



The City of Norfolk  
Language Access Plan  
September 2024

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## INTRODUCTION

It is the policy of the City of Norfolk to comply with the requirements of **Title VI of the Civil Rights Act of 1964** and all related nondiscrimination statutes, regulations, and laws. All recipients of federal funds must ensure that they are in full compliance with Title VI and all related regulations and directives in all programs and activities. No person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of the City of Norfolk's programs or activities.

Under Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulations, recipients of federal financial assistance have a responsibility to ensure meaningful access to programs and activities by Limited English Proficient (LEP) persons. To that end, the City of Norfolk Departments of Communications; Diversity, Equity, and Inclusion; Housing and Community Development; and Human Resources collaboratively developed this Language Access Plan (LAP) to ensure and improve service access for Limited English Proficiency (LEP) individuals in Norfolk.

## DEFINITIONS

### *Limited English Proficiency (LEP)*

An **LEP PERSON** is one who does not speak English as his/her primary language and who has a limited ability to speak, read, write, or understand English.

*It is the policy of the City of Norfolk to take reasonable steps to provide meaningful access to its programs, activities, and services for persons with Limited English Proficiency (LEP). The city is committed to complying with federal requirements in providing meaningful access to its services, programs, and activities for LEP persons.*

### *Language Access Plan (LAP)*

*The purpose of the plan is to ensure meaningful access to city services, programs, and activities for residents of the City of Norfolk who have limited proficiency with the English language. The following services are available:*

### *Interpretation*

**Interpretation** is defined as a spoken or visual explanation provided to enable two or more individuals who do not speak the same language to communicate with each other.

*The city will provide free language assistance services, including certified interpreter and translator services to LEP persons upon request, when necessary to provide meaningful access to city services, programs, and activities.*

### *Translation*

**Translation** is defined as a written version of a document that is provided in a language different than that of the original document.

*The city will take reasonable steps to provide written translations of vital documents that describe program rules and instructions or are otherwise crucial in gaining access to city services, programs, and activities. Vital documents will be translated for each LEP language group that constitutes 5% of the city's population 5 years and older or 1,000 persons, whichever is less.*

## LIMITED ENGLISH PROFICIENCY ASSESSMENT

### *Limited English Proficiency*

Limited English Proficiency (LEP) refers to individuals who cannot speak, read, write, or understand the English language at a level that permits them to interact effectively. (The US Census Bureau classifies an LEP as any individual over the age of 5 who reported speaking English less than “very well.”)

### *Authority*

Title VI of the Civil Rights Act of 1964 and its implementing regulations require that recipients of federal funds take responsible measures to ensure meaningful access to benefits, services, information and other important portions of programs and activities are available for individuals who are LEP.

### *Title VI of the Civil Rights Act of 1964*

States that no person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

### *Executive Order (EO) 13166 – Improving Access to Services for Persons with LEP*

Issued on August 11, 2000, aims to enhance the availability of services to individuals with limited English proficiency (LEP). This order establishes the guidelines that organizations receiving federal funding must follow to ensure that their English-based programs and activities are accessible to LEP persons. By doing so, these organizations ensure they do not discriminate based on national origin in violation of the Civil Rights Act of 1964 and its associated regulations. Recipients of federal funds are required to take reasonable measures to ensure that LEP persons can meaningfully participate in their programs and activities.

### Limited English Proficiency Policy Statement

It is the policy of the City of Norfolk to take reasonable steps to provide meaningful access to its programs, activities, and services for persons with Limited English Proficiency (LEP). The city is committed to complying with federal requirements in providing meaningful access to its programs, activities, and services for LEP persons.

### Purpose of the Language Access Plan

The purpose of this Language Access Plan (LAP) is to demonstrate compliance with Title VI of the Civil Rights Act of 1964, and to fulfill the requirements of Executive Order 13166. The LAP supports the City’s efforts to provide meaningful access to persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English.

### Reasonable Steps to Provide Access

Executive Order 13166 directs recipients of federal financial assistance to take reasonable steps to provide LEP persons with meaningful access to their programs, activities, and services. The key to providing meaningful access for LEP persons is to ensure that effective communication exists between the city (or other federal funding recipient) and the LEP person. It is critical that the city be proactive in informing and engaging individuals from different cultures and backgrounds in

community meetings and planning activities. To accomplish effective communication, the city will perform the following actions:

- Conduct a needs assessment
- Provide for oral and written language assistance
- Notify LEP customers of the availability of language assistance services
- Translate vital documents in languages other than English
- Train staff
- Monitor and update the LEP Plan

## FOUR-FACTOR ANALYSIS

To identify the city's LEP needs, a four-factor analysis was conducted to analyze the following:

1. The number and proportion of LEP persons served or encountered in eligible service populations.
2. The frequency with which LEP persons encounter programs, activities, or services.
3. The importance of the programs, activities, and services to LEP persons.
4. The resources available to recipients and the costs.

### Factor 1: LEP Persons Served

The American Community Survey (ACS) five-year estimate shows the population of persons over the age of five in the city who speak only English is 89% or 197,685. Of the remaining 11%, the largest population of non-English speakers include those who speak Spanish, at 5.1% or 11,367 persons, followed by those who speak Tagalog (incl. Filipino), at 1.6% or 3,541 persons. Among individuals who speak a language other than English, approximately 3.25% speak English less than "very well" including 3,792 Spanish speakers. Among those who speak Tagalog (incl. Filipino), 1,225 persons speak English less than "very well."

City of Norfolk, Virginia	Estimate	Margin of Error	% Total Population
<b>Total:</b>	<b>221,475</b>	<b>±50</b>	<b>100.00%</b>
<b>Speak only English</b>	<b>197,685</b>	<b>±1,090</b>	<b>89.26%</b>
<b>Spanish:</b>	<b>11,367</b>	<b>±875</b>	<b>5.13%</b>
Speak English "very well"	7,575	±795	3.42%
Speak English less than "very well"	3,792	±508	1.71%
<b>French, Haitian, or Cajun:</b>	<b>1,731</b>	<b>±423</b>	<b>0.78%</b>
Speak English "very well"	1,298	±368	0.59%
Speak English less than "very well"	433	±207	0.20%
<b>German or other West Germanic languages:</b>	<b>612</b>	<b>±148</b>	<b>0.28%</b>
Speak English "very well"	562	±144	0.25%
Speak English less than "very well"	50	±58	0.02%
<b>Russian, Polish, or other Slavic languages:</b>	<b>462</b>	<b>±157</b>	<b>0.21%</b>
Speak English "very well"	336	±112	0.15%
Speak English less than "very well"	126	±97	0.06%
<b>Other Indo-European languages:</b>	<b>2,072</b>	<b>±359</b>	<b>0.94%</b>
Speak English "very well"	1,601	±315	0.72%
Speak English less than "very well"	471	±166	0.21%
<b>Korean:</b>	<b>310</b>	<b>±145</b>	<b>0.14%</b>
Speak English "very well"	241	±115	0.11%
Speak English less than "very well"	69	±52	0.03%
<b>Chinese (incl. Mandarin, Cantonese):</b>	<b>703</b>	<b>±184</b>	<b>0.32%</b>
Speak English "very well"	471	±180	0.21%
Speak English less than "very well"	232	±97	0.10%
<b>Vietnamese:</b>	<b>447</b>	<b>±236</b>	<b>0.20%</b>
Speak English "very well"	211	±121	0.10%
Speak English less than "very well"	236	±147	0.11%
<b>Tagalog (incl. Filipino):</b>	<b>3,541</b>	<b>±365</b>	<b>1.60%</b>
Speak English "very well"	2,316	±290	1.05%
Speak English less than "very well"	1,225	±311	0.55%
<b>Other Asian and Pacific Island languages:</b>	<b>997</b>	<b>±362</b>	<b>0.45%</b>
Speak English "very well"	707	±284	0.32%
Speak English less than "very well"	290	±163	0.13%
<b>Arabic:</b>	<b>392</b>	<b>±167</b>	<b>0.18%</b>
Speak English "very well"	315	±130	0.14%
Speak English less than "very well"	77	±67	0.03%
<b>Other and unspecified languages:</b>	<b>1,156</b>	<b>±382</b>	<b>0.52%</b>
Speak English "very well"	958	±307	0.43%
Speak English less than "very well"	198	±169	0.09%

U.S. Census Bureau. "Language Spoken at Home for the Population 5 Years and Over." American Community Survey, ACS 5-Year Estimates Detailed Tables, Table C16001, 2022, <https://data.census.gov/table/ACSDT5Y2022.C16001?q=C16001>.

Federal agencies provide a ‘safe harbor’ threshold for determining when to provide written translations of vital documents. That is, if a city provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of LEP persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations.

In Norfolk, the need for written translation into Spanish and Tagalog meets this threshold due to there being over 1,000 Spanish and Tagalog speaking residents who speak English less than ‘very well.’ There is no similar ‘safe harbor’ threshold for determining when to provide oral interpretation services. Rather, reasonable oral interpretation services should be made available in all cases.

The LEP population in Norfolk has only moderately increased in the last decade, relative to the general population. In 2011, approximately 2.8% of the Norfolk population spoke English less than ‘very well,’ compared to 3.25% of the population in 2022 (ACS 5-Year Estimates Detailed Tables, Table C16001, 2022). Any future updates to this data and requests for language assistance will be monitored and used in future updates to this document.

**Note:** The Americans with Disabilities Act (ADA) requires that local governments communicate effectively with people who have communication disabilities. For the purposes of the LAP, individuals who are deaf or hard of hearing and communicate using American Sign Language (ASL) shall receive the same accommodations as LEP individuals ([ADA Requirements: Effective Communication | ADA.gov](#)). Data on ASL users in Norfolk is not available; the U.S. Census Bureau does not currently recognize ASL as a language, nor sign languages as a language group.

## Factor 2: Frequency of Contact with LEP Persons

Staff reported that they frequently have contact with LEP persons. In most instances where staff had contact with LEP persons, the language spoken was Spanish, however, other languages are frequently encountered. The following responses were collected from departments:

- The Human Services department regularly engages with clients who have limited English proficiency and individuals who are hearing impaired.
- The department of Planning frequently encounters individuals who speak Spanish and various Asian and eastern European languages.
- The Norfolk Cares call center receives an average of 10-15 calls per day from Spanish-speaking customers who require translation services.
- The Community Services Board secures translators for Spanish, American Sign Language, Tagalog, Farsi, Cantonese, and Chinese speaking populations in response to demand.
- The Norfolk Public Libraries regularly engage patrons seeking information in Spanish and Russian.

The city’s language assistance services are request driven, in which LEP persons seeking information about programs and services contact city staff to request interpretation and/or translation services. LEP persons contact the city in person, by mail, phone, or internet to request services or ask questions about the programs the city administers.

The city will work with individual departments to translate vital documents based on the needs and capacities of the department. To assist with prioritizing which documents will be translated into which

languages, the city has begun discussions with departments about their programs, to determine the nature of and importance of the documents and frequency with which the documents are needed for translation.

### Factor 3: Level of Importance

To determine the nature and importance of city programs, activities, or services provided to LEP persons, the city will identify the negative impacts on LEP persons of not being able to access these benefits. Using this factor, the city will look at its programs, services, activities, and vital documents to prioritize the translation and interpretation services the city will provide. Specifically, focus will be placed on the translation of brochures, forms, applications, and other information materials that provide information about and access to the city's programs and services.

Several of the city's departments administer federal programs that provide funds and services directly to Norfolk residents, or to non-profits who are also required to comply with the Title VI requirements. For LEP persons who seek these services, it is essential that these city departments and non-profit sub-recipients identify forms, documents, and other informational materials that play a critical role in ensuring equal access to LEP persons.

### Factor 4: Available Resources

The city currently provides the following resources to assist LEP persons:

- Departments are supplied a list of Virginia-based, SWAM-certified (Small-, Woman- and Minority-owned) firms from which they can request translation support.
- Bilingual staff have been recruited and employed to assist individuals with limited English proficiency (LEP).
- The Department of Human Services, Planning, Community Services Board, Neighborhood Services, Commissioner of the Revenue, and City Treasurer provide device-assisted text to speech translation on demand.
- The Department of Communications ensures the captioning of videos to guarantee accessibility for individuals who are hearing impaired and to overcome language barriers.
- The Division of Emergency Management has a subscription for the language line for the 911 center which allows for immediate oral translation by phone.
- The city's Norfolk Alert emergency-related messaging system allows subscribers to choose in which language they receive alerts.
- The city has stenographers on staff who can provide services for deaf individuals who prefer Communication Access Realtime Translation (CART) services to ASL. In addition, the city primarily utilizes Microsoft teams for virtual conversations, which allows for live captions and transcription.
- Non-discrimination notices in multiple languages are located in city facilities.

The city will continue to implement the following actions to provide resources needed to assist LEP persons:

- Hire and train bilingual staff where bilingual skills are needed;
- Provide language assistance services, including a certified interpreter and translator services upon request, at no charge to LEP persons;
- Provide contracted written translation services to produce non-English language materials; and
- Train city staff on the Language Access Plan and available language assistance services.



- Collaborate with federal, state, and local agencies to provide language translation and interpretation services.

## Conclusion

The four-factor analysis indicates that there is a sufficient Spanish- and Tagalog-/Filipino-speaking LEP population in the city for whom translation of vital documents is necessary to provide meaningful access to city programs.

## Notification of Language Assistance

Information about the LAP and free language assistance will be posted on the city's website and in public buildings where services are provided. This notice will be provided in English, Spanish and Tagalog/Filipino:

*If English is not your first language, and you need an interpreter, or you need documents translated to your native primary language to have a clearer understanding of city services, programs, and activities please contact city's Civil Rights /ADA Coordinator at [dei@norfolk.gov](mailto:dei@norfolk.gov) or 757-664-6510.*

## Procedures for Meaningful Language Access

The procedures detailed below provide a summary on how policies of the LAP will be implemented.

### At point of first contact with LEP individual:

Staff will make reasonable efforts to assess the need for language assistance. Staff can determine language assistance needs in several ways, including:

- Self-identification by the LEP individual
- Inquiring as to the primary language of the individual if they have self-identified as needing language assistance services
- Using "I Speak" Language identification cards
- Documentation of need for language assistance in customer forms or paperwork
- Staff should notify the individual of the right to an interpreter at no charge.

### Identifying the Primary Language

After the need for language assistance is identified, staff should then make every effort to determine the language spoken by the LEP individual. City employees at key points of contact, as well as those who are on site or in the field, will have "I Speak" language identification cards in the languages most prevalent in Norfolk. If none of these methods are successful in identifying an individual's primary language, the city's contracted interpretation services can assist.

### Securing Services

Reasonable oral interpretation should be provided in all cases. Written translation of vital documents into Spanish and Tagalog/Filipino should be made available wherever possible. Written translation of vital documents into other languages may be made available on a case-by-case basis.

**Vital documents** are defined as paper or electronic written material that contains information that is critical for accessing a component's program or activities or is required by law. Vital documents include,

for example: applications, consent, and complaint forms; notices of rights and disciplinary action; notices advising LEP persons of the availability of free language assistance; and letters or notices that require a response from the beneficiary or client. For instance, if a complaint form is necessary to file a claim with an agency, that complaint form would be vital. Non-vital information includes documents that are not critical to access such benefits and services.

Using this definition, each department will determine what program documents are considered vital.

City departments will be responsible for securing interpretation and translation services. The City of Norfolk will use competent, trained, and culturally sensitive interpreters and translators. Assistance in securing services will be provided by the city's Civil Rights/ADA Coordinator. In-person interpretation and written translation requests should be submitted as far in advance as possible to allow adequate time for language assistance services to be arranged, especially with less frequently encountered languages.

### Refusal of Services

If an LEP individual wants to use his or her own informal interpreter, the city reserves the right to have a qualified interpreter present. Furthermore, it should be documented that the individual has been informed of their right to free professional interpretation in the language they prefer. [Additional](#)

### Actions

The city will also take the following actions to ensure access to language assistance and participation of LEP persons in city programs and services:

- When running a public meeting notice in a location of potential importance to LEP persons or if staff will be hosting a meeting or a workshop, notices will include information about available language services. City staff will seek to coordinate with local community groups to have someone available who can help interpret information at the meeting and/or workshop.
- Notices will also indicate the following: "If English is not your primary language and you require an interpreter, please reach out to [Department name and contact information] to obtain necessary assistance."

The City of Norfolk staff will be trained to understand their obligations to provide meaningful access to information and services for LEP persons to ensure that staff knows about LEP policies and procedures and is able to implement the LAP. All staff, even if they do not interact regularly with LEP persons, will be fully aware of and understand the plan so they can reinforce its importance and ensure its implementation. The following training will be provided to city staff:

- How to secure interpretation and translation services
- How to handle potential Title VI/LEP complaints

### Monitoring the Language Access Plan

Any requests for language assistance will be monitored and used in future updates to this document. At a minimum, the city will update the four-factor analysis and Language Access Plan every three (3) years.

The city will review program records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events. The city will determine whether new documents, programs, services, and activities need to be made accessible for LEP persons and will provide notice of any changes in services to the public, including the LEP population, and to employees. Any suggested updates will be brought before the city's Civil Rights/ADA Coordinator for consideration.

## Dissemination of the Language Access Plan

The city will post the LAP on its website at [Norfolk.gov](http://Norfolk.gov). Any person with internet access will be able to view the plan. Copies of the LAP will also be provided to any interested parties upon request. LEP persons may obtain copies/translations of the plan upon request. Any questions or comments regarding this plan should be directed to:

Civil Rights/ADA Coordinator  
Office of Diversity, Equity and Inclusion  
City of Norfolk  
810 Union Street Suite 1101  
Norfolk, VA 23510  
[dei@norfolk.gov](mailto:dei@norfolk.gov)  
757-664-6510