



Language Access Rights & Laws

Federal

Title VI of the 1964 Civil Rights Act prohibits service providers who receive federal funds from excluding, denying or discriminating against persons on the basis of race, color, or national origin.

The supreme Court, in *Lau v. Nichols* 414 U.S. 563 (1974) held that Title VI prohibits conducts that has a disproportionate effect on Limited-English-Proficient (LEP) persons because such conduct constitutes national-origin discriminations.

On August 11, 2000, President Clinton issued **Executive Order 13166**, "improving Access to Services for Persons with Limited English Proficiency" 65 FR 50121. The order reaffirmed the Title VI prohibition and required federal agencies to publish guidance *on how service providers who receive federal funds can provide meaningful access to LEP persons*. On that same day the US Department of Justice (DOJ) issued a guidance document to federal agencies. It directed them to consider four factors in developing their LEP guidance publications. (See Points of Contact Analysis)

California State and Local

The **Dymally-Alatorre Bilingual Services Act (GC Sec 7299-7299.8)** requires state and local public agencies serving a "substantial number" of "non- English- speaking people" to employ qualified bilingual persons in public contact positions...". With respect to state agencies providing bilingual staff or translated material explaining agency services, "substantial number" means a group whose members are not proficient in English and that comprise 5 percent of the people served by any local office or facility. The Act also requires state agencies to conduct biennial language surveys and to develop and update an implementation plan. Survey and plan requirements are detailed in GC Section 7299.4

Sources:

<https://www.justice.gov/crt/fcs/TitleVI-Overview>

<http://www.dds.ca.gov/BilingualServices/>