

Language Access Plan

Southern Iowa Electric Cooperative

May 1, 2017

Table of Contents

Background:3

Implementing the Language Access Plan (LAP)4

LAP Part 1: Identifying LEP Individuals Who Need Language Assistance4

LAP Part 2: Language Assistance Measures.....8

LAP Part 3: Training Staff8

LAP Part 4: Vital Document Translations8

LAP Part 5: Providing Notice to Persons with limited English proficiency (LEP).....9

LAP Part 6: Monitoring and Updating the Language Access Plan.....9

Background:

Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations promulgated by the former U.S. Department of Health, Education, and Welfare to hold that Title VI prohibits conduct that has a disproportionate effect on persons with limited English proficiency (LEP) because such conduct constitutes national origin discrimination.

- Executive Order 13166, Improving Access to Services for persons with Limited English Proficiency. Executive Order 13166 was signed by President Clinton in 2000. It clarifies Federal agencies' and their grant recipients' responsibilities to make their services available to LEP populations. A link to this Executive Order can be found at www.lep.gov/13166/eo13166.html. The Executive Order directs each Federal agency to examine the services it provides and develop and implement a system by which persons with limited English proficiency (LEP) can meaningfully access those services.
- The Executive Order states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency (LEP). Federal agencies were instructed to publish guidance for their respective recipients in order to assist them with their obligations to persons with limited English proficiency (LEP) under Title VI. The Executive Order recommended uniform guidance to recipients on the preparation of a plan to improve access to its federally assisted programs and activities by eligible persons with limited English proficiency (LEP). Each plan shall be consistent with the standards set forth in the U.S. Department of Justice's Policy Guidance.

This Language Access Plan has been created with the use of various federal reference materials. One of the key reference materials used was the United State Department of Agriculture Rural Development "*Limited English Proficiency (LEP) Implementation Strategy for Federally Assisted Programs*" dated January 29, 2016.

This Implementation Strategy Guide sets forth the recommended strategy and step-by-step procedures for ensuring that persons with Limited English Proficiency (LEP) have meaningful access to programs and activities receiving Federal financial assistance from the U.S. Department of Agriculture (USDA) Rural Development and other federal agencies. While this plan was created with the use of the USDA Strategy Guide this plan is intended to provide Southern Iowa Electric Cooperative with a plan to fulfill any obligations with regard to Limited English Proficiency.

The Plan distinguishes the native language spoken by the population and geographic areas (if any) where persons with Limited English Proficiency (LEP) are concentrated. Where there are concentrations of persons with Limited English Proficiency (LEP), the Plan identifies procedures for ensuring that persons with LEP have meaningful access to programs and activities receiving Federal financial assistance from the U.S. Department of Agriculture Rural Utilities Service and/or Rural Development.

Implementing the Language Access Plan (LAP)

LAP Part 1: Identifying LEP Individuals Who Need Language Assistance

Southern Iowa Electric Cooperative has primarily used U.S. Census Bureau data for assessing its estimated LEP population in the geographic boundaries for which it has an obligation to provide electric service. The Iowa Association of Electric Cooperatives (IAEC) has retrieved data from factfinder.census.gov which shows the LEP data for Iowa as a state. This data reveals that there are some 40 languages spoken in Iowa, including English. The following table¹ shows the various languages spoken in Iowa and the percent of individuals reporting that they speak English less than "very well".

Iowa		
Population	2,881,441	
LEP Language	Number of LEP Persons	Percentage of Population
Spanish or Spanish Creole:	49,357	1.7%
Chinese:	6,025	0.2%
Vietnamese:	4,552	0.2%
Serbo-Croatian:	3,731	0.1%
German:	2,624	0.1%
African languages:	2,350	0.1%
Other Asian languages:	2,282	0.1%
Arabic:	2,213	0.1%
Laotian:	1,997	0.1%
Korean:	1,950	0.1%
Other West Germanic languages:	1,189	0.0%
Hindi:	1,078	0.0%
French (incl. Patois, Cajun):	937	0.0%
Thai:	872	0.0%
Other Indic languages:	836	0.0%
Tagalog:	789	0.0%
Other Pacific Island languages:	682	0.0%
Russian:	614	0.0%
Japanese:	485	0.0%
Other Slavic languages:	447	0.0%
Mon-Khmer, Cambodian:	331	0.0%
Hmong:	303	0.0%
Other Indo-European languages:	301	0.0%
Other Native North American languages:	301	0.0%
Gujarati:	193	0.0%
Other and unspecified languages:	176	0.0%
Italian:	163	0.0%
Urdu:	159	0.0%
Persian:	158	0.0%
Polish:	153	0.0%
Portuguese or Portuguese Creole:	141	0.0%
Hebrew:	131	0.0%
Scandinavian languages:	124	0.0%
Armenian:	66	0.0%
Greek:	63	0.0%
French Creole:	45	0.0%
Hungarian:	45	0.0%
Yiddish:	23	0.0%
Navajo:	-	0.0%

¹ Source: <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk> - U. S. Census Bureau, 2010-2014 American Community Survey (ACS) 5-year estimates.

The state of Iowa has public policy on assigned electric service areas. Each electric utility in Iowa has an obligation to provide electric service in a specific geographic boundary within Iowa and cannot offer to provide electric service in another electric utility's assigned electric service area. See Iowa Code section 476.23. Iowa assigned electric service area maps are publicly available that show by County the state assigned electric service area for each rural electric cooperative. See: <http://www.iowadot.gov/maps/msp/electrical/electrical.html>

The IAEC maintains an outage map which is used by public officials to dispatch certain public resources into areas of Iowa when electric outages are widespread or expected to be sustained for long periods of times. As a part of this initiative the IAEC maintains meter count data by electric cooperative by county. This data can be used to determine the estimated population served in each county by each electric cooperative. The meter data by electric cooperative and by county is applied to a census data point of a certain number of persons per household in Iowa to arrive at an estimated population served in each county and in the entire electric service area for each cooperative. This presents a consistent approach for the members of the IAEC in assessing the LEP population in the geographic boundaries served by Southern Iowa Electric Cooperative.

The Iowa Association of Electric Cooperatives has worked with its member cooperatives in computing an LEP for each electric cooperative based on data derived from the factfinder.census.gov website. County level LEP data was downloaded from the factfinder.census.gov website and was used in conjunction with the number of meters within each county served by the cooperative. The service territory of Southern Iowa Electric Cooperative includes the following counties: Appanoose, Davis, Van Buren, and Wapello. Year 2010-2014 U.S. Census data¹ shows the average persons per household in Iowa to be 2.42. This figure was used to compute the total population served by Southern Iowa Electric Cooperative by multiplying the average persons per household by the number of services in place.

It should be noted that in addition to electrical service, Southern Iowa Electric Cooperative administers a revolving loan fund (RLF) which was created with funds from USDA Rural Development. The service territory of Southern Iowa Electric Cooperative's RLF includes the following counties: Appanoose, Davis, Van Buren, and Wapello. While this fund is not limited to cooperative members, Southern Iowa Electric Cooperative believes the above calculations and conclusions are representative of the rural population to which the RLF is marketed. As such, this Language Access Plan (LAP) includes the responsibilities associated to the cooperative's administration of the RLF in regards to LEP requirements. As such, no separate analysis, activities or actions are necessary beyond what is described in this plan.

A review of the data presented for Iowa and the counties and townships within, revealed that cities often have a much higher LEP population than rural areas. For cooperatives with a percentage of persons with limited English proficiency (LEP) approaching 5% of the population or over 5% or electric cooperatives approaching or exceeding the 1,000 LEP population safe harbor threshold the IAEC has assessed the various metropolitan areas and computed a county wide LEP population which excludes urban areas not within the electric cooperative's assigned electric service area. The purpose of this calibration is to determine more accurate LEP statistics for the electric cooperative in the geographic area in which they have a legal obligation

¹ Source: <http://www.census.gov/quickfacts/table/PST045215/19> - U. S. Census Bureau, American Community Survey (ACS) and Puerto Rico Community Survey (PRCS), 5-Year Estimates. The PRCS is part of the Census Bureau's ACS, [customized for Puerto Rico](#). Both Surveys are updated every year. <http://factfinder.census.gov>

to provide electric service. The urban areas excluded are required to be served by either an investor-owned electric utility or a municipal electric utility with such obligation under Iowa law to provide electric service into these cities.

Southern Iowa Electric Cooperative has had very limited interactions with persons with Limited English Proficiency. We estimate that on an annual basis the number of occurrences at 3 or less.

Southern Iowa Electric Cooperative is planning to maintain more detailed records beginning with the adoption of this plan. The following are the data that we are planning to gather and maintain related to LEP interactions.

For each interaction that a Cooperative employee has with a person with limited English proficiency (LEP) we plan to record the following:

- Name of Person
- Member or non-member of Cooperative
- Date and Time of interaction
- Type of Interaction: In person, e-mail or telephone
- Language Spoken by the person
- Resources or persons were used to assist the person with limited English proficiency (LEP).
- Program or issue the person inquired about.

The following is the LEP population served by Southern Iowa Electric Cooperative as computed by the IAEC using factfinder.census.gov data and other data sources as described above. The Number of persons with limited English proficiency (LEP) column represents the estimated number of persons with limited English proficiency (LEP) served by Southern Iowa Electric Cooperative. The percentage of population column represents the percentage of persons with limited English proficiency (LEP) compared to the total Southern Iowa Electric Cooperative membership:

Southern Iowa Electric Cooperative, Inc.		
Meters Total	4,740	
Population Estimate	11,472	
LEP Language	Number of LEP Persons	Percentage of Population
Other West Germanic languages:	191	1.7%
Spanish or Spanish Creole:	172	1.5%
German:	131	1.1%
Other Asian languages:	9	0.1%
Other and unspecified languages:	9	0.1%
Vietnamese:	6	0.1%
Hebrew:	6	0.1%
Other Pacific Island languages:	5	0.0%
Persian:	4	0.0%
Gujarati:	4	0.0%
Chinese:	3	0.0%
Serbo-Croatian:	3	0.0%
Russian:	1	0.0%
Scandinavian languages:	1	0.0%
Japanese:	0	0.0%
Other Indo-European languages:	0	0.0%
Mon-Khmer, Cambodian:	0	0.0%
Tagalog:	0	0.0%
French Creole:	0	0.0%
Laotian:	0	0.0%
Hungarian:	0	0.0%
French (incl. Patois, Cajun):	0	0.0%
African languages:	0	0.0%
Portuguese or Portuguese Creole:	0	0.0%
Polish:	0	0.0%
Urdu:	0	0.0%
Korean:	0	0.0%
Navajo:	0	0.0%
Other Slavic languages:	0	0.0%
Hmong:	0	0.0%
Hindi:	0	0.0%
Other Indic languages:	0	0.0%
Italian:	0	0.0%
Yiddish:	0	0.0%
Greek:	0	0.0%
Armenian:	0	0.0%
Thai:	0	0.0%
Other Native North American languages:	0	0.0%
Arabic:	0	0.0%

LAP Part 2: Language Assistance Measures

Language assistance measures will be made available to all persons with limited English proficiency (LEP) within the Southern Iowa Electric Cooperative service territory. These measures will be offered at no additional cost to the person with limited English proficiency (LEP). Through the evaluation performed by the Iowa Association of Electric Cooperatives, Southern Iowa Electric Cooperative has determined that it has not yet reached the safe harbor provision levels to require written translation of vital documents. If a specific LEP population reaches the safe harbor provision levels, Southern Iowa Electric Cooperative will provide all vital documents in that specific LEP language. Southern Iowa Electric Cooperative has contracted with the Cooperative Response Center for competent interpretation services that will be made available to persons with limited English proficiency (LEP). Language cards provided through the LEP.gov website at the following link will be used to determine the appropriate language: <https://www.lep.gov/resources/ISpeakCards2004.pdf>

LAP Part 3: Training Staff

Southern Iowa Electric Cooperative employees will be trained to have an understanding of their obligations to provide meaningful access to information and services for persons with limited English proficiency (LEP). Trainings will be held annually by the Iowa Association of Electric Cooperatives. Other trainings as needed will be scheduled by Southern Iowa Electric Cooperative.

LAP Part 4: Vital Document Translations

Southern Iowa Electric Cooperative has a population of persons with limited English proficiency (LEP) which does not warrant translation of vital documents into another language. Southern Iowa Electric Cooperative has determined an estimate of the LEP population within our assigned electric service area based on the most recent US Census data. This data indicates our highest LEP population is in the language of West Germanic with 191 persons identified as not being able to speak English "very well". This is 1.7% of the population we serve. This percentage and number of population are below the Safe Harbor thresholds as published by the United States Department of Agriculture Rural Development. Southern Iowa Electric Cooperative will monitor the penetration of persons with limited English proficiency (LEP) in our service area to determine if we meet a threshold whereby vital document translation would become necessary.

The following is the USDA table of Safe Harbor Provisions used.



Language Access Plan (LAP)

- Part 4: Vital document translations (Safe Harbor Provisions)

Size of Language Group	Recommended Provision of Written Language Assistance
1,000 or more in the eligible population in the market area or among current beneficiaries	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>AND</i> more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>AND</i> 50 or less in number	Translated written notice of right to receive free oral interpretation of documents
5% or less of the eligible population or beneficiaries <i>AND</i> less than 1,000 in number	No written translation is required

LAP Part 5: Providing Notice to Persons with limited English proficiency (LEP)

Southern Iowa Electric Cooperative plans to work with our community-based organizations to inform persons with limited English proficiency (LEP) of the language assistance available. Southern Iowa Electric Cooperative plans to assess other means of providing notice to persons with limited English proficiency (LEP). Southern Iowa Electric Cooperative has a population of persons with limited English proficiency (LEP) which does not warrant translation of any notices in another language. Southern Iowa Electric Cooperative has determined an estimate of the LEP population within our assigned electric service area based on the most recent US Census data. This data indicates our highest LEP population is in the language of West Germanic with 191 persons identified as not being able to speak English “very well”. This is 1.7% of the population we serve. This percentage and number of population are below the Safe Harbor thresholds as published by the United States Department of Agriculture Rural Development. Southern Iowa Electric Cooperative will monitor the penetration of persons with limited English proficiency (LEP) in our service area to determine if we meet a threshold whereby a translation of a notice would become necessary. Southern Iowa Electric Cooperative has contracted with the Cooperative Response Center for competent interpretation services that will be made available to persons with limited English proficiency (LEP). Language cards provided through the LEP.gov website will be used to determine the appropriate language.

LAP Part 6: Monitoring and Updating the Language Access Plan

Southern Iowa Electric Cooperative and the Iowa Association of Electric Cooperatives will monitor updates from the US Census Bureau on the issue of LEP population in our service territory and will update this plan accordingly.