

August 9, 2023

9c | Commission
Discussion

REGULAR MEMBERS

CHAIR

Douglass Davert

Special District Member

VICE CHAIR

Donald P. Wagner

County Member

IMMEDIATE PAST CHAIR

Derek J. McGregor

Public Member

Wendy Bucknum

City Member

Andrew Do

County Member

James Fisler

Special District Member

Bruce Whitaker

City Member

ALTERNATES

Katrina Foley

County Member

Kathryn Freshley

Special District Member

Carol Moore

City Member

Lou Penrose

Public Member

STAFF

Carolyn Emery

Executive Officer

Scott Smith

General Counsel

TO: Local Agency Formation Commission
of Orange County

FROM: Executive Officer
Policy Analyst I

SUBJECT: Limited English Proficiency Services Policy

BACKGROUND

Over the past two years, the Commission has proactively enhanced the agency's communication tools and resources. At a previous regular Commission meeting, staff was directed to explore opportunities to expand this effort to communicate more effectively with persons or communities with limited English proficiency that are seeking OC LAFCO services.

The next section of this report includes a discussion and key highlights of the proposed policy to assist the agency in providing Limited English Proficiency (LEP) services.

PROPOSED POLICY

The proposed "Limited English Proficiency (LEP) Services Policy" has been developed to establish the intent and guidelines for the agency to provide translation and interpretative services to LEP individuals through the OC LAFCO website and materials in equivalent languages for key projects and activities. The proposed policy, shown in Attachment 1, incorporates existing and related practices and implementation guidelines for the following key areas:

➤ **Agency Website**

The OC LAFCO website is the main gateway to the agency's information and services repository that includes the current agenda and web pages dedicated to communicating the agency's key projects and resources (e.g., Commissioners and staff contact information, meeting location, MSRs, unincorporated islands). The site contains an interactive language translation tool that may be used by site visitors to access the agency web pages in languages other than English. Currently, this tool includes translation for the Chinese, English and Spanish languages. Upon completion of the

improvements to the website currently underway and anticipated to be completed by September, two other languages, Korean and Vietnamese, will be added.

➤ **Agency Materials for Key Proposals, Reports and Studies**

Guidelines for providing LEP access to written materials for key OC LAFCO projects and activities. This includes OC LAFCO's review of applications and conducting of studies or workshops that may significantly impact affected communities.

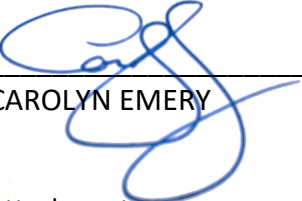
In part to this effort, OC LAFCO staff has begun discussions with a company with expertise in providing translation and interpretative services to assist in the implementation of this policy should it be approved by the Commission. The company, Language Network, gave a presentation on their expertise and work with other local governments in this area, and staff is further assessing their experience, including the costs of services.

RECOMMENDED ACTION

Staff recommends the Commission:

1. Adopt the "Limited English Proficiency (LEP) Services Policy."

Respectfully Submitted,



CAROLYN EMERY



AMANDA CASTRO

Attachment:

1. Limited English Proficiency Services (LEP) Policy

Limited English Proficiency (LEP) Services Policy

I. PURPOSE

The Orange County Local Agency Formation Commission (OC LAFCO) acknowledges the diversity of Orange County's population and demographics and is committed to effectively communicating and providing access to OC LAFCO's key services, projects, and resources to all persons. Therefore, it is the intent of this policy to establish procedural guidelines for providing OC LAFCO materials and resources to persons with Limited English Proficiency (LEP).

II. DEFINITIONS

The following definitions apply to this policy:

- A. **Limited English Proficiency.**¹ An individual's fluency and limited capacity to read, write, speak and comprehend the English language. Often involves individuals whereby English is not his/her primary language.
- B. **Translation.** The replacement of written text from English language into an equivalent written text.
- C. **Interpretation.** The process of oral or spoken transfer of a message from the English language into another equivalent language.
- D. **Equivalent Language.** Commonly spoken language other than English.

III. POLICY AND PROCEDURAL GUIDELINES

OC LAFCO oversees the jurisdictional boundaries of Orange County's 34 cities, and 33 independent and dependent special districts that provide key municipal services to approximately 3.1 million residents. To assist in providing access to OC LAFCO's services and resources by LEP individuals, the Commission will use the following guidelines:

A. Use of Agency Website ([OC LAFCO.org](http://OC.LAFCO.org))

Persons with limited English proficiency may access information on varying OC LAFCO services through the translation tool available on the agency website. The tool currently provides translation for the following languages: Chinese, English, and Spanish.

¹ [Title VI Legal Manual, Civil Rights Division U.S. Department of Justice](#)

B. Complex Proposals, Municipal Service Reviews (MSRs), and Special Studies

For proposals or Commission-initiated actions involving the following changes of organization or reorganization, MSRs, or other special studies, OC LAFCO will provide translation services to individuals with limited English proficiency:

- Incorporations
- District Formations or Consolidations
- Five-year Cycle MSRs
- Focused MSR or Special Studies
- Unincorporated Island Annexations and Community Workshops

Translation services would include the provision of written information (e.g., staff report, study, workshop materials) related to the respective proposal in the requested equivalent language.

- C.** For unincorporated island annexations, OC LAFCO staff will work collaboratively with the County and affected city to identify communities requiring translation services involving OC LAFCO services and materials.
- D.** OC LAFCO will use the agency's Geographical Information System and other demographic resources to assist with identifying communities to provide translation services involving OC LAFCO proposals and other activities mentioned within this policy.

Originally Adopted: 08/09/2023