the State agency shall take reasonable steps considering the size and concentration of such population, to provide information in appropriate languages to such persons. This requirement applies with regard to required Program information except certification forms which are used only by local agency staff. The State agency shall also ensure that all rights and responsibilities listed on the certification form are read to these applicants in the appropriate language.

Authority

USDA Federal Regulations: 7 CFR Part 246.8 (c)

USDA Federal Regulations: 7 CFR 15

USDA Federal Regulations: 7 CFR 16

USDA Departmental Regulations

FNA Program Regulations

Judicial Administration Federal Regulations: 28 CFR 35

Judicial Administration Federal Regulations: 28 CFR 36

Judicial Administration Federal Regulations: 28 CFR 42

Title VI of the Civil Rights Act of 1964

Title IX of the Education Amendments of 1972

Section 504 of the Rehabilitation Act of 1973

Americans with Disabilities Act (ADA) of 1990

ADA Amendments Act of 2008

Age Discrimination Act of 1975

Civil Rights Restoration Act of 1987

Procedures

Meeting the health and nutrition needs of diverse populations will enhance our efforts of eliminating racial and ethnic disparities by increasing access to WIC services. Local WIC agencies implement strategies to provide effective service to those with limited English proficiency (LEP).

A participant with limited English proficiency cannot speak, read, write or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies.

Assessing Language Assistance Needs

Local WIC agencies should regularly assess the language needs of participants in their service delivery area and determine appropriate measures to meet the language needs of LEP participants. Decisions about the extent of language assistance provided should consider the following factors:

- The types and number of languages spoken,
- The size of the LEP population,
- The size of the clinic,
- Staffing and other resources available, and
- The frequency in which WIC agencies come into contact with LEP persons

Note: To assist with this determination, agencies are encouraged to review the Community Health Needs Assessment and Health Improvement Plans for each county in their service delivery area.

Options for Providing Language Assistance

Local WIC agencies have several options for meeting the language needs of LEP participants including:

- Hiring bilingual staff who are trained and competent in the skill of interpreting,
- Contracting with an interpreter service for trained and competent interpreters,
- Formally engaging community volunteers who are trained and competent in the skill of interpreting,
- Enrolling WIC staff in language classes,
- Utilizing a telephone interpreter service, and
- Providing forms, education and audiovisual materials to WIC participants in other languages

Notification Assistance

Local and State agencies must provide notice to persons with limited English proficiency about the availability of language assistance services and how to request them. Notification may include but is not limited to the posting of notices, placement of notices in the recipient's publications, radio announcements, and the use of other visual and aural media. Websites must also provide notice of the availability of free language assistance and disability services and how to request them. Example: "If you have difficulty understanding English or have a disability, free language assistance or other aids and services are available upon request. Deaf Relay Iowa: (Hearing or Speech Impaired) 711 or 1-800-735-2942". For more information about Relay Iowa and other methods to use Relay Iowa, visit the following website: <https://iuc.iowa.gov/customer-assistance/telephone-accessibility/relay-iowa>.