

CU Boulder Limited English Proficiency Plan

I. Introduction and Summary

This University of Colorado Boulder Limited English Proficiency Plan (Plan) was prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S. C. 2000d, et seq. and its implementing regulations (Title VI), which state in relevant part that no person shall be subjected to discrimination on the basis of national origin. Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination (Executive Order).

In accordance with Title VI and the Executive Order, CU Boulder considers discrimination on the basis of an individual's limited English proficiency (LEP) to be a form of national origin discrimination protected from discrimination and harassment under CU Boulder's [Discrimination and Harassment Policy](#).

To assist in meeting its legal and policy obligations, CU Boulder developed this Plan to help ensure that LEP qualified participants have meaningful access and equal opportunity to participate in CU Boulder programs, activities and services (PAS).

As institution of higher education, CU Boulder has admission eligibility standards for undergraduate and graduate student degree programs for which English proficiency is generally required and, with the exception of foreign language courses, CU Boulder courses are generally taught in English.¹ Further, English proficiency may be an essential function of employment positions if it is job-related and consistent with business necessity.

The International English Center at the University of Colorado Boulder (IEC), part of the Division of Continuing Education, offers LEP students, employees, and members of the public unique opportunity to learn English. Their intensive English as second language programs are combined with orientation to university customs, academic preparation, and an introduction to life in the United States.²

The focus of this Plan is on the most critical areas with which a qualified LEP participant may come into contact with CU Boulder's PAS. This Plan defines key terms, discusses CU Boulder's four factor assessment, provides a plan for providing language assistance to LEP participants in CU Boulder PAS, including notice for LEP persons, and training for CU Boulder employees. This Plan applies to students, employees, and members of the public, including, but not limited to, parents.

¹ To secure a student visa, international students must be either proficient in English or be enrolled in courses leading to English proficiency.¹ See the U.S Department of Homeland Security's U.S. Citizenship and Immigration Services, [Student and Employment Visa Website](#).

² For further information about their programs see the [International English Center's website](#).

II. Definitions

- LEP: “Limited English proficient” or “limited English proficiency” means not speaking English as a primary language and limited ability to read, speak, write, or understand English.
- Contact: Interactions in-person; over the telephone, through written correspondence, including email; websites; newsletters; social media; meetings; investigations and interviews; community engagement events and activities; and documents explaining recipient programs. Contacts are with students, faculty, staff, and members of the public.
- PAS: Programs, activities, and services.
- Critical Area: A CU Boulder division, unit, or office that offers programs, activities, or services that may have greater health and safety or legal consequences for the participant, for example, law enforcement, housing, health and wellness, parking and transportation, and complaint/grievance processes.
- Language assistance: Interpreting and/or translating vital information to LEP persons.
- Interpretation: Oral or spoken transfer of a message from one language into another language.
- Translation: The written transfer of a message from one language into another language.

III. Four Factor Assessment

CU Boulder identified the following as critical areas of CU Boulder’s organization that have the most potential to have encounters with LEP persons:

- University of Colorado Boulder Police Department
- Office of Institutional Equity and Compliance
- Student Affairs, including Health and Wellness Services
- Parking and Transportation
- Enrollment Management
- Continuing Education’s IEC

To prepare this Plan, administrators with oversight of the above critical areas assessed the following factors based on historical experience for the PAS:

- (1) Approximate number and proportion of LEP persons in contact annually;
- (2) Frequency of contact with LEP persons and the primary language(s) spoken;
- (3) Nature and importance of each PAS in providing access for LEP persons; and
- (4) Resources currently being used to provide language assistance to LEP persons.

The goal of the assessment was to identify CU Boulder’s most common and important points of contact and encounters with LEP persons.

A. Proportion of LEP Persons Likely to be Encountered on Annual Basis

The numbers and percentages of annual contacts each CU Boulder critical area PAS has with LEP persons compared to total participants was over all very low, with an average of 1.5% and a median of 0.22% of all participants, with most PAS having less than 0.5% total participation per year.³

CU Boulder also reviewed the [2020 U.S. census information for Boulder County, Colorado](#) where its campus is located which reflected a total population of 330,758. Within the 2020 census, the following information from the American Community Survey is relevant regarding [Limited English Speaking Households](#): of 127,365 households in Boulder County, 10,225 spoke Spanish (8.03%), 5,745 spoke “Other Indo-European languages” (4.5%), 3,801 spoke “Asian and Pacific Island language” (2.98%) and 839 spoke “Other languages” (.66%).

B. Frequency of LEP Person Contact and Languages Spoken

Most critical area PAS have unpredictable contacts with LEP persons, with most indicating a frequency that was inconsistent or sporadic. The following PAS have daily, weekly, or monthly contact:

- Graduate and Family Housing (GFH) Leasing (Chinese and Hindi speakers)
- Medical Services Clinical Care, Pharmacy, and Immunization Compliance (Spanish speakers)
- Counseling and Psychiatry Services Medication Management (Spanish speakers)
- Enrollment Management Customer Service; Financial Planning; and Admissions Marketing (Spanish speakers)
- IEC: Intensive English Program/ESL Academic Bridge; Legal English Program; Afghan Refugees Program; and CU Employees Program (broad array of languages spoken in these programs)

The critical area PAS with the highest proportion of annual contact with LEP persons are:

- Continuing Education’s IEC
- GFH Leasing
- OIEC Prevention, Education, and Assessment

Most common languages spoken by LEP participants in critical area PAS are Spanish and Chinese (Mandarin) with a breakdown as follows:

- Spanish (22 PAS)
- Chinese/Mandarin (15 PAS)

³ IEC programs specifically target and are accessible to LEP persons and are different from the other critical area PAS. To achieve an “apples to apples” comparison, and for the purposes of providing accurate numbers, these calculations do not include the numbers and percentages from the IEC programs.

- Nepali (8 PAS)
- Arabic (7)
- Laotian (3)
- Albanian (2)
- Other: Mongolian (1); Hungarian (1); Vietnamese (1); Asian-Pacific Indonesian (1); Japanese (1); Dari (1); Pashto (1)

C. Nature and Importance

The following PAS identified as “important” or “very important” to health and safety have annual contacts of some level, although most a very small percentage of total annual contacts, with LEP persons:

- CUPD
- CU Night Ride
- Student Support and Case Management
- Housing and Dining Accommodations
- Office of Victim Assistance Victim Advocacy
- Medical Services Clinical Care; Pharmacy; and Immunization Compliance
- CAPS Clinical Counseling and Medication Management
- Parking Customer Service
- OIEC Case Resolutions; Prevention, Education, and Assessment; Support and Safety Measures; and ADA Title II Compliance and Pregnancy Accommodations
- IEC: Intensive English Program/ESL Academic Bridge; Afghan Refugees Program; and CU Employees Program

D. Language Assistance Resources

All critical area PAS have existing access to language assistance resources with use as needed. Most indicated use of a third party, professional contractor to provide interpretation and translation services. Use of bilingual staff or specialized employees who provide language assistance is also being utilized in some PAS to provide language assistance.

IV. Language Assistance Plan

1. **Identifying Languages of Communication**

CU Boulder may use any of the following measures to identify LEP persons who may need language assistance:

- Examine requests for language assistance from past encounters to anticipate the possible need for future assistance for LEP persons;
- The LEP individual or their companion self-identifies as LEP and identifies their language preference;

- For CU Boulder events, particularly those open to the public, staff may informally engage participants in communication to gauge the participant's ability to speak and understand English.
- During an encounter, if staff believes that the person may not speak and understand English well enough to effectively participate staff can use language identification cards (or "I Speak" cards), which invite LEP persons to identify their language needs to staff. A pdf of the "I Speak" booklet is available to download from government websites.⁴

Although immediate language assistance may not always be able to be provided, it may be provided in follow-up and the above measures will help identify the need for future language assistance resources.

2. Language Assistance Measures and Available Resources

CU Boulder will take reasonable steps to provide the opportunity for meaningful access of LEP persons who have difficulty communicating in English. CU Boulder will determine when language assistance is needed. CU Boulder may conclude that different language assistance measures are sufficient, depending on the PAS impact on or frequency of contact with LEP persons.

Overall, there is a low, unpredictable percentage of LEP persons in contact with CU Boulder's critical area PAS. Regardless, the PAS with the highest number and more regular contacts are providing language assistance, primarily through selected professional contractors. In such PAS, CU Boulder will continue to strive to provide the following:

- Making interpreters available, particularly for Spanish and Chinese (Mandarin), or any other most common languages identified
- Providing on-going language assistance to CU Boulder non-discrimination policies, complaint procedures, and outreach materials.

If a person asks for language assistance, and staff determines based on the application of the four factors that the person is a LEP person qualified to receive services, and that language assistance is necessary to provide meaningful access, CU Boulder will make reasonable efforts to provide free and competent language assistance.

It will not generally be acceptable for CU Boulder PAS to require an LEP person to rely upon their family members or friends to provide language assistance. It is acceptable to let LEP persons use their own preferred resource so long as the use is informed and voluntary.

⁴ See <http://www.dhs.gov/CRCL> and <http://www.lep.gov>.

In order to provide effective language assistance, CU Boulder will consider the type and qualifications of interpreters and which documents are vital documents. Language services may be provided by competent bilingual staff, professional language assistance service providers, or technology services.

3. Notice to LEP Persons

CU Boulder maintains information about the availability of language assistance on the OIEC's website.⁵ In addition, CU Boulder may post notice as needed on other websites and physical signs in buildings. All such notices should: (1) inform LEP persons that they are entitled to meaningful access to CU Boulder PAS and may be qualified to receive language assistance; (2) how to access language assistance services; and (3) how to make complaints. CU Boulder will provide notice in languages LEP persons will understand.

4. Plan Distribution and Training

CU Boulder will post and maintain this Plan on OIEC's website.

OIEC will make training available to CU Boulder employees, particularly those who interact more regularly with members of the public in critical area PAS, that includes the following topics:

- Information about CU Boulder's Discrimination and Harassment Policy and responsibility to provide meaningful access to LEP persons.
- Awareness of language assistance services for qualified LEP persons.
- How to report a Title VI/LEP complaint.

5. Monitoring, Assessing, and Updating the Plan

CU Boulder will periodically review this Plan and inquire with administrators on their experience with contacts with LEP persons.

This Plan will be updated when it is clear that higher concentrations of LEP persons are present in CU Boulder service area.

CU Boulder's review and updates will consider the following:

- The number of LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- The current LEP population in the service area.
- Whether the need for language assistance has changed.
- Whether language assistance has been effective and sufficient to meet needs.
- Whether financial resources are sufficient to fund language assistance needs.

⁵See: <https://www.colorado.edu/oiec/translation-services>.

- Whether CU Boulder is complying with the goals of this Plan.
- Whether complaints have been received and are being adequately resolved.