**Executive Order 13166 Language Access Plan Implementation:**

**National Council on Disability Annual Analysis and Update**

**December 7, 2012**

Purpose

This document provides the first annual analysis of how the National Council on Disability (NCD) has implemented its revised Language Access Plan for assuring effective communication with individuals who are considered to have limited English proficiency (LEP). NCD’s analysis and update year covers December 2011 to December 2012. The calculation is based upon timely submission of the revised plan to the U.S. Department of Justice (DOJ) in December 2011 (i.e., compliance with a six month timeline from the June 2011 receipt of government wide guidance offered by DOJ’s Federal Coordination and Compliance Section Civil Rights Division). What follows in the current document is the required annual analysis of NCD’s plan implementation.

Initial Year Analysis

Between December 2011 and December 2012, NCD showed progress toward providing effective communication for people who have LEP needs. These efforts are consistent with NCD’s five-year agency strategic plan goals regarding stakeholder outreach and accessibility. During the initial year of implementing the revised language access plan for serving people with LEP needs, NCD used available LEP resources and made internal agency policy and process determinations. Included were management and other staff dialogue about agency communication goals, honoring our diversity statement,[[1]](#endnote-1) incorporating more specific ways to meet current and perhaps future LEP needs, and moving forward to implement the action items identified in our language access plan.[[2]](#endnote-2)

Action Item 1 – Coordination: Our management team designated representatives from its three point internal team structure to form NCD’s LEP team or working group. Three staff (from the Administrative, Legislative, and Policy/Legal Teams) served as members of the group; the policy team member who is serving as the agency’s LEP Coordinator serves as lead staff. Future observation, suggestions and results of this group’s work will be shared agency wide and will provide opportunity for input and assessment throughout the coming year. These actions are consistent with NCD’s plan for establishing a Language Access Working Group, as outlined in EO 13166 and having the LEP Coordinator serve as group chair.

Action Item 2 – Assessment of Needs: NCD applied the federal government wide guidance and LEP resources made available through the online Language Access Assessment and Planning Tool.[[3]](#endnote-3) With the LEP Sample Self-Assessment as a model, NCD’s LEP Coordinator developed and conducted a trial-run self-assessment with content appropriate to NCD and its mission. Since contact with the public is ongoing (e.g., telephone, written, and face-to-face communication), the current LEP working group will have opportunities to review.

Action Item 3 – Periodic Updates: This document is evident of NCD’s commitment to conduct a periodic evaluation and update at least annually. A process of consultation with frontline staff and others in the NCD office has begun. Based on the establishment of the LEP working group, NCD anticipates follow-up actions that will be shared in the future. For example, the LEP working group will make suggestions to management for consideration of revisions critical to agency wide policy directives and procedures affecting administrative, legislative, and/or policy/legal team work.

Action Item 4 – Staff Training: NCD has begun the initial process of raising staff awareness about LEP needs. As an example, the LEP Coordinator has provided electronic communication to all staff and used opportunities for comment during regular staff meetings. Dialogue about and ongoing work on more formal training suggestions will be processed through the efforts of the LEP working group.

Action Item 5 - Agency Outreach: NCD continued its practice of focused communication to engage stakeholders who include people with LEP and who represent consumers with these needs. As the agency wide working group advances in implementing and redefining its tasks, as needed, additional strategies will be identified and put forward.

Action Item 6 – Exception explained in Endnote #2

Action Item 7 – Collaborations and Clearinghouse Participation: During the year, NCD took advantage of opportunities to begin learning from other agencies and entities experienced in LEP issues. For example, NCD staff participated in webinar opportunities hosted by the Migration Policy Institute.[[4]](#endnote-4) Appropriate follow-up actions will be funneled through the LEP working group and NCD’s management team.

Action Item 8 – Federal Funds Recipient Guidance: As reported in the revised language access plan, NCD began to use a model for language added in its Cooperative Agreements with federal contractors. The LEP working group will keep management apprised of concerns and issues that might arise in the future and seek to address them in a timely and appropriate manner.

1. The NCD Strategic Plan, FY2012-FY2017, Diversity statement reads: “NCD will honor people with disabilities by embracing the broad spectrum of human difference and by learning about, including, and respecting the various perspectives and backgrounds reflected in the disability community.” [www.ncd.gov/Accountability/strategicplan/](http://www.ncd.gov/Accountability/strategicplan/) [↑](#endnote-ref-1)
2. Action Items 1, 2, 3, 4, 5, 7 and 8 are reported this year. The exception, Action Items 6 – Employment Qualifications – This was not applicable for analysis based on federal budget constraints, but remains in the plan for the future when Congressional appropriations for job funding could increase. [↑](#endnote-ref-2)
3. Limited English Proficiency (LEP): A Federal Interagency Website <http://www.lep.gov/> [↑](#endnote-ref-3)
4. [www.migrationinformation.org/integration/.../NeedforLanguageServices.doc](http://www.migrationinformation.org/integration/.../NeedforLanguageServices.doc) [↑](#endnote-ref-4)