



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

LANGUAGE ACCESS POLICY & PROCEDURES

POLICY STATEMENT

It is the policy of the South Coast AQMD to provide timely, meaningful access for persons with Limited English Proficiency (“LEP”) to all agency programs and activities, consistent with the law, resources, and mission of the agency. In accordance with Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act, this policy establishes guidelines and procedures for providing language accessible services to individuals that are Limited English Proficient. The requirement to provide meaningful access to LEP persons applies to all South Coast AQMD interactions with the public.

DEFINITIONS

- A. Limited English Proficient individual means any individual whose primary language is not English, and has limited or no ability to speak, understand, read, or write English. This includes individuals who are deaf and/or hearing impaired. 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).
- B. Meaningful Access for LEP individuals denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.
- C. Bilingual individuals/staff are fluent in two languages and capable of conducting the business of the agency in either of those two languages.
- D. Interpretation is the process of orally communicating the meaning of a spoken or written communication into another language.
- E. Translation is the process of converting written text from one language into another language.
- F. Vital Document means paper or electronic written material containing information that is critical for accessing South Coast AQMD’s programs or activities. The determination of what documents are considered “vital” is left to the discretion of division DEOs. In determining whether a document is vital, staff shall consider the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided.

- G. DEO or ADEO means the Deputy Executive Officer or Assistant Deputy Executive Officer of a division at the South Coast AQMD.

LANGUAGE ACCESS PLAN/PROCEDURES

A. Identification/Assessment of LEP Communities

1. South Coast AQMD staff shall take reasonable steps to identify the language and communication needs of LEP persons whom they encounter or have reason to believe they may encounter while performing the work of the agency.
2. The South Coast Legislative & Public Affairs/Media Division (“LPAM”) shall take reasonable steps to be knowledgeable about the LEP demographic information of communities located in the South Coast Air Basin. Such steps may include, but not be limited to, reviewing the American Community Survey of the American Census and communication with other governmental entities and community-based organizations operating in the South Coast Air Basin.
3. All South Coast AQMD divisions shall take reasonable steps to document pertinent information about the primary language of LEP persons within pertinent agency records. For example, if during an inspection of a facility, an inspector determines that a facility owner/operator or other critical contact person (e.g. complainant) is an LEP person, the inspector shall identify the LEP person’s primary language in the inspection report.
4. In taking the “reasonable steps” to identify LEP persons, the circumstances of the encounter may be taken into consideration. Reasonable steps for the identification of LEP persons and the primary language spoken may include, but not be limited to the following:
 - a. Use of language identification cards or posters (e.g. <https://www.dhs.gov/xlibrary/assets/crcl/crcl-i-speak-poster.pdf>).
 - b. Review of pertinent District records containing information about the LEP status of an individual (e.g. permit holder).
 - c. Coordination with LPAM regarding the demographic information of communities and stakeholders anticipated to participate in the events.
 - d. Coordination with others who may have information about the LEP status of communities and stakeholders anticipated to participate in events. Potential sources of information may include but not be limited to staff members of South Coast AQMD Governing Board members who represent the geographic area associated with the anticipated event and community-based organizations working in the geographic area associated with the anticipated event.

B. Language Assistance Measures and Available Resources

1. Oral Language Assistance

- a. The South Coast AQMD maintains a Spanish-language option on its Public Information and Complaint telephone number (1-800-CUT SMOG).
- b. The SCAQMD website includes an interpreter assistance page [<http://www.aqmd.gov/home/research/translation-assistance>] that identifies telephone contact information for South Coast AQMD employees proficient in other languages.
- c. The Administrative and Human Resources Division (“A&HR”) maintains a list of bilingual staff. If interpretation assistance is needed, South Coast AQMD staff shall contact A&HR to obtain the name of a bilingual employee who can assist with interpreting. Such services, if provided to LEP persons, shall be provided free of charge.
- d. The South Coast AQMD accepts requests from LEP persons and others to provide interpretation services at its public meetings and outreach events. South Coast AQMD asks that requests for interpretation services be made at least one week before a scheduled event. Requests can be made by contacting LPAM’s Public Advisor [909-396-2432 or publicadvisor@aqmd.gov]. Such services, if provided, shall be provided free of charge.
- e. Disability-related accommodations to LEP persons are available to allow meaningful participation in South Coast AQMD meetings unless providing the accommodation would result in a fundamental alteration or undue burden to the South Coast AQMD. Any accommodations must be requested as soon as practicable. Please contact the Public Advisor or staff liaison for the Group or Committee for which accommodations are requested.

2. Translation of Vital Documents

- a. The South Coast AQMD shall take reasonable steps to translate vital documents, including hard-copy and electronic documents that contain vital information about programs and language assistance services.
- b. Website information may include the use of translation software.
- c. All in-house translations of vital documents should be completed by bilingual staff who have undergone a language skills assessment or have been approved by A&HR, or by qualified outside translators. Staff is encouraged to collaborate with other air districts and public agencies to share resources, improve efficiency, standardize terminology, and streamline processes.
- d. Forms of providing meaningful access to documents include, but are not limited to: providing full translation of documents, providing an oral translation by a qualified interpreter, providing a partial written translation that focuses on the vital information, or providing a translated summary of the lengthy information.

- e. Unique documents intended for public outreach, events, and meetings should be evaluated and, if considered vital, shall be made meaningfully accessible to LEP persons.
3. Requests for Documents in Alternative Formats or Languages
- a. LEP persons may request copies of documents in alternative formats or in different languages. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the District.
 - i. To receive Governing Board or Hearing Board minutes, committee meeting notices, or other documents by mail or in an alternative format, send your request to the Clerk of the Board or call (909) 396-2500.
 - ii. To request copies of other documents, contact the Public Information Center by phone at (909) 396-2039, by email, or visit the booth in the lobby in our Headquarters at 21865 Copley Drive, Diamond Bar, CA 91765.
 - b. Even though documents may be provided in other languages, only the English-language version of South Coast AQMD rules, regulations, policies and procedures may be relied upon as the legal, official statement of the South Coast AQMD.

C. Training

1. The A&HR DEO shall provide a copy of this policy to all staff and shall include a discussion of these requirements in the District's anti-harassment training.

D. Complaint Process

1. Anyone who believes that there has been an improper denial of language accessible services may file a complaint with the South Coast AQMD. Such complaint can be made in person, or in writing and must be filed within 180 calendar days of the date when the alleged denial of services occurred.
2. All complaints should be directed to the A&HR Division or the General Counsel's Office. A complainant may also file a complaint with federal agencies that provide grants to the South Coast AQMD.
3. The complaint should specify the date, individuals involved, and the nature of the complaint.
4. The South Coast AQMD shall assign an impartial and qualified person (which may include an outside investigator, when deemed necessary or appropriate) to investigate the complaint as promptly as possible under the circumstances.
5. Upon completion of the investigation, appropriate corrective action will be taken, where warranted.

E. Notice to the Public

LPAM's Public Advisor shall take reasonable steps to inform the public of the availability of language services, free of charge, at South Coast AQMD and the complaint process available to persons who believe there has been an improper denial of service.

F. Monitoring Language Needs and Implementation

On an ongoing basis, LPAM's Public Advisor, in consultation with A&HR, shall assess changes in demographics, complaints, types of services or other needs that may require reevaluation of this policy and its procedures.