



**Limited English Proficiency # 1705.021**

INITIAL EFFECTIVE DATE:	LAST REVISION DATE:	RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT
September 12, 2022	May 8, 2024	Department of Access, Compliance, and Equal Opportunity/Office of Civil Rights Compliance and Accessibility

**POLICY STATEMENT**

In accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, Florida International University (FIU or the University) is committed to providing persons with Limited English Proficiency (LEP) with meaningful access to University programs and activities.

**SCOPE**

This Policy applies is to all faculty, staff, and students.

The University will take reasonable steps to ensure that LEP persons have meaningful access to University programs and activities. To that end, FIU will make available appropriate alternative language formats to LEP persons upon request. All interpretation and translation services needed to comply with this Policy shall be provided free of charge to the LEP person being served.

**REASON FOR POLICY**

The purpose of Policy is to make reasonable efforts to eliminate or reduce barriers to FIU programs and activities for persons who have a limited English proficiency.

**ROLES AND RESPONSIBILITIES**

Departments are responsible for providing meaning access to LEP persons as outlined in the procedures.

LEP persons are responsible for requesting interpretation and translation services when needed.

All University employees, including faculty members, staff members, student employees and administrators should contact the University’s Office of Civil Rights Compliance and



Accessibility (CRCA) regarding potential policy violations or report violations to [report.fiu.edu](http://report.fiu.edu).

#### RELATED RESOURCES

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, *et. seq.*

Executive Order 13166 - Improving Access to Services for Persons with Limited English Proficiency.

FIU-106 Nondiscrimination, Harassment and Retaliation (Title VII)

#### Laws, Regulations & Guidance

- [Executive Order 13166 - Improving Access to Services for Persons with Limited English Proficiency](#)
- [USDA Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Persons With Limited English Proficiency](#)

#### LEP Data Tools

- [DOJ LEP Mapping Tools](#)
- [US Census Data](#)
- [American Community Survey](#)
- [Migration Policy Institute's National Center on Immigrant Integration Policy](#)

#### Related Links

- [LEP Web Site](#)
- [Know Your Rights Beneficiary Brochure](#) (multiple languages)
- [Assistance tagline translations](#)
- [I Speak Statements](#)

#### CONTACTS

Department of Access, Compliance, and Equal Opportunity  
Office of Civil Rights Compliance and Accessibility

Office Number: (305) 348-2785

Email: [ocrca@fiu.edu](mailto:ocrca@fiu.edu)

Address: 11200 S.W. 8<sup>th</sup> Street, Primera Casa 220  
Miami, FL 33199



**HISTORY**

**Initial Effective Date:** September 12, 2022

**Review Dates** (*review performed, no updates*): N/A

**Revision Dates** (*updates made to document*): September 12, 2022; April 25, 2024; May 8, 2024.



Limited English Proficiency # 1705.021a

<b>INITIAL EFFECTIVE DATE:</b>	<b>LAST REVISION DATE:</b>	<b>RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT</b>
September 12, 2022	April 25, 2024	Office of Civil Rights Compliance and Accessibility

**PROCEDURE STATEMENT**

In accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, Florida International University (FIU or University) is committed to providing meaningful access to University programs and activities by persons with Limited English Proficiency (LEP).

Because the University is a complex entity providing a range of programs and activities at multiple locations, the procedures implemented by the University at the educational or administrative department level may vary based upon circumstances including, but not limited to, the location of the department, the programs and activities provided by the department, and resources available to provide access.

The fundamental mission of the University is providing postsecondary education, including undergraduate, graduate, professional, and continuing education. With the exception of foreign language courses, University courses are generally taught in English. Students for whom English is a second language must demonstrate a level of proficiency on par with a university-level English course before enrollment.

To provide meaningful access to LEP persons, departments should review and track their interactions with LEP persons to determine the breadth, scope, and frequency of language services needed. This procedure outlines the steps to be followed.

**1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE**

FIU staff should identify the language and communication needs of the LEP person. If necessary, staff may use a language identification cards or posters (e.g., "I speak cards," or posters, which are available online at [www.lep.gov](http://www.lep.gov) and located on the [LEP translation resources page](#)). In addition, when records are kept of past interactions with LEP persons or family members, the language used to communicate with the LEP person should be documented and included as part of the record.

Language assistance should be provided at a time and place that does not deny or delay meaningful access to University programs and activities by LEP persons.



## 2. PROVIDING NOTICE TO LEPPERSONS

Departments should inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. At a minimum, notices and signs should be posted and provided in intake areas and other points of entry of offices that have frequent encounters with LEP persons. Model notices and signs are available on the LEP website: <https://www.lep.gov/translation>. Notification should also be provided through one or more of the following: outreach documents, websites, telephone menus, and/or community-based organizations.

## 3. OBTAINING A QUALIFIED INTEPRETER

There are a variety of ways in which a department can provide appropriate interpreter services, including the following:

(a) Identifying the name, language, phone number, and hours of availability of bilingual staff who are qualified and willing to interpret. Departments may contact FIU's Office of International Student and Scholar Services (ISSS) or Office of Civil Rights Compliance and Accessibility (CRCA) for assistance in identifying appropriate staff within the department or greater FIU community.

(b) Obtaining an outside interpreter if a bilingual staff member is not available or does not speak the needed language. There are multiple phone-based interpreter services available. Each department should determine if it is necessary to have an account in place to provide interpreter services. Departments may contact CRCA for assistance in determining what services may be appropriate.

(c) Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person should not be used as interpreters unless specifically requested by that individual and **only after** the LEP person has understood that an offer of an interpreter at no charge to the person has been made by FIU staff or outside interpreter. Such an offer and the response should be documented in the person's file or relevant record. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality (e.g., FERPA), privacy, and conflict of interest should be considered. If the family member or friend is not a competent or appropriate interpreter for any of these reasons, competent interpreter services should be provided to the LEP person at no cost.

Minor children **should not** be used to interpret.

#### **4. PROVIDING WRITTEN TRANSLATIONS**

(a) Vital documents should be translated into frequently encountered languages. To do so, each department should identify vital documents and work with CRCA, ISSS, the Department of Modern Languages, and the English Language Institute (ELI) to determine how to secure appropriate translation services for frequently encountered languages. Departments are responsible for ensuring documents submitted for translation are in final, approved form with updated and accurate information.

(b) Departments should set goals for translation of vital documents into additional languages, as needed.

(c) Documents that do not fall within subsection (a) should be translated upon request by LEP persons.

#### **5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION**

On an ongoing basis, departments should assess the efficacy of their efforts to provide LEP persons with meaningful access to University programs and activities.