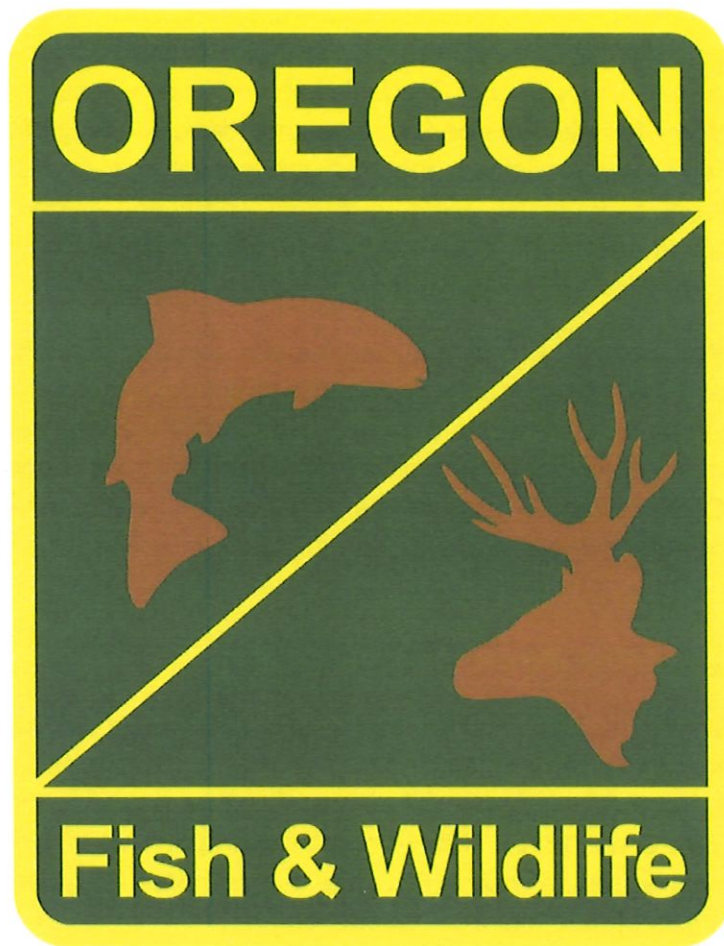


Limited English Proficiency (LEP) Plan



Oregon Department of Fish and Wildlife

September 30, 2022

Introduction

The Oregon Department of Fish and Wildlife (ODFW) recognizes the importance of being more inclusive and serving an increasingly diverse population. The agency is committed to providing programs and services respectfully, compassionately, and effectively in a manner that acknowledges, affirms and values culture, language, national origin, class, race, age, ethnic background, disability, religion, gender, sexual orientation, and the diversity of our customers and stakeholders.

This sentiment is reflected in the ODFW Strategic Plan. One of the goals (Goal 2) is to “increase and diversify public use and enjoyment of Oregon’s fish and wildlife resources” and for the “diversity of our customers to reflect the gender, age and ethnic diversity of the state’s population.” The Strategic Plan recognizes that “Oregonians value the state’s fish and wildlife resources for recreational, commercial, aesthetic and conservation reasons” (and) “in order to enjoy these resources, our customers need more diverse opportunities, and good information about what these opportunities are and how to access them.”

This Limited English Proficiency (LEP) plan is just one step towards achieving this Strategic Plan goal. LEP individuals do not speak English as their primary language and have limited ability to read, speak, write, or understand English. As a result, they may not have meaningful access to the information necessary to participate in the recreational opportunities and programs offered by ODFW. The LEP plan will help ODFW and its staff serve a broad, diverse audience and to ensure effective and accurate communication between ODFW personnel and the communities they serve.

Purpose of Limited English Proficiency plan

As a recipient of federal funds, ODFW is required to take reasonable steps to provide LEP or deaf or hard of hearing individuals with timely and meaningful access to ODFW programs, services, and benefits. The LEP plan establishes guidelines for providing these services consistent with Executive Order 13166, Title VI of the Civil Rights Act of 1964, 42 U.S.C 200e, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

This plan outlines how the department will provide language assistance services to LEP individuals who encounter ODFW staff or require or request language assistance. This plan describes ways to identify an individual, suggestions for providing that assistance, how to let LEP individuals know that language assistance is available, and training that may be needed for ODFW staff who interact with LEP persons.

This plan reflects ODFW's commitment to providing meaningful access to the programs and services it offers. Specific actions might include:

- Providing written translation for vital documents, when reasonable, effective and within the available resources.
- Offering alternative but meaningful accessibility.
- Providing free language assistance services to LEP individuals as needed or requested.
- Evaluating its programs, services, and activities regularly to ensure they are providing access for LEP individuals.

Key terms

- **Limited English Proficient person:** A person who does not speak English as their primary language and has limited ability to read, speak, write, or understand English.
- **Primary language:** The language that an individual most effectively communicates.
- **Interpretation and translation:** Translation and interpretation are often confused.

Translation involves *written* communication. Translation is converting written text from one language into written text in another language.

Sight Translation is the rendering of material written in one language, completely and accurately into spoken speech in another language.

Interpretation involves *oral* communication. Interpretation is the process of orally rendering a spoken or signed communication from one language into another language. Interpretation requires the immediate communication of meaning from one language into another and requires different skills from those needed for translation. Interpreting is a complex task that combines several abilities beyond language competence to be effective. From a user standpoint, a successful interpretation faithfully and accurately conveys the meanings of the source language and reflects the style, register, and cultural context of the source message, without omissions, additions, or embellishments on the part of the interpreter. Interpreters may be physically present or may appear via videoconferencing or telephonically when appropriate. When videoconferencing or telephonic interpretation are used, options may include connecting directly with a qualified, professional interpreter or company that provides telephone interpretation services with quality control and privacy safeguards.

- **American Sign Language (ASL):** A visual language used to convey information to deaf or hard of hearing individuals. With visual-manual signing, the brain processes linguistic information through the eyes. The shape, placement, and movement of the hands, as well as facial expressions and body movements, all play important parts in conveying information.

- **Qualified interpreter or translator:** A trained professional who is a neutral third party with the requisite language skills, experienced in interpretation or translation techniques, and knowledgeable in specialized content areas and technical terminology to effectively facilitate communication between two or more parties who do not share a common language.
- **Vital documents:** Any materials that are essential to a person's ability to access programs and/or services provided by the department or are required by law. This may include applications for licenses and permits, regulations, and any documents required for individuals conducting or involved in a business activity that must be permitted by ODFW. ODFW will provide written translation of vital documents when reasonable, effective, and within the resources available to the department. If a written, translated version of a vital document is not available, the department will strive to provide meaningful access to the information through sight translation or other means.

Limited English Proficiency analysis

To ensure that LEP customers are provided timely and meaningful access to services, ODFW conducted a four-factor analysis which addressed the following:

1. Number and percentage of Oregon residents that may require LEP services.
2. Frequency of requests and complaints for LEP services, including the language requested and the program identified.
3. Manner in which LEP communities currently interact with ODFW.
4. Costs and resources available to provide LEP services.

1) Number and percentage of Oregon residents that may require LEP services

The [United States Census Bureau](#) estimates that in 2021, Oregon's population was close to 4.25 million. Of that, 13.4% of the state's population is Hispanic, 4.9% Asian, 2.2% Black/African American and 1.8% Native American/Indigenous Alaskan. By comparison, the [2010 Census](#) estimated that 11.8% of the state's population was Hispanic. (Source: [U.S. Census Bureau – Quick Facts Oregon](#) and [USA Facts](#).)

The Ford Family Foundation report, [Oregon by the Numbers 2021 Edition](#), indicates that the Hispanic population in 11 Oregon counties exceeds the state average of 13%.

County	Percent Hispanic/Latino
Hood River	31.4%
Jefferson	20.0%
Klamath	13.1%
Malheur	33.7%
Marion	26.6%
Morrow	36.5%
Polk	13.9%

Umatilla	26.8%
Wasco	18.2%
Washington	16.7%
Yamhill	15.9%

(Source: [Oregon by the Numbers](#), page 109.)

Just as Oregon's population is becoming more diverse, ODFW's customer base is also changing. A [2020 survey](#) conducted by ODFW found that new license buyers have more diverse backgrounds than repeat or returning customers. In the survey, 6% percent of new license buyers self-identified as Hispanic compared to 3% of returning/repeat customers. Five percent of new customers self-identified as Asian/Pacific Islanders as compared to 3% of returning/repeat customers. (Source: [Retaining 2020 Anglers & Hunters – Fishing & Hunting During the Pandemic](#).)

According to the [U.S. Census American Community Survey \(ACS\)](#), an estimated 621,000 people in Oregon or 15.5% of the population speak a language other than English at home. Spanish is the second most widely spoken language in the state (9.2%), followed by Chinese, including Mandarin and Cantonese at 0.84% of the population. About one-third of the Spanish speaking individuals (125,419) say they "speak English less than very well." As such, they will likely require LEP assistance. (Sources: [U.S. Census American Community Survey – S1601 Language Spoken at Home – 2019 ACS 1-Year Estimates Support Tables and Migration Policy Institute – State Immigration Data Profiles](#).)

The distribution of LEP persons varies by county. A report from Oregon Translation Advisory Council identifies the [most common languages \(other than English\) spoken in each county](#). Spanish is the second most common language in 35 of 36 counties. Benton County was the exception with Chinese the second most common language (1,572 estimated speakers), followed by Spanish with 1,059 estimated speakers.

2) Frequency of requests or complaints for LEP services including language and program

ODFW currently does not have a process in place to track requests for language assistance. An informal survey of key staff found there have been no requests for LEP services associated with Commission proceedings and that issues at field offices were generally resolved by translation or interpretation by family members of LEP individuals.

The ODFW ADA Compliance Officer in the Director's Office has not received any LEP-related complaints since at least September 2015. Nor have any complaints or requests been received through the recently launched [ADA and Program Accessibility for People with Disabilities](#) page on the ODFW website.

ODFW will develop a formal tracking system to record the date, name, ODFW program, and language of each LEP request and/or complaint. This information will be reported to the

ODFW ADA Compliance Officer (Deputy Director for Administration.) In addition, ODFW will take steps to make customers more aware of the availability of language access services.

3) Manner in which LEP communities currently interact with ODFW

Although ODFW has not documented all the ways in which LEP individuals interact with ODFW staff, the most common interactions likely include:

- License sales and customer service at ODFW offices
- Inquiries from license vendors or members of the public
- Public meetings (Commission, advisory committees, etc.)
- Purchases or actions through Electronic License System (ELS)
- Hiring and recruitment
- Check stations, aquatic invasive species inspection stations, creel surveys and other similar activities
- Education programs and events
- Wildlife areas and hatcheries
- Recruitment and management of volunteers
- Online via website

4) Costs and resources available to provide LEP services

ODFW does not currently have a dedicated, centralized budget for LEP services and for access to vital documents. It does, however, have access to cost-effective translation and interpretation services through Oregon Department of Administrative Services (DAS) statewide price agreements (also known as “Master Blankets”) and through other agreements with vendors. This information will be provided to staff and updated information will be available on ODFW Inside (intranet). Contract Services staff will be available to help identify vendors.

During the 2021-23 biennium, the cost for translation and interpretation services will be billed to divisions or individual programs requesting these services. Beginning in the 2023-25 biennium, the cost for translation or interpretation services related to vital documents will be charged to a central budget in the Director's Office. The cost for translation or interpretation services for non-vital documents or information developed for other purposes (ex. Interpretive signs, brochures, forms, etc.) will be the responsibility of individual programs or divisions.

ODFW recognizes it needs additional resources to effectively achieve the goal outlined in the ODFW Strategic Plan and provide meaningful access to LEP individuals. The department's 2023-25 budget request includes funding for translation services, Diversity Equity and Inclusion positions, and other resources to better serve diverse and underserved communities. These additional resources will allow ODFW to achieve LEP goals more

quickly and effectively and meet these demands. The Oregon Legislature will consider this budget request during the 2023 session. Without additional funding and resources, ODFW will continue to make incremental improvements in its LEP efforts.

Vital document translation

Vital documents are materials that are essential to an individual's ability to access programs and/or services provided by the department or are required by law. This may include applications for licenses and permits, regulations, and any documents required for individuals conducting or involved in a business activity that must be permitted by ODFW.

Based on United States Census data, the most likely encounters and need for LEP services will be for Spanish speaking individuals. The department will identify vital documents and begin translating those documents into Spanish as resources allow using qualified translators identified through DAS price agreements.

ODFW has identified the following as vital documents that will be translated and made available in Spanish over time:

- Information regarding LEP services and complaint process
- Application for Resident Disabled Veteran Combination and Shellfish License
- Oregon Disabilities Hunting and Fishing Permit
- All commercial fishing applications, transfers, and permits
- Furtaker License Application
- Landowner Preference Program forms
- Oregon Sport Fishing Regulations
- Oregon Big Game Hunting Regulations
- Oregon Game Bird Hunting Regulations
- Oregon Furbearer Trapping and Hunting Regulations
- Hunter Education course material

If a vital document cannot be reasonably translated into Spanish due to cost, complexity, or lack of resources, the department will provide meaningful access to that information through alternative methods such as sight translation.

ODFW may make additional documents, permits, and information available in Spanish based on demand and available resources. Examples of these materials may include specialty permits, recreational licenses and tags, Electronic License System information, etc.

If an individual requests or requires a vital document in a language other than Spanish, sight translation or other methods may be used to provide meaningful access to this information.

While the initial focus will be on making information available in Spanish, documents may be translated into other languages as needed due to changing demographics or to meet specific local and/or program needs.

The division or program originating the English version of a translated document will be responsible for ensuring any translated versions are kept current.

Interpretation services

ODFW staff will use interpretation services when they are unable to communicate effectively during “live” or in-person, virtual, or telephone interactions due to a language barrier.

When an ODFW staff member encounters an individual and determines that an interpreter is required, they will attempt to identify the LEP individual's primary language by:

- Asking the individual or their companion to identify the primary language.
- Using an “I speak” card or poster to identify the primary language.
- Contacting an on-demand interpretation service from a phone that can be put on a speaker. Help will be available to identify the correct language and provide interpretation services.

A variety of interpretation services are available in more than 180 languages and for the hearing impaired through DAS statewide price agreements (or in some cases, ODFW agreements). Information about ordering interpretation services will be distributed to staff and updated information will be available on ODFW Inside. Commonly requested services include:

- a) **On-demand interpretation services** - ODFW staff may use on-demand interpretation services during “live” interactions that are in person, on the phone, or via Teams/Zoom calls.
- b) **Scheduled in-person services** - Staff may schedule interpretation services if they are aware LEP individuals may be present at a meeting or event or if requested by an LEP individual.
- c) **Scheduled virtual services** – For virtual meetings, staff may use a scheduled virtual interpreting (**SVI**) service if they aware an LEP individual will be present or requests accommodations to attend the meeting. This service can also be used for scheduled meetings with an LEP individual.

Use of family or other individuals as interpreters

LEP individuals will be advised that free interpretation services are available from qualified interpreters/translators who will provide accurate, neutral, unbiased interpretation. However, an LEP individual may choose to rely on a family member or other bilingual individual.

In situations where inaccurate information could result in a significant penalty for an LEP individual, staff will recommend using a qualified interpreter/translator rather than relying on a family member, minor children, or other bilingual individuals. Accurate, neutral, unbiased interpretation is especially important when communicating in these situations. ODFW cannot verify the information being relayed by family members or others is accurate or that the individual has the appropriate skills.

Notification of language services

ODFW will notify LEP individuals that language services are available upon request at no cost to them. Notifications will include:

- Signage placed in ODFW offices notifying people of their right to request an interpreter at no cost to them. Signage will use the languages most frequently used in Oregon.
- LEP individuals will be notified by staff of the right to an interpreter at no cost.
- Information will be available about language assistance through the ODFW public facing websites.
- Language in fishing and hunting regulations will be revised to advise LEP individuals how to request the information in alternative formats.

Staff training

ODFW will provide regular and recurring staff training to ensure all staff know how to effectively serve LEP individuals. This training will be part of the onboarding process for employees and will be required every two years for positions most likely to interact with LEP individuals (ex. Licensing, Office Managers, Public Service Representatives, customer service, etc.) The training will include:

- The content of the language access policy
- How to identify the need for language access services
- How to secure language access services
- Working with LEP and deaf individuals
- Providing language access services in a culturally sensitive manner
- How to work with an interpreter
- Interpretation best practices

Staff resources

A copy of this plan, attachments, and related information will be distributed to all staff. The plan and other information, including current instructions for ordering translation and interpretation services will be posted on ODFW Inside.

Internal language access contact

- ODFW ADA Compliance Coordinator – Deputy Director for Administration (Shannon Hurn)
- Office assistant – Director's Office (Reva Gillman)

Monitoring and assessment

The ODFW ADA Compliance Coordinator (Deputy Director for Administration) will monitor compliance with the LEP plan.

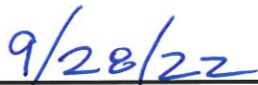
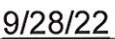
ODFW will collect information on language use and need, including the: primary language of clients, use of interpretation services, how translation documents are distributed, number of LEP or deaf individuals seeking services, and the language or type of service provided.

ODFW will review the effectiveness of the LEP plan every five years and will make changes as needed. Additional reviews and/or revisions may be made as resources and/or demand for services change. The review/revision process may include staff that regularly interact with LEP individuals, members of the Diversity and Inclusion committee and other staff as needed.

Complaint process

ODFW will establish a process LEP individuals can use to file a complaint about the denial of language access services, or about the quality of language access services provided, including interpreters, or translated materials. Complaints may be made in person or in writing. Information on available services, the complaint process and forms will be developed and posted on agency websites.

Signatures

 _____ Director	 _____ Date
 _____ ADA Compliance Coordinator	 _____ Date