

**Language Assistance Policy****CM-730.01**

Effective Date: June 30, 2021

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**Policy**

The Local Agency (LA) must provide services in the primary or preferred language spoken, read, or understood by the Limited English Proficient (LEP) applicant or participant.

Each LA will designate a Language Assistance Coordinator (LAC) to ensure compliance with all Language Assistance requirements.

The LA must have all vital documents available in English and Spanish for WIC applicants and participants.

When a LA determines that more than 5% of their WIC eligible population speaks a primary language other than English, LA will:

- coordinate with the State WIC Office LAC for vital documents translation;
- provide vital documents in that primary language;
- add Notice of Language, Communication and Accessibility Services in that primary language to the LA main WIC webpage, and
- have written procedures and practices for answering calls and voicemails to ensure that the LEP population will receive meaningful access to all services and benefits.

The LA is required to notify LEP applicants and participants of language assistance to include:

- Posting of the [Georgia DPH Notice of Free Interpretation Services](#) in a prominent location in all WIC clinics.
- Providing the [Notice of Language, Communication, and Accessibility Services](#) with written communication to WIC participants and applicants.

All staff must be provided access to and trained on the [Georgia WIC Language Assistance Plan](#) (LAP).

**Purpose**

To ensure LEP persons are provided WIC services and benefits in a language understood by the LEP person, at no cost.

**Procedures**

- I. Provide translation services within ten (10) business days of receiving written correspondence from LEP persons.
- II. Translate written correspondence and respond using qualified and competent language assistance (Qualified and Competent Language Assistance Policy CM-730.03).
- III. File written document and translated document in participant's record.
- IV. Document verbal response communication in participant's record.

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- V. File written response and translation in participant's record.
- VI. Notify the State WIC Office within 24 hours of receipt of translated written correspondence related to fair hearing requests ([Fair Hearing Procedures Policy No. CT-860.04](#)) or sanctions and violations ([Sanction System Policy No. CT-860.05](#)).
- VII. Assess the time frame for translation response to written correspondence.
- VIII. Notify the State WIC Office LAC when it has been determined that the response timeframe will not be met using Translation Barriers Form.
- IX. Provide interpreter services compliant with Qualified and Competent Language Assistance Policy No. CM-730.03.
- x. Post multilingual notices/links regarding the availability of language assistance services in the most commonly encountered languages on websites.

**Authorities/Resources**

Georgia WIC Language Assistance Plan

Qualified and Competent Language Assistance Policy No. CM-730.03

Reasonable Modification and Auxiliary Aides and Services Policy No. CM-730-04

Title VI of the Civil Rights Act of 1964, (42 USC § 2000d *et seq.*)

USDA Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against Nation Origin Discrimination Affecting Persons with Limited English Proficiency. [79 Fed. Reg. 70771, (Nov. 28, 2014) ("USDA LEP Policy Guidance")]

Georgia Department of Public Health Policy #GC-09011 "Policy Regarding Service to Persons with Limited English Proficiency and with Disabilities"

Food and Nutrition Service, Civil Rights Compliance and Enforcement – Nutrition Programs and Activities (FNS-113-1)

[www.lep.gov](http://www.lep.gov)

7 CFR § 15.3

7 CFR § 246.7

7 CFR § 246.8

**Definitions/Supporting Information****Bilingual Staff** – Staff who are fluent in two languages.

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**Language Assistance Coordinator** – Staff who promotes and facilitates access to services for the Limited English Proficient community.

**Limited English Proficient (LEP)** – Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

**Most Commonly Encountered Languages** – Non-English languages utilized in a community that constitute five (5) percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered by the program.

**Notice of Language, Communication, and Accessibility Services:** a short statement that provides notice to Limited English Proficiency individuals and the general public to inform about Free Language Assistance and Auxiliary Aides and Services.

**Primary or preferred language** – The language a person is comfortable using to communicate with their provider; often the first language that a person has been exposed to from birth or a person's native language.

**Prominent Location** – Noticeable, to the majority of program applicants and participants such as waiting rooms.

**Qualified, Competent Interpreter** – A highly trained individual who mediates spoken communication between people speaking different languages without adding, omitting, or distorting meaning or editorializing. A qualified, competent interpreter adheres to generally accepted interpreter ethics and principles, including confidentiality, and has demonstrated his or her competency through an independent assessment of communication skills. Competency requires more than self-identification as being bilingual.

**Qualified, Competent Translator** – A highly trained individual who is able to render text from a source language into a target language while preserving meaning and adhering to generally accepted translator ethics and principles., including confidentiality. This requires the ability to understand the cultural context of the source and target languages. A qualified, competent translator has demonstrated his or her competence to translate through an independent language assessment.

**Written Communications:** instructions or messages sent in writing; examples in Georgia WIC include Termination, Ineligibility, Fair Hearing and Sanction Notices.

All approved interpreter and translator vendors on the statewide contract utilize competent and qualified interpreter/translators.