

University Policy 2104: Policy for Providing Meaningful Communication with Persons with Limited English Proficiency

Category: Community Expectations

Subcategory: Individual Rights

Covered Individuals: Staff, Faculty, and Students

Responsible Executive: Executive Vice President & Chief Operating Officer

Policy Custodian: Civil Rights and Title IX Office, Executive Director

Last Revised: 2024/04/10

Previous USU Policy Number: 521

2104.1 PURPOSE AND SCOPE

To ensure that persons with Limited English Proficiency have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits.

2104.2 POLICY

The policy of Utah State University (hereinafter USU) is to ensure meaningful communication with Limited English Proficiency (hereinafter LEP) students, staff, faculty, and their authorized representatives involving their academic and employment pursuits. This policy also provides for communication of information contained in vital documents, including but not limited to, employment records, financial and insurance benefit forms, and academic records. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served. Additionally, employees, staff, and faculty will be informed of the availability of such assistance free of charge.

Language assistance will be provided through use of competent bilingual staff, staff interpreters, contracts or formal arrangements with local organizations providing interpretation or translation services, or technology and telephonic interpretation services. All students, staff and faculty of USU will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

USU will conduct a regular review of the language access needs of our population, as well as update and monitor the implementation of this policy and these procedures, as necessary.

2104.3 RESPONSIBILITIES

3.1 Identifying LEP Persons and their Language

The Civil Rights and Title IX Office will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card (or “I speak cards,” available online at www.lep.gov) or posters to determine the language. In addition, when records are kept of past interactions with students, staff, or faculty members, the language used to communicate with the LEP person will be included as part of the record.

3.2 Obtaining a Qualified Interpreter

The Civil Rights and Title IX Office is responsible for:

(a) Maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual staff;

(b) Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;

(c) Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

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 will not be used as interpreters unless specifically requested by that individual and after the LEP person has understood that an offer of an interpreter at no charge to the person has been made by USU. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

3.3 Providing Written Translations

(a) When translation of vital documents is needed, each unit will submit documents for translation into frequently encountered languages to the Civil Rights and Title IX Office.

(b) Original documents being submitted for translation will be in final, approved form with updated and accurate information.

(c) The Civil Rights and Title IX Office will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.

(d) The Civil Rights and Title IX Office will set benchmarks for translation of vital documents into additional languages over time.

3.4 Providing Notice to LEP Persons

The Civil Rights and Title IX Office will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. Notification will also be provided through outreach documents.

3.5 Monitoring Language Needs and Implementation

On an ongoing basis, the Civil Rights and Title IX Office will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, the Civil Rights and Title IX Office will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, feedback from students, staff, and faculty.

2104.4 REFERENCES

- [Executive Order 13166](#)
- Title VI, 40 C.F.R. Part 7, Lau v. Nichols 414 U.S. (1974)

RESOURCES

UTAH STATE UNIVERSITY

NOTICE OF NON-DISCRIMINATION

In its programs and activities, including in admissions and employment, Utah State University does not discriminate or tolerate discrimination, including harassment, based on race, color, religion, sex, national origin, age, genetic information, sexual orientation, gender identity, disability, status as a protected veteran, or any other status protected by University policy, Title IX, or any other federal, state, or local law.

Utah State University is an equal opportunity employer and does not discriminate or tolerate discrimination including harassment in employment including in hiring, promotion, transfer, or termination based on race, color, religion, sex, national origin, age, genetic information, sexual orientation, gender identity, disability, status as a protected veteran, or any other status protected by University policy or any other federal, state, or local law.

Utah State University does not discriminate in its housing offerings and will treat all persons fairly and equally without regard to race, color, religion, sex, familial status, disability, national origin, source of income, sexual orientation, or gender identity. Additionally, the University endeavors to provide reasonable accommodations when necessary and to ensure equal access to qualified persons with disabilities.

Notwithstanding the foregoing, in all circumstances, Utah State University follows state and federal law related to sex-segregated facilities and spaces and legally permitted sex-based distinctions in programs and activities.

The following individuals have been designated to handle inquiries regarding the application of Title IX and its implementing regulations and/or USU's non-discrimination policies:

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For further information regarding non-discrimination, please visit crtix.usu.edu or contact:

U.S. Department of Education
Denver Regional Office
303-844-5695 | OCR.Denver@ed.gov

U.S. Department of Education
Office of Assistant Secretary for Civil Rights
800-421-3481 | OCR@ed.gov

POLICY HISTORY

Original issue date: 2024/04/10

Last review date: 2026/02/23

Next scheduled review date: 2027/04/10

Previous revision dates: 2024/04/10