



CITY OF NEWPORT BEACH

Limited English Proficiency Plan

2019-2020 through 2024-2025

Revised April 2020

**CITY OF NEWPORT BEACH
LIMITED ENGLISH PROFICIENCY PLAN**

A. PLAN PURPOSE

This Limited English Proficiency (“LEP”) Plan is established pursuant to and in accordance with Executive Order 13166, “Improving Access to Services for Persons With Limited English Proficiency,” Title VI of the Civil Right Act of 1964, and the Department of Housing and Urban Development’s (HUD) Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, dated January 22, 2007, and effective February 21, 2007.

LEP persons are those whose proficiency in speaking, reading, writing, or understanding English is such that it would deny or limit their meaningful access to federally conducted and federally assisted programs and activities provided by the City of Newport Beach, if language assistance were not provided.

Executive Order No. 13166 was adopted to ensure meaningful access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency.

B. CITY POLICY

The City is committed to ensuring that programs and resources are accessible to LEP persons, without discrimination on the basis of national origin. The City is further committed to providing translation assistance to LEP persons whose primary language constitutes 5 percent or more of the City of Newport Beach eligible population.

C. FOUR-FACTOR ANALYSIS

As a recipient of federal funding, Newport Beach is required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. The following four-factor analysis is the starting point for creating a Plan which balances LEP needs and assistance measures provided:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee.

According to the 2017 American Community Survey 5-year Estimates (ACS), Newport Beach had a population of 86,793 in 2017. Approximately 85.3 percent of its residents are native born and about 14.7 percent foreign born.

The City of Newport Beach is an ethnically diverse community. The 2013-2017 American Community Survey 5-Year Estimates reflect that approximately 81.2 percent of the population is white, which exceeds the 39 percent estimate for the State of California. Hispanics of any race are the largest non-white ethnic group, comprising 8.0 percent of the population, followed by Asians at 7.6 percent, Black or African Americans at 0.6 percent, American Indian and Alaska Native (0.2 percent), and Native Hawaiian and other Pacific Islander (0.1 percent) and “all others” at 2.3 percent.

Of critical concern for the development of this LEP Plan is the language spoken at home, which as reflected in the 2013-2017 ACS 5-Year Estimates is as follows:

Language Spoken At Home		
	Number	percent of Eligible Population
Population 5 years of age and over	83,334	100.00
English only	69,869	83.84
Language other than English	13,465	16.16
Speak English less than "very well"	2,373	2.85
Spanish	4,104	4.93
Speak English less than "very well"	782	0.93
Other Indo-European languages	5,254	6.31
Speak English less than "very well"	730	0.88
Asian and Pacific Islander languages	3,483	4.18
Speak English less than "very well"	804	0.95
Other languages	624	0.70
Speak English less than "very well"	57	0.07

HUD has provided “safe harbor” guidance which establishes language group size thresholds as the basis for determining the minimum required written materials LEP assistance.

Size of Language Group - Recommended Provision of Written Language Assistance	
1,000 or more in the eligible population in the market area or among current beneficiaries.	Translate vital documents.
More than 5 percent of the eligible population or beneficiaries <i>and</i> more than 50 in number.	Translate vital documents.
More than 5 percent of the eligible population or beneficiaries <i>and</i> 50 or less in number.	Translate written notice of right to receive free oral interpretation of documents.
5 percent or less of the eligible population or beneficiaries <i>and</i> less than 1,000 in number.	No written translation is required.

ANALYSIS

For the purposes of this review, the “eligible population” is defined as the City of Newport Beach population over the age of 5 years, which under the 2013-2017 ACS estimate is 83,334 persons.

This standard is applied to facilitate review and interpretation of the available ACS data, and to provide the most conservative assessment of LEP needs.

The “Language Spoken at Home” table provides the data for the above listed four (4) major language classifications employed by the ACS. Since four (4) of the four (4) major language classifications do not contain an eligible population which exceeds the 1,000 or 5 percent person safe harbor thresholds, further review is not required to determine the specific languages which will require LEP translation services.

2. The frequency with which LEP persons come into contact with the program.

The City of Newport Beach annually conducts a wide variety of programs utilizing HUD funding resources. While programs and their respective funding levels vary from year to year, the general range of activities has remained relatively consistent. Based on this historical consistency, this LEP Plan is designed to be effective for the period between 2019-2020 and 2024-2025. In the event that HUD funded projects or programs are initiated that are not adequately considered under this LEP Plan, an amendment to the Plan shall be performed to appropriately address the newly proposed activities. Program Year (PY) 2018-2019 activities include the following:

PY 2019-2020 CDBG Program Activities
CDBG Program Administration
Fair Housing Services
Age Well Senior Services Home Delivered Meals
Council on Aging Orange County
Court Appointed Special Advocates (CASA)
Families Forward Transitional Housing Program
Section 108 Loan Repayment

Of the CDBG funded activities, the Section 108 Loan Repayment, will not entail participatory contact with LEP persons.

As CDBG funded activities, all CDBG Administration activities and all public service activities have the greatest expectation of contact with LEP persons. Consequently, if changes occur in the language classification data, the City has an enhanced duty to ensure reasonable access to these programs and services for LEP persons.

3. The nature and importance of the program, activity, or service provided by the program to people’s lives.

CDBG funded activities positively impact the lives of all the City’s residents. However, the following CDBG funded activities provide substantial direct benefits to participants:

CDBG Program	Benefits
Fair Housing Services	Resolution of discriminatory acts to ensure equitable access to decent housing
Age Well Senior Services Home Delivered Meals	Provides meals to seniors, who are living at home, unable to prepare their own meals or dine out and have little or no assistance in obtaining adequate meals.
Court Appointed Special Advocates	Provides public services resources to children who have experienced abuse, neglect, and abandonment by training volunteers to represent these children in the court system.
Families Forward Transitional Housing Program	Provides traditional housing, counseling and case management to families at risk of homelessness

The CDBG Administration project provides administrative oversight, and as such is responsible for the citizen participation process for federally funded activities.

4. The resources available to the grantee/recipient and costs.

The City of Newport Beach currently has bilingual (English/Spanish) staff available for the provision of interpretation services in facilities where the City is the direct provider of federally funded services. All federally-funded subrecipients also have bilingual (English/Spanish) staff available or interpreters accessible to assist clientele.

Based on the presence of bilingual staff and consultants, in addition to available interpretation (oral) services, translation (written) services are also available for any required documents.

D. LANGUAGE ACCESS PLAN

Based on the foregoing “Four Factor Analysis,” the need for LEP resources was not identified for any language group using the “safe harbor” guidelines.

To facilitate communication and translation assistance, the City has installed tablet devices with an application-based technology to connect individuals who are deaf, hard of hearing, or are non-English

speaking with City Services. As a result, Newport Beach has been recognized as the first, LP-certified, Deaf-Friendly City.

The video remote interpreting mobile application provides on-demand interpretation service. Using a tablet, visitors are connected virtually to an interpreter. The interpreter assists the visitor and the City staff by breaking down communication barriers using American Sign Language.

This free service is available to visitors during regular business hours at the following City facilities:

- Newport Coast Community Center, 6401 San Joaquin Hills Road;
- OASIS Senior Center, 801 Narcissus Avenue;
- Marina Park, 1600 W. Balboa Boulevard;
- City Hall in the City Clerk's Office and the Permit Center, 100 Civic Center Drive;
- Central Library, 1000 Avocado Avenue; and
- Mariners Branch Library, 1300 Irvine Avenue.

E. PLAN MONITORING AND UPDATE

During the five (5) year term of this LEP and Language Access Plan, it shall be reviewed annually by City staff to ensure conformance with all statutory requirements, monitor changes in the language characteristics of its population, evaluate its effectiveness, and modify as necessary to accommodate regulatory changes, and changes to federally funded programs and projects.