

OVERVIEW

The Idaho Human Rights Commission (IHRC) is pleased to offer meaningful access to speakers of all languages, including individuals with limited English proficiency (LEP).

Background

Although English is the most commonly spoken language in Idaho, the state includes a diverse population with a variety of language needs. According to a Department of Education survey, Idaho's top five languages spoken by English Language Learner (ELL) students include Spanish, Arabic, North American Indian (various), Somali, and Nepali.ⁱ The US Census Bureau lists the top five languages in Idaho, other than English (89.38%), as: Spanish (7.94%), German (0.30%), Chinese (0.23%), French (0.20%), and Arabic (0.17%).ⁱⁱ There are approximately 37,000 people in Idaho with severe/profound hearing loss.ⁱⁱⁱ

In addition to meeting the needs of LEP individuals within Idaho, federal^{iv} and state^v laws prohibit discrimination based on national origin, which includes the language spoken by an individual, and disability, which includes deaf and hard of hearing individuals.

The IHRC will periodically review five-year estimates of the US Census Bureau's American Community Survey to identify any significant changes in the percentages of languages spoken throughout the state. Evaluating statewide demographic information will assist the IHRC identify potentially underserved LEP populations.

ACCESS PLAN

Providing Meaningful Access for LEP individuals

The IHRC provides language access in a variety of modes. All staff are trained on how to use services, and are provided with an internal "Language Access: Employee Manual" with detailed instructions and contact information for various agencies, in order to provide effective and prompt language services to LEP individuals.

Assistance for deaf and hard of hearing individuals:

The IHRC provides in-person and video relay interpreting services at no cost to the individual. Services are provided on request; in-person interpretation can be arranged in advance, and we use the Idaho Relay for on-demand interpretation services.

Assistance for LEP individuals for other spoken languages:

- **Bilingual staff:** As of state fiscal year 2020, IHRC currently employs five bilingual staff members who are fluent in Spanish and English; they are happy to assist over the telephone or in person during normal business hours.
- **Telephonic interpreting:** the IHRC uses telephonic interpretation for more than 200 languages.
- **Written translation:** individuals can request assistance with interpretation or translation of essential documents. Essential documents include written material that is critical for accessing the Commission's programs and services.
- **Materials/brochures:** The IHRC provides informational brochures in English and Spanish.

Meaningful Access and Vital Information^{vi}

It is the policy of the IHRC to engage in reasonable steps to provide LEP individuals with meaningful access to the process and services offered by the IHRC. IHRC staff will provide language assistance as needed to ensure that LEP individuals are able to understand vital information within communications, engage in the IHRC process for filing a charge of discrimination, and access other services or opportunities provided by the IHRC. The IHRC will communicate its language services to the public.

Vital information may include the following communications:

- IHRC intake questionnaire.
- Written and oral correspondence requesting information from parties to an investigation, charge of discrimination, or other proceeding.
- Written determinations from investigations, including both the legal findings and procedural steps that a party may take in response to the finding.
- Interrogatories related to an investigation and correspondence related to position statements provided by parties to an investigation.

Schedule of Review and Printed Materials

The IHRC will provide vital information in both English and Spanish. Translation of documents including vital information and translation into other languages is available upon request.

The IHRC maintains a language access poster that individuals may point to when indicating their preferred language.

The IHRC will develop and publish a standard, multi-lingual informational brochure that will be sent to parties informing them of IHRC language access options.

The IHRC will periodically review written correspondence that is translated into Spanish and any other languages to ensure consistency with English documents.

Outreach

Understanding the needs of our community is the first step in providing appropriate services. The IHRC recognizes that LEP individuals may be underserved due to language barriers and presents bi-monthly at the English Language Center (ELC) to newly settled refugees, in order to inform them of protected categories and civil rights in the United States. A representative from the IHRC attends quarterly Community Coordination meetings, hosted by the Idaho Office for Refugees, in order to stay updated with local immigration and refugee trends, numbers, struggles, and successes. Partnerships with Idaho Tribal Employment Rights Ordinance (TERO) groups and local human rights advocacy groups throughout the

state also exist, and the IHRC fosters these relationships in order to stay better connected throughout the state, and to learn about issues that impact our minority communities.

The IHRC is open to collaborating with other local and state agencies and organizations that assist LEP or cultural minority groups in Idaho.

The IHRC provides free technical training to private and public businesses upon request. Topics include but are not limited to the following:

- Respectful workplace best practices for employees
- Sex-based harassment and sexual harassment in the era of #MeToo
- The interactive process and reasonable accommodations for employees with disabilities
- Manager and supervisor training on bullying prevention and respectful workplace
- Trends and updates on reports of discrimination in Idaho

Resources and additional information

- Other state agencies that provide services
 - [Council for the Deaf and Hard of Hearing](#)
 - [Commission for the Blind and Visually Impaired](#)
 - [Idaho Office for Refugees](#)

ⁱ Migration Policy Institute, school year 2012-2013

http://www.migrationpolicy.org/sites/default/files/language_portal/ELLlanguagedataappendix2012-2013.xlsx

ⁱⁱ 2012-2016 American Community Survey, primary language spoken at home, regardless of ability of English, ages 5+.

ⁱⁱⁱ Information provided by Idaho Association of the Deaf, personal correspondence, 2018.

^{iv} **Title VII of the Civil Rights Act of 1964**, as amended, explained by [Justicia](#): prohibits discrimination in the workplace; IHRC enforces this law.

Title II of the The Americans with Disabilities Act, as amended, and [proclaimed](#) by Governor “Butch” Otter in the State of Idaho in 2015: prohibits discrimination to individuals with disabilities, and requires that all government agencies in the state adhere to provision of language services in order to ensure that communications with deaf and hard of hearing individuals are as effective as communications with others.

^v **Idaho Statute Title 67, chapter 59**, prohibits discrimination based on basis of, race, color, religion, sex or national origin in employment and public accommodations.

^{vi} The IHRC maintains an annual workshare contract agreement with the federal Equal Employment Opportunity Commission (EEOC). For reference, the IHRC refers to the guidance found in the EEOC Language Access Plan, available online at: <https://www.eeoc.gov/eeoc/plan/lap.cfm>