

## **Virginia Fire Chiefs Association Language Access Plan**

### **A. Policy**

It is the Virginia Fire Chiefs Association's (VFCA) policy that no individual be subjected to any form of discrimination as written in Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color and national origin (including limited English proficiency) in programs and activities offered by the VFCA. National origin discrimination includes discrimination based on limited English proficiency (LEP). A person with limited English proficient (LEP) is defined as someone who does not speak English as their primary language and has a limited ability to read, speak, write, or understand English. The VFCA is committed to taking reasonable steps to provide meaningful access for individuals with limited English proficiency during its programs and services.

### **B. Purpose**

This Language Access Plan (LAP) ensures equal access to services provided by the VFCA to individuals with limited English proficiency (LEP). This Plan does not create new services, but instead eliminates or reduces, to the maximum extent practicable, LEP as a barrier to accessing existing information, programs, and activities.

### **C. Scope**

VFCA employee and contractors, who conduct or have responsibility over programs and services interacting with LEP individuals should take the appropriate reasonable steps to provide language assistance services when they encounter, or have reason to believe that they may encounter, LEP individuals while fulfilling the VFCA's mission.

### **D. Elements of the Language Access Plan (LAP)**

#### *1. Identifying Limited English Proficient (LEP) Individuals Who Need Language Assistance*

The VFCA used a four-factor analysis to identify individuals needing language assistance. The service area covered by the VFCA's encompasses the entire Commonwealth of Virginia.

- Number or Proportion of LEP Persons: According to 2022 data from the Migration Policy Institute (MPI), the total population of Virginia is 8,202,000 with 495,000 identified as LEP. Of the identified LEP households in Virginia, nearly 50% speak Spanish and approximately 29% speak in Asian languages (Korean, Vietnamese, Chinese including Mandarin and Cantonese, Hindi, Arabic, Farsi, and Amharic).

These figures strongly align with 2015 statistics shared on LEP.Gov related to the Mid-Atlantic Region (Delaware, DC, Maryland, Virginia) showing the five most common languages with the highest amount of LEP speakers (shown in descending order):

1. Spanish
2. Chinese
3. Vietnamese
4. Korean
5. Amharic, Somali, or Other Afro Asiatic Languages
6. French
7. Persian (including Farsi, Dari)
8. Tagalog (including Filipino)
9. Urdu
10. Russian

LEP.Gov also shows the languages with the highest rate of LEP speakers shown in descending order in the region as:

1. Vietnamese (52.6%)
2. Spanish (46.4%)
3. Nepali, Marathi, or Other Indic Languages (43.8%)
4. Haitian (43.7%)
5. Chinese (42.7%)
6. Portuguese (42.7%)
7. Amharic, Somali, or Other Afro Asiatic Languages (42.2%)
8. Korean (41.2%)
9. Tagalog (35.9%)
10. Bengali (31.8%)

Languages Encountered Most Frequently at Points of Contact: Most points of contact will occur during the delivery of training programs offered by the VFCA. The languages most likely frequently encountered, other than English, are Spanish, Chinese, Vietnamese, Arabic, Korean, Tagalog, Urdu, and French.

The VFCA believes that LEP people are likely to encounter the VFCA's programs and services at our statewide training events. While our programs are officially open to the public, our programs are marketed to, and attended by, a specific and targeted group of fire and emergency medical services personnel. It should be noted that eligibility to attend an Emergency Medical Responder or an Emergency Medical Technician course in Virginia requires that attendees must be proficient in reading, writing, and speaking the English language. Since an exceptionally large majority of our constituents must attend an Emergency Medical Responder course, they also must be proficient in reading, writing, and speaking English. The VFCA concludes that the odds of encountering an LEP attendee are minuscule and is supported by the fact that we have not had one LEP instance in 25 years of offering training and educational programs.

Nature and Importance of Program/Activity/Service: The biggest issue facing the VFCA related to LEP is communicating with LEP populations via our website and social media platforms. In addition, another related issue deals with complaints or questions related to Title VI of the Civil Rights Act of 1964. The VFCA will explore the feasibility and expenses related to translating these items.

Resources Available: The VFCA currently has no bilingual staff or contractors. VFCA staff should, at the point of first contact with an LEP individual, make reasonable efforts to conduct or arrange for an initial assessment of the need for language assistance services, and should make reasonable efforts to obtain such services if needed to effectively communicate with the individual. VFCA staff may determine whether a person needs language assistance in several ways:

- Self-identification by the non-English speaker, LEP individual or companion
- Inquiring as to the primary language of the individual if they have self-identified as needing language assistance services
- Asking a bilingual, multilingual or qualified interpreter to verify the primary language
- Using an “I Speak” language identification card or poster

Since the VFCA has direct connections with Virginia’s fire service, potential and valuable resources to assist the VFCA in helping LEP people are emergency communications centers and law enforcement agencies that routinely deal with LEP individuals.

The translation of written materials and telephonic messages will pose a significant challenge to the VFCA, however the VFCA will explore the feasibility and expenses related to translating these items.

## 2. Language Assistance Measures and Available Resources

The VFCA is aware that LEP people may have the need to communicate with staff via phone, in writing or in-person. The VFCA will make every attempt to effectively and timely communicate with LEP persons using the best available method. Interpretation services will be provided in the following order: in-person bilingual interpreter; telephone interpreter; and contracted interpreter.

VFCA staff shall make every reasonable effort to secure interpretation from an in-person interpreter by contacting the nearest emergency communications center, or law enforcement agency to identify an interpreter. VFCA staff and interpreters should take reasonable steps to ensure that everyone is briefed on the context and intended audience for the translation with respect to style, technical word choice, phrasing, or reading level depending on the context or target audience.

The VFCA Executive Director shall be notified of all LEP inquiries and services provided and keep a record of each instance. The record will contain relevant information and the outcome related to the case.

The VFCA believes it has zero “vital documents” based on the critical information or services involved with minimal consequences to the LEP person if the information is not provided in a timely or accurate manner.

### 3. Distribution of Plan and Staff Training

Once approved, the VFCA will distribute and train staff and contractors on the key elements of the Language Access Plan (LAP). The LAP will be distributed to all VFCA staff, officers, board members, committee members, and contractors via email. In addition, the LAP will be posted on the VFCA website. Training will be conducted at the October 2024 Strategic Planning Retreat, and during a Spring board meeting.

The LAP training will discuss the general components and definitions of the plan, legal aspects, how to determine the need for interpretation, how to access an interpreter, how to respond to urgent requests for interpretation, how to manage interpretation in formal situations, and recordkeeping procedures. Training for new staff, board and committee members, and contractors will be offered in the Fall of each year.

### 4. Providing Notice to LEP Persons

Since the VFCA believes it has zero “vital documents” related to LEP people, and since our services are solely targeted to an extremely specific first responder audience, the VFCA will inform LEP persons of free language services only on its website. The VFCA will also post its Language Access Plan on its website. LEP people will be directed to the VFCA’s *Discrimination Complaints Process* document for complaint procedures, including how to file complaints with the recipient or DHS.

### 5. Monitoring, Assessing, and Updating the LAP Plan

The VFCA will monitor and evaluate the effectiveness of its LAP as needed, but no longer than once every five years. The LAP will be updated after review by the Executive Director and Executive Officers. The VFCA will review the LAP to ensure that the scope and nature of language assistance services provided under the plan reflect updated information on relevant LEP populations, provide an inventory of languages most frequently encountered, assess component language assistance needs, and adjust to changes in technology. The Executive Director will perform a review of all LEP records to identify issues or trends. If changes or updates are necessary, they will be made, and the new LAP will be added to the website and distributed via email to all key VFCA members.

## Definitions

1. Bilingual – The knowledge and ability to understand, read, and write fluently in two languages.
2. Discrimination – The unfavorable treatment or consideration of, or making a distinction in favor of or against, a person based on the group, class, or category to which that person belongs, rather than on individual merit.
3. Effective Communication – Communication sufficient to provide the LEP individual with the same level of access to services received by individuals who are not LEP.
4. Interpretation – The act of listening to communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.
5. Language Assistance Services – Oral and written language services needed to assist LEP individuals to communicate effectively with staff, and to provide LEP individuals with meaningful access to, and an equal opportunity to participate fully in, the services, activities, or other programs administered by the VFCA.
6. Limited English Proficient (LEP) Individuals – Individuals for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing).
7. Meaningful Access – Language assistance resulting in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.
8. Multilingual Staff or Employee – A staff person or employee who has demonstrated proficiency in English and reading, writing, speaking, or understanding at least one other language as authorized by his or her organizational component.
9. Primary Language – An individual’s primary language is the language in which an individual most effectively communicates.
10. Program or Activity – The term “program or activity” means all operations of the VFCA.
11. Qualified Translator or Interpreter – An in-house or contracted translator or interpreter who is competent to interpret or translate as demonstrated by certification.
12. Translation – The replacement of written text from one language (source language) into an equivalent written text in another language (target language).
13. Vital Document – Paper or electronic written material that contains information that is critical for accessing a VFCA program or activities.