

## **Requirements for Providing Services for Non-English Speaking Communities**

When we do reviews for compliance with civil rights regulations, there are three requirements related to the provision of services for non-English speaking communities. These all come from the U.S. Department of Education Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex and Handicap in Vocational Education Programs (34 C.F.R. Part 100 Appendix B).

Title VI of the Civil Rights Act of 1964 (Title VI) (34 C.F.R. § 100 Appx B (I-D-7)) states that “[a] junior college, a community college, or four-year college that has a department or division that provides vocational education to students seeking immediate employment, an associate degree or a certificate through a course of vocational instruction offered by the school” is one example of a school to which the regulations apply.

### Annual Notification

Title VI (34 C.F.R. § 100 Appx B (IV-O)) goes on to state, “Prior to the beginning of each school year, recipients must advise students, parents, employees and the general public that all vocational opportunities will be offered without regard to race, color, national origin, sex, or handicap. . . . A brief summary of program offerings and admission criteria should be included in the announcement; also the name, address, and telephone number of the person designated to coordinate Title IX and Section 504 compliance activity. If a recipient's service area contains a community of national origin minority persons with limited English language skills, public notification materials must be disseminated to that community in its language and must state that recipients will take steps to assure that the lack of English language skills will not be a barrier to admission and participation in vocational education programs.”

### Promotional Materials

“If a recipient's service area contains a community of national origin minority persons with limited English language skills, promotional literature must be distributed to that community in its language.” [Title VI (34 C.F.R. § 100 Appx B (V-E))]

### Financial Aid Materials

“Materials and information used to notify students of opportunities for financial assistance may not contain language or examples that would lead applicants to believe the assistance is provided on a discriminatory basis. If a recipient's service area contains a community of national origin minority persons with limited English language skills, such information must be disseminated to that community in its language.” [Title VI (34 C.F.R. § 100 Appx B (VI-B))]

### **How to identify if your college has a non-English speaking community**

1. It is the college's responsibility to identify whether or not there is a community of non-English speakers;
2. There is no guidance that explicitly defines “community”;
3. The Office for Civil Rights suggests consideration of the following:
  - a. Census or other demographic data;
  - b. The non-English speaking population of the local school district;
  - c. The existence of agencies providing services to non-English speakers (i.e. chambers of commerce, social services, providers of community English classes, religious services in other languages, etc.); and
  - d. The existence of local media sources in other languages (i.e. radio, news, print media).

## **Best Practice**

Colleges should have in place processes for identifying whether or not communities of non-English speakers exist. Processes should:

- Be documented;
- Consider any other campus locations or satellite centers within the college that may have communities;
- Define the threshold for when non-English speakers become a community;
- Note what factors contributed to the decision (i.e. the OCR suggestions noted above); and
- Specify a timeframe for re-evaluation (i.e. every 5 years).