

# Georgia Special Supplemental Nutrition Program for Women, Infants and Children (Georgia DPH WIC) Language Assistance Plan

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**Vision:** A leader in promoting healthy behaviors that improve lives.

**Mission:** To improve health outcomes and quality of life for eligible women, infants, and children by providing nutritious food, nutrition education including breastfeeding promotion and support, and referrals to health and other services.

**Language Assistance Plan Goal:** To take reasonable steps to ensure meaningful access to Georgia DPH WIC's services for individuals with limited English proficiency.

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## Section I: Introduction

Georgia's Special Supplemental Nutrition Program for Women, Infants and Children (Georgia DPH WIC) is a federally funded health and nutrition program for income qualifying Georgia residents who are infants (0 to 12 months), children (one (1) to five (5) years), pregnant women, breastfeeding women up to one (1) year after delivery, and non-breastfeeding women up to six (6) months after the end of the pregnancy. Georgia DPH WIC provides nutrition education and counseling, breastfeeding information and support, referrals to health care and other community services, and benefits for healthy foods. Georgia DPH WIC provides services in all 159 counties throughout the State.

The requirements for participation in Georgia DPH WIC are income eligibility, residency in Georgia, proof of identification and nutrition risk. Immigration status, citizenship, or social security numbers are not required for participation.

Georgia DPH WIC is funded to provide WIC services through the U.S. Department of Agriculture (USDA), Food and Nutrition Service (FNS). Effective August 11, 2000, Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency," mandated federal agencies publish plans to ensure meaningful access to persons whose primary language is not English. To assist its recipient agencies in carrying out their language access responsibilities, the USDA published its "Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency" (USDA LEP Policy Guidance). The USDA LEP Policy Guidance was published in November 2014 and recommended a written Language Assistance Plan (LAP). The Georgia Department of Public Health (Georgia DPH) "Policy Regarding Service to Persons with Limited English Proficiency and with Disabilities," signed on April 18, 2019, requires a written Language Assistance Plan (LAP) for all programs providing services or benefits directly to members of the public.

Georgia DPH WIC Retailers, who participate in the redemption of food benefits, are not required to meet the Georgia DPH WIC LAP standards. A retailer can choose to provide language assistance to customers.

Georgia DPH WIC and the sub-recipients (local agencies) of federal funds must reduce language barriers to meaningful access to the program benefits and services. The Food and Nutrition Service Civil Rights Compliance and Enforcement – Nutrition & Activities (FNS 113-1) requires State Agencies to take reasonable steps to ensure meaningful access to the information and services they provide.

Although there is not one standard definition of meaningful access, the principal standard of the National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care (National CLAS Standards) states, "Provide effective, equitable, understandable and respectful quality care and services that are responsible to diverse cultural health beliefs and practices, preferred languages, health literacy and other communication needs." ([Appendix 2](#)). The USDA LEP Policy Guidance describes the characteristics of meaningful access as reasonable, timely, appropriate, and competent/qualified language assistance. Georgia DPH

WIC interprets meaningful access as every applicant and participant will receive reasonable, timely, competent and appropriate services, including the use of language assistance.

The Georgia DPH WIC LAP explains and describes the reasonable steps recipient and subrecipients (local agencies) take to ensure meaningful access to program benefits and services. As part of the LAP development, Georgia DPH WIC conducted a four-factor analysis considering the following:

- (1) the number or proportion of Limited English Proficiency (LEP) persons eligible to be served or likely to be encountered by the Georgia DPH WIC program,
- (2) the frequency with which LEP persons encounter the Georgia DPH WIC program,
- (3) the nature and importance of the programs, activities or services to people's lives, and
- (4) resources available to provide the program and the costs of providing the LEP services.

The four-factor analysis provides a framework by which GA DPH WIC may look at all the programs and services provided to ensure meaningful access to LEP persons while not imposing undue burdens on the program. Meaningful access will be achieved through the following:

- translation of vital documents and information for the most likely to be encountered non-English languages,
- interpreter availability through language line access,
- on-site qualified and competent interpreters, on-site proficient multilingual staff,
- the Georgia DPH WIC Language, Communication and Auxiliary Aides and Services notice to be included with all written correspondence, and
- outreach efforts to ensure LEP individuals are aware of the program and the free language assistance services available.

Modifications and access for people with disabilities are addressed in Georgia DPH WIC policies.

## **Section II: Policy**

Georgia DPH WIC will provide LEP persons with meaningful access to Georgia DPH WIC benefits and services. Access to Georgia DPH WIC services or benefits will not be denied or unreasonably delayed due to an applicant or participant's inability to speak, read, write, or understand English. Staff will make a welcoming offer of language assistance at no charge.

Georgia DPH WIC will review and update the Georgia DPH WIC Language Assistance plan when significant changes in language demographics occur or at minimum every five years.

Georgia DPH WIC and the Georgia DPH WIC local agencies shall ensure that all staff and contractors providing services are trained in the actions required within the language assistance plan as addressed in the Georgia DPH WIC Qualified and Competent Interpreter Policy No. CM-730.03. The Georgia DPH WIC state agency will monitor local agencies and the state agency to ensure LEP persons receive meaningful access to services and benefits within existing quality assurance and improvement activities.

Georgia DPH WIC will only utilize qualified and competent interpreters and translators unless the LEP person refuses the complimentary service. Georgia DPH WIC will secure a qualified, competent interpreter to replace the LEP person's informal interpreter if staff observes bias or ineffective communication. Georgia DPH WIC will encourage the use of the complimentary qualified and competent interpreters and translators when competency of the LEP person's interpretation or translation is in doubt. Bilingual staff will be proficient in English and the primary/preferred language for which they provide services.

## Section III: Authority

The relevant legal provisions are:

- Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d *et seq.*
- 28 CFR, Subpart C – Nondiscrimination in Federally Assisted Programs – Implementation of Title VI of the Civil Rights Act of 1964
- 7 CFR Part 15 – Nondiscrimination. Subpart A – Nondiscrimination in Federally-Assisted Programs of the Department of Agriculture – Effectuation of Title VI of the Civil Rights Act of 1964.
- 7 CFR § 246.8 - Nondiscrimination
- *U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 67 Fed. Reg. 41,455, 41,457 (June 18, 2002) (DOJ LEP Guidance)
- *U.S. Department of Agriculture, Guidance to Federal Financial Assistance Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency*, 79 Fed. Reg. 70771, (November 28, 2014) (USDA LEP Policy Guidance)



## Section IV: Definitions

**Applicant:** any pregnant, breastfeeding or postpartum woman, infant or child less than five (5) years of age interested in applying for the program and resides in Georgia.

**Benefits:** nutritious foods which are redeemed through Georgia DPH WIC-approved retailers.

**Bilingual staff:** staff who are fluent in two languages.

**Contractors:** non-WIC employees who work under contract to provide services, benefits or oversight for the Georgia DPH WIC program.

**Customer:** any individual interacting with Georgia DPH WIC

**Direct In-Language Communication:** monolingual communication in a language other than English between a bilingual staff and an LEP person.

**Effective Communication:** communication sufficient to provide the LEP individual with substantially the same level of access to services, programs, and benefits received by individuals who are not LEP.

**Federal Financial Assistance:** dedicated funding is provided from the USDA to State WIC programs to provide benefits and services to that State's residents. Federal financial assistance also includes commodities, donation of federal property, and any federal agreement, arrangement, or other contracts that has one of its purposes: providing assistance. This list is not inclusive.

**Fluent:** able to speak, read or write a language accurately, easily, well, and quickly.

**Focus Languages:** languages determined by the Georgia DPH WIC self-evaluation/four-factor analysis prioritized for translation of vital documents.

**Four-factor Analysis:** a balance test for reasonable steps to take when ensuring meaningful access to program benefits and services, recommended in the USDA LEP Policy Guidance for LEP persons.

**Interpretation:** the act of listening to communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

**Interpreting:** the process of understanding and analyzing a spoken message and re-expressing that message effectively, accurately, and impartially in another language, using any necessary specialized vocabulary, taking the social and cultural context into account.

**Language:** refers to a system of communication by which an individual communicates with another that may involve words, sounds, and hand gestures.

**Language Assistance Plan (LAP):** a plan that addresses the identified needs of LEP persons likely to be encountered by the program.

**Language Assistance Services:** oral and written language services to assist LEP individuals in communicating effectively with staff, thus ensuring LEP individuals have meaningful access and an equal opportunity to participate fully in the services and benefits

**Limited English Proficient (LEP):** refers to persons who do not speak English as their native or primary language and have limited ability to read, speak, write or understand English.

**Local Agency:** A public or private, nonprofit health or human service agency that provides health services, either directly or through contract.

**Meaningful access:** occurs when language assistance is provided that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior compared to programs or activities provided to English proficient individuals.

**Medicaid:** a program that provides health care services to individuals who meet the requirements for income, resources, citizenship, and immigration status.

**Minor:** Anyone under the age of eighteen (18), unless documentation shows the individual is lawfully emancipated, an armed service member, or married.

**Multilingual Staff:** staff who are fluent in two (2) or more languages.

**Participant:** a pregnant, breastfeeding or postpartum woman, infant or child less than five (5) years of age who has been certified as meeting program eligibility requirements.

**Potentially Eligible:** any income-eligible pregnant, breastfeeding or postpartum woman, infant or child less than five (5) years of age who resides in the State of Georgia

**Primary/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.

**Proficient Bilingual Staff:** staff person who can express oneself easily and articulately in conversations and public speaking using any necessary specialized vocabulary, taking the social and cultural context into account.

**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 their competency through an independent assessment of communication skills. Competency requires more than self-identification as being bilingual. (May be staff, volunteer, or contract service provider.)

**Qualified, Competent Translator:** a highly trained individual who can 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 their competence to translate through an independent language assessment.  
(May be staff, volunteer, or contract service provider.)

**Recipient:** the direct receiver of funds from the federal government; in this case, Georgia DPH WIC receives funds from USDA.

**Safe Harbor Provision:** per the USDA LEP Policy Guidance, when the LEP language group constitutes 5 percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered, translating vital written materials into that LEP language.

**Sight Translation:** Oral rendering of written text into spoken language by an interpreter without change in meaning based on a visual review of the original text or document.

**SNAP:** Supplemental Nutrition Assistance Program is a federally funded program that provides monthly benefits to low-income households to help pay for the cost of food.

**Staff:** employee of Georgia Department of Public Health, Georgia Health District or County Board of Health providing services, benefits, or oversight for the Georgia DPH WIC program.

**State Agency:** The health department or comparable agency of each state. In this instance, the Georgia Department of Public Health, Division of Health Promotion, Georgia DPH WIC Program.

**Services:** eligibility determination, nutrition education and counseling, breastfeeding promotion and support, referrals and outreach.

**Sub-recipient:** the secondary receiver of federal financial assistance from the federal government; in this case, Georgia DPH WIC provides the funding from USDA to the Local Agency.

**TANF:** Temporary Assistance for Needy Families is a monthly cash assistance program, with an employment services component, for low-income families with children under age 18 and children aged 18 and attending school full-time.

**Translating:** the act of reading text in one language (source language) and converting it to another language (target language) in written form while retaining the same meaning.

**Translation:** ensures that written text is expressed effectively, accurately and impartially, in another language, using any necessary specialized vocabulary and taking the social and cultural context into account.

**Vital Document:** documents that affect access to, retention in, or termination or exclusion from the Georgia DPH WIC program services or benefits. A "vital document" is one that is necessary for the customer to gain access to the service or benefit.

**Welcoming Offer of Language Assistance:** All employees of the State of Georgia have a core competency for customer service that states employees will "honor all of the state's commitments to customers by providing helpful, courteous, accessible, responsive and knowledgeable service." Offering language assistance at no charge must meet this competency.

## Section V: Self-Assessment/Four-factor analysis

The four-factor analysis is a balance test for reasonable steps to take when ensuring meaningful access to program benefits and services, recommended in the USDA LEP Policy Guidance, for LEP persons. The four-factor analysis balancing test factors are: the number or proportion of LEP persons eligible to be served by the program, the frequency of the LEP persons contact with the program, the nature and importance of the program to the LEP persons, and the resources available to the program and costs. After completing the four-factor analysis, Georgia DPH WIC has determined the five focus languages to translate vital documents in ranking order as Spanish, Vietnamese, Arabic, French, and Korean.

### Analysis Results

- A. *The number or proportion of Limited English Proficiency (LEP) persons eligible to be served or likely to be encountered by the Georgia DPH WIC program.*

Georgia DPH WIC has used a mixture of qualitative and quantitative data because the current Georgia DPH WIC systems do not collect the primary nor preferred language. The Gateway eligibility system collects primary language and is utilized by Georgia DPH WIC. At the time of initial data collection, Georgia DPH WIC was integrating eligibility determinations with our management information systems; therefore, Gateway LEP data collection was not being captured statewide. Although the program has now attained full statewide integration to the Gateway eligibility system, as of 2021, the collection of data for analysis of LEP persons participating in Georgia DPH WIC is in progress. See Table (1) Georgia DPH WIC Four-Factor Analysis.

## Table (1) Georgia DPH WIC Four-Factor Analysis

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Languages	Informal District Input – 2019 (8 of 19)	Gateway November 2019 Participation % Primary Language (Total)****	Georgia DFCS Language Line 2017 (Rank)	Georgia DPH Office of Refugee Health 2017	Birth Certificate Data 2019 % of live births (total)	LEP.gov (2015) % of total Georgia Population	LEP.gov (2015) % of total Georgia LEP Population
Spanish	8/8	4.0 (2,691)	1		7.32 (9,239)	5.73	66.21
Vietnamese	5/8	0.03 (23)	2		0.16 (201)	0.29	4.97
French	3/8	0.04 (26)	9		0.14 (173)	0.08	1.39
Korean	3/8	0.00 (2)	7		0.14 (173)	0.28	4.87
Arabic	2/8	0.01 (10)	5	√	0.10 (126)	0.04***	0.78***
Chinese	2/8	0.00 (3)*	8*		0.11 (144)	0.23	4.09
Swahili	2/8	Likely in Other Category	6	√	0.04 (55)	(African languages = 0.14)***	(African languages = 2.39)***
Burmese	2/8	0.01 (6)	3		0.04 (50)	(Other Indic languages = 0.09)	(Other Indic languages = 1.59)
Nepali	1/8	0.00 (3)	4		0.06 (71)	(Other Indic languages = 0.09)	(Other Indic languages = 1.59)
Amharic**	1/8	0.01 (6)	10		0.11 (138)	(African languages = 0.14)***	(African languages = 2.39)***
Somali	1/8	Likely in Other Category	(Not in the top ten as of 2017)	√	0.03 (32)	(African languages = 0.14)***	(African languages = 2.39)***
Unknown		0.61 (415)			4.6 (5,764)		

\*Likely Mandarin

\*\*Primarily spoken in Ethiopia

\*\*\* Potential changes since 2015 data collection related to refugee resettlement

\*\*\*\*Gateway Significant Other languages reported as primary Creole (0.02%), Portuguese (0.02%), Russian (0.02%)

The summaries below describe the information found in the data tables and provide additional information gleaned from the analysis.

#### *Informal District Input*

A thorough assessment of the LEP population in Georgia DPH WIC has not been completed. In the interim, front-line staff from eight local agencies provided information about the frequency of LEP persons encountered. The responses reveal that the top languages encountered in the WIC clinics are Spanish, Vietnamese, Korean, Arabic, French, Chinese, Burmese and Swahili. Table 1. Georgia DPH WIC Four-Factor Analysis; Column 1.

An additional suggestion from responding agencies was made for creating visual materials that would meet the needs of individuals that do not read and/or write in any language.

#### *Gateway Participation Primary Language*

Georgia Gateway is the Georgia integrated system for determining eligibility. Georgia DPH WIC is a part of this integrated system and is utilizing this system for eligibility determination. As of November 2019, Spanish was the non-English primary language selected statewide among WIC participants whose eligibility was determined in Gateway, confirming the qualitative and quantitative data elsewhere in this analysis. Two of our diverse districts, Gwinnett and Gainesville, had lower rates of eligibility determinations completed in Gateway with 43% and 32%, respectively. Table 1. Georgia DPH WIC Four-Factor Analysis; Column 2.

#### *Georgia DFCS Language Line*

The Georgia Department of Human Services, Division of Family and Children Services (Georgia DFCS), which administers the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Medicaid programs, collects data on language access through their language line. Participation in SNAP, TANF and Medicaid is proof that an applicant is income-eligible for the Georgia DPH WIC program. The top five languages from highest to lowest number of contacts are Spanish, Vietnamese, Burmese, Nepali, and Arabic. The top ten languages (2017 billing information) encountered through this resource are listed in Table 1. Georgia DPH WIC Four-Factor Analysis; Column 3.

### *Georgia DPH Office of Refugee Health*

The Georgia DPH Refugee Health program provides interpretation services for refugees primarily located in DeKalb, Fulton and Gwinnett Counties. As of December 2018, the service delivery languages are Arabic, Swahili and Somali. This program also provides translation services for medical paperwork. The [United Nations Refugee Agency](#), in describing the process of resettling refugees, includes the need to connect refugees to needed social services in the community. Reviewers of this document, who also work with refugees, expressed that Swahili (East African Countries), Tigrinya (Eritrea), Dari/Farsi (Afghanistan), Sango (Central African Republic), Mam, Q'anjobal, and other Mayan languages from Guatemalan communities would be beneficial. Table 1. Georgia DPH WIC Four-Factor Analysis; Column 4.

### *Birth Certificate Data*

Georgia DPH utilizes birth certificates to collect birth and primary language data. Birth data includes information about infants and their mothers who might be eligible to participate in the WIC program but does not provide income data to assess eligibility; therefore, this data also includes infants who are ineligible for WIC services. Primary language data indicates a minimal percentage difference between the top ten languages, with the exception of Spanish. The birth data reflects all households and does not only reflect the potentially eligible children. This data is helpful in a qualitative analysis with the other available information in selecting Georgia DPH WIC's focus languages. The top six languages from the birth data, based on numbers and not percentages, are, in order, Spanish, Vietnamese, Chinese, French, Korean, and Arabic. Table 1. Georgia DPH WIC Four-Factor Analysis; Column 5.

### *LEP.gov*

A statewide analysis of the general population per LEP.gov (2015 data) reveals that the top five (5) non-English languages statewide from highest to lowest percentages are Spanish, Vietnamese, Korean, Chinese, and African. The next five (5) are Other Asian Languages, Other Indic languages, Gujarati, French, and Hindi. Other African languages include a multiplicity of African languages such as Somali, Swahili and Amharic. None of these languages meet the "safe harbor" general standard of 5% of the population principle for requiring language access; all meet the 1,000 people number under safe harbor provisions for the total population. However, the data collected by LEP.gov is for the potentially encountered general population, not the potentially eligible. Table 1. Georgia DPH WIC Four-Factor Analysis; Column 6 & 7.

### *Other Qualitative Analysis Information*

The Center for Pan Asian Community Services (CPACS) and the Latin American Association (LAA) are stakeholders in the lives of the LEP population. These agencies were interviewed as part of the analysis of encountered languages in the potentially eligible population. The LAA provides multiple services for the Spanish-speaking populations, while CPACS reports their languages served are (not in priority order) Korean, Chinese, Vietnamese, Spanish, Nepali, Burmese, Hindi, French, Swahili, and Kinyarwanda. Their services include aiding their customers with completing Georgia DPH WIC applications through the Gateway Partner Portal.

*B. The frequency with which LEP persons encounter the Georgia DPH WIC program*

A thorough quantitative assessment of the LEP population in Georgia DPH WIC has not been completed. In the interim, front-line staff from eight local agencies provided information about the frequency of LEP persons encountered. See Table 1 Georgia DPH WIC Four-Factor Analysis column titled "Informal District Input" above. This information does not include all individuals eligible for the WIC program; however, in this first phase of expanding beyond two languages (English and Spanish), Georgia DPH WIC should prioritize the information from these front-line providers for frequency of encounter until quantitative data is available.

Georgia DPH WIC has identified the Spanish-speaking LEP population as our most frequently encountered population statewide as confirmed by the data collected. Focusing on the reports from the local agencies and corroborating with the other available data suggests that Georgia DPH WIC as a state may frequently encounter the following languages other than Spanish: Vietnamese, Arabic, French, and Korean.

*C. The nature and importance of the programs, activities, or services to people's lives*

USDA and Georgia DPH WIC policies and procedures require that Georgia DPH WIC may not deny eligible Women, Infants and Children from program benefits or services due to citizenship, immigration or social security status. The services and benefits of the Georgia DPH WIC program are vital and valuable to the eligible program applicants and participants.

*D. Resources available to the program and costs to provide the language assistance*

Program outreach is a required program activity. Outreach materials are considered vital documents; therefore, the program must ensure outreach is targeted towards applicable LEP populations. Georgia DPH WIC allocates funding to the local agencies to provide the full range of services, including language assistance services. This funding includes the costs for interpretation



and translation services to ensure meaningful access for applicants and participants. All costs charged to the program must be reasonable and necessary to provide the services and benefits.

Georgia DPH Office of Refugee Services maintains a small contingent of staff to provide translation and interpreting services to the refugee population in Georgia. This office provides referral information about the Georgia DPH WIC program and may also be utilized to support refugees who may require language assistance services.

The Latin American Association and Center for Pan Asian Community Services (Appendix 2), currently volunteer in the review of translated documents to ensure appropriateness. Georgia DPH WIC participates on the State SNAP LEP subcommittee. The members of this subcommittee identify and address barriers to the access of Georgia programs for the LEP community.

Georgia DPH WIC is implementing a new WIC Management Information System (MIS) by October 2022. Once the new WIC MIS is fully implemented, Georgia DPH WIC will assess the system's ability to collect applicant and participant LEP information. Collecting this information directly from participants at service delivery and appointment scheduling would significantly improve the knowledge about LEP individuals within Georgia DPH WIC.

## Section VI: Language Assistance Measures

Local agencies will utilize qualified, competent interpreters and translators when communicating with LEP persons. A combination of staff, contracted interpreters or translators, and volunteers may be used to communicate with LEP persons. Georgia DPH WIC is responsible for providing this resource to the LEP population at the state and local level. The following nine measures describe the multiple aspects of coordinating language assistance services for Georgia DPH WIC.

### A. *Competency of Language Assistance Staff*

All language assistance services must be provided by qualified and competent multilingual staff or contracted personnel. Georgia DPH WIC will determine the fluency of multilingual staff through certification or testing by a contracted agency or corporation. The standards that qualified and competent Georgia DPH WIC language assistance service providers must follow are reflected below:

- Communicate information accurately in both English and the other language through demonstrated proficiency (e.g., third-party language assessment).
- Identify and employ the appropriate mode of interpreting (e.g., consecutive, simultaneous, or sight translation), translating, or direct-in-language communication.
- Understand and follow Georgia DPH WIC confidentiality requirements.
- Understand and follow ethics guidelines when acting as an interpreter or translator.
- Understand and adhere to only one role during the service, either direct-in-language, interpreter, or translator.

### B. *Oral Language Assistance Services (Interpretation)*

Georgia DPH WIC meets its oral language assistance needs, at the point of contact, through a combination of resources at the state and local levels:

- Bilingual staff
- Staff interpreters
- Contract interpreters (in-person, telephone, or virtual)
- Community volunteers

If staff cannot speak to an LEP individual through an in-person interpreter or in the LEP person's primary language, staff must use telephonic interpretation. Staff must be trained on how to use telephonic interpretation.

Provision of interpreter services must be timely. While there is no single definition for "timely" applicable to all types of encounters, the USDA LEP Policy Guidance states, "the language assistance should be provided at a time and place that avoids the effective denial of the service or benefit at issue or the imposition of

an undue burden on or delay in the provision of important information rights, benefits, or services to the LEP person."

*C. Translation of Vital Materials and Information*

Translation of vital materials and information will be completed according to the languages most frequently encountered by the Georgia DPH WIC program. Spanish is the first language that has been identified as frequently encountered. Georgia DPH WIC currently provides Spanish-translated vital documents and state-created education materials for Spanish-speaking WIC participants. The next most frequently encountered languages are, in priority order, Vietnamese, Arabic, French and Korean.

Georgia DPH WIC will translate all vital documents for the top five (5) most frequently encountered languages by September 30, 2025. If, at any point, before September 30, 2025, data reveals that a LEP population has reached safe harbor provisions, the vital documents will be translated within 90 days of identification. Georgia DPH WIC policy requires that vital information used during encounters is interpreted or translated for all LEP persons.

Vital documents for translation include the Nondiscrimination Statement, Rights and Responsibilities Notice, the Disclosure Statement, the Certification Form, Waiver of Free Interpretation Form, WIC Identification Folder, and Georgia DPH WIC Food Guide. The Nondiscrimination Statement advises applicants and participants about their rights (access, retention, termination, exclusion). The USDA provides the Nondiscrimination Statement in many languages. The Rights and Responsibilities Notice explains participant rights and responsibilities while on the program. The Disclosure Statement is included on the Certification Form that applicants/participants sign. It describes a participant's rights related to confidentiality. A participant may authorize or deny the sharing of identifiable information with other programs. The Certification Form is interpreted for applicants and participants to ensure an awareness of their eligibility status. The Waiver of Free Interpreter Services is signed when an applicant/participant chooses to use their own interpreter. Completing this waiver ensures that applicants/participants are aware of the availability of and right to free interpretation services. The Georgia DPH WIC Identification Folder is required to redeem WIC food benefits with retailers. The Georgia DPH WIC Food Guide is an education tool to support optimization of food benefits.

Georgia DPH WIC is a participating program in the Georgia Gateway integrated system for eligibility determination. Georgia DPH WIC ensures access by providing a Notice of Language, Communication and Accessibility Services at the initiation of a Gateway application to the Program.

Georgia DPH WIC translates all written correspondence from the LEP population using qualified, competent translation services within ten (10) days. This process includes the translation of the originating document and initiating a response to the LEP person. The response may be provided verbally using an interpreter or in writing using a translator.

*D. Use of Family Members, Friends, Children or Others as Interpreters*

Using the WIC customer's family members or friends as interpreters or translators is not recommended. It should only occur after the customer has been informed that interpretation and translation services are available free of charge and the customer is voluntarily requesting to use their own interpreter. The Waiver of Free Interpretation Services must be completed.

Georgia DPH WIC does not permit the use of minor children as interpreters unless there is an unforeseeable emergency and no available qualified interpreter. Where precise, complete, and accurate interpretation is vital for program access or adjudicatory reasons, staff must provide a qualified, competent interpreter even if the customer wants to use their own interpreter.

*E. Notification*

State and local WIC offices must take reasonable steps to inform LEP persons about the availability of free language assistance services. The Georgia DPH WIC Program has developed a multilingual notice of language and disability assistance in English and frequently encountered languages in Georgia. The Notice of Language, Communication, and Accessibility Services states, "IMPORTANT NOTICE: If you prefer communicating in another language or need assistance because of a disability, please contact 1-800-228-9173. Interpretation services, translated materials, and other accessibility services are available at no cost."

The Georgia DPH Notice of Free Interpretation Services Poster is used as a notice of the availability of free language assistance in WIC clinics.

Multilingual signage and notices must be provided as follows:

- All clinic sites must have the Georgia DPH Notice of Free Interpretation Services Poster (Appendix 1) prominently displayed.
- All vital documents, including fair hearing notices, should include the Georgia DPH WIC Notice of Language, Communication, and Accessibility Services when mailed to applicants and participants.
- The Georgia DPH WIC Notice of Language, Communication, and Accessibility Services will be included on the Georgia DPH WIC main webpage in languages most frequently encountered by the program.
- Georgia DPH WIC will provide outreach material in an appropriate language for the population being served. The Georgia DPH Notice of Free Interpretation Services Poster or Georgia DPH WIC Notice of Language, Communication, and Accessibility Services will also be available at the outreach event.

*F. Identification of Language Assistance Needs*

At the point of initial contact with an LEP person, Georgia DPH WIC staff will assess the need for language assistance services. WIC staff must avoid

assumptions about an individual's primary language. Methods for identifying the need include:

- Identifying the preferred language noted on an online application
- Utilizing the Georgia DPH Notice of Free Interpretation Services poster (Appendix 1)
- Requesting the individual's preferred language
- Verifying preferred language at each point of contact by the non-English speaker
- Asking open-ended questions to determine whether the individual fluently speaks and understands English
- Asking a multilingual staff, qualified interpreter, or telephone operator to verify an individual's primary language

*G. LEP Access to Websites and Online Automated Systems*

Georgia DPH WIC will ensure that LEP individuals have meaningful access to online communication and services. Online communication and services include, but are not limited to, online applications, forms and brochures. To meet this requirement, Georgia DPH WIC and the local agencies will:

- Identify vital information on the state and each local WIC website and online automated systems.
- Translate vital information into frequently encountered languages using qualified translators.
- Attach translations of vital information to websites and online automated systems by hyperlink.
- Ensure hyperlinks are translated into frequently encountered languages and appear in prominent locations on websites and online automated system platforms.

*H. LEP Access to Telephone Communications*

Georgia DPH WIC, including each local agency, will develop and implement Standard Operating Procedures (SOPs) for utilizing qualified interpreters and translators as needed when answering calls and retrieving voicemails.

Customer service voice mail menus, used by the state agency, will have English and Spanish options. When safe harbor provisions for Spanish are met at the local agency level, customer service voice mail menus will have English and Spanish options. Georgia DPH WIC will add voice mail menus in other languages on customer service lines as the frequency of encounter reflects the needs of an additional LEP population.

*I. Collecting LEP and Language Assistance Services Data*

Information about primary or preferred language is collected in the Gateway Eligibility system. Gateway does not collect if any language assistance was provided. Currently, Georgia DPH WIC documents information about the language assistance provided in the health record, but the Program is not able to aggregate and analyze the information quantitatively.

Georgia DPH WIC is currently transitioning to a single statewide Management Information System (MIS); once the system has been selected, it will be evaluated to identify the data collection elements available for LEP and language assistance services. The evaluation will include the number of LEP persons served, language preferences, translations provided, and other data points necessary to ensure meaningful access for LEP persons.

## **Section VII: Coordinating Implementation of Language Access Plan**

Georgia DPH WIC will designate a state-level staff person as Language Access Coordinator, who will have the following responsibilities:

- Train state and local agency staff on the language assistance plan, using competent and qualified interpreters, using translated documents, how to convey a welcoming offer for language assistance, and how to handle challenges.
- Track, manage, and evaluate data relevant to LEP applicants and participants.
- Provide subject matter expertise for Georgia DPH WIC tools and systems.
- Develop and disseminate an annual LAP Quality Improvement Plan (QIP).
- Ensure policies and procedures remain current with applicable laws, regulations, guidance and best practices.
- Monitor and evaluate the use of qualified and competent interpreters, qualified and competent translators and proficient multilingual staff.
- Coordinate the translation of vital documents.
- Collaborate with community-based organizations to ensure that language assistance is culturally and linguistically appropriate.
- Update the LAP, at a minimum, every five (5) years dependent on the results of the annual LAP QIP and any changes to applicable laws, regulations or guidance.

## **Section VIII: Staff Training on Language Assistance Plan (LAP)**

All Georgia DPH WIC staff will receive interactive training on the LAP before providing Georgia DPH WIC services. All staff will have access to the written LAP.

The FFY 2022 Annual Civil Rights Training will include the introduction of the LAP. For new staff hired after federal fiscal year 2022, a web-based LAP training will be provided; so that staff are prepared to effectively encounter LEP applicants and participants.

Staff who frequently encounter potentially eligible people, applicants or participants will receive LA annual language assistance training on using interpreters through phone, video, contractor and/or staff services. Training and skills development on making a welcoming offer of free language assistance service are included. Annual training objectives are:

- Utilize customer service skills when offering language assistance.
- Recall the requirements to translate and interpret vital documents.
- Describe the process for responding to written correspondence in a language other than English.
- Establish voice mail procedures to meet LEP community needs.
- Access and use qualified and competent language assistance.
- Review the use of DPH Notification of Free Interpretation Services Poster and the Notice of Language, Communication and Auxiliary Aides and Services.
- Describe how to document language assistance provisioning.
- Describe the process used when an applicant or participant chooses to use their own interpreter.

LA will utilize training methods with a focus on customer service and skills development. The state agency will provide train-the-trainer resources as the LA develops its annual language assistance training.



## Section IX: Monitoring, Evaluating and Updating the LAP

Monitoring and evaluating the LAP is necessary to ensure meaningful access to program services and benefits for the LEP population. Georgia DPH programs use the Plan-Do-Check-Act (PDCA) cycle as part of any Quality Assurance and/or Improvement Plan. Implementation of the LAP is the "Do" step of the cycle. During the "Do" step, Georgia DPH WIC will collect data, collaborate with partners, train staff, and write and/or update and implement policies. The "Check" phase of the cycle is where the monitoring and evaluation of performance occurs. As a part of monitoring and evaluation, the following activities will be assessed for completion:

LAP Activity	Completion Date
The Georgia DPH WIC Website maintains a current Notice of Language, Communication, and Accessibility Services.	Ongoing
Georgia DPH WIC LAP Policy is written.	January 1, 2022
Georgia DPH WIC Qualified and Competent language Assistance Policy is implemented.	January 1, 2022
Georgia DPH WIC Notice of Language, Communication, and Accessibility Services State Standard Operating Procedures is implemented.	January 1, 2022
Georgia DPH WIC State Standard Operating Procedures for Language Assistance service is implemented.	January 1, 2022
A Georgia DPH WIC Language Access Coordinator designated and trained.	January 1, 2022
LA Language Assistance Coordinators are designated.	January 1, 2022
Georgia DPH WIC Civil Rights Training updated to include LAP.	May 31, 2022
Web-based training about the LAP available upon release of FFY 2022 Annual Civil Rights Training.	May 31, 2022
A train the trainer for LA annual LAP training is developed and implemented.	January 1, 2023
Monitoring of the LA by the SA for language assistance service provision is implemented.	September 30, 2023
Monitoring of the LA by the SA for language assistance service provision is implemented.	September 30, 2023
The Georgia DPH WIC MIS includes language needs and service provision fields.	September 30, 2025

Each year the Georgia DPH WIC Language Access Coordinator will develop a LAP QIP to determine the successful completion of activities in the LAP, noting areas for improvement (the "Act" phase of the PDCA cycle). The LAP QIP will include an assessment of applicable laws, regulations, guidance, or best practices. Adjustments in timelines, updated plans, as well as affirmation of successes should be included. The LAP is reassessed and updated at the five (5) year anniversary.

## 1. Georgia DPH Notice of Free Interpretation Services



## NOTICE OF FREE INTERPRETATION SERVICES

Free services are required by Title VI of the Civil Rights Act of 1964, 42 U.S.C. Sec. 2000et seq., Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990.

[illegible]

## 2. *Links*

Some of these links will only work for Georgia DPH WIC employees; if you would like a copy of one of these resources, please contact the Georgia DPH WIC Civil Rights Coordinator at [GeorgiaWICCivilRights@dph.ga.gov](mailto:GeorgiaWICCivilRights@dph.ga.gov)

- A. [Georgia DPH Service to Persons with Limited English Proficiency and with Disability](#)
- B. [U.S. Department of Agriculture Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting People with Limited English Proficiency.](#)
- C. [Title VI of the Civil Rights Act of 1964](#)
- D. [USDA Assisted Programs Nondiscrimination Statement](#)
- E. [The National CLAS Standards](#)
- F. [The Latin American Association](#)
- G. [Center for Pan Asian Community Services](#)
- H. ["I Speak" cards](#)
- I. [LEP.gov Mapping Tool](#)