

# Limited English Proficiency Assessment and Language Assistance Plan

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# 1. Limited English Proficiency Assessment and Language Assistance Plan

The County of Orange (County), Orange County Public Works (OCPW) (hereinafter referred to as "Recipient") department as a sub-recipient of Federal-aid funds from the United States Department of Transportation (USDOT), is required to take reasonable steps to ensure meaningful access to its programs and activities by Limited English Proficiency (LEP) persons.

LEP persons are those who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. In keeping with Title VI requirements, the County and OCPW provides language assistance to ensure that its LEP users have meaningful access to its services, telephone-based customer service, printed materials including public meeting notices, and other customer-based services.

While designed to be flexible and fact-dependent standard, OCPW conducts an assessment that applies the Four-Factor Analysis Framework and has prepared the following comprehensive Language Assistance Plan (LAP) that supplements the OCPW Title VI Plan.

The intent of this guidance is to suggest a balance that ensures meaningful access of LEP persons to critical services while not imposing undue burdens on small businesses, small local governments, or small nonprofit organizations. After applying the above four-factor analysis to the various kinds of contacts a recipient has with the public, the Recipient may conclude that different language assistance measures are sufficient to ensure meaningful access to the programs, activities, and services it offers. For instance, some of the Recipient's activities will have a greater impact or contact with LEP persons than others, and thus may require more in the way of language assistance. The flexibility that the Recipient has in addressing the needs of the LEP populations it serves does not diminish and should not be used to minimize the obligation that those needs be addressed. Sub-recipients of Federal-aid funds from the USDOT should apply the following four factors to the various kinds of contacts that they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons.

**a. The LEP Four-Factor Analysis includes the following:**

1. Assess the number and proportion of LEP persons served or encountered in the eligible service population.

The greater the number or proportion of LEP persons from a particular language group served or encountered in the eligible service population, the more likely language services are needed. Ordinarily, persons "eligible to be served, or likely to be directly affected by" a recipient's programs or activities are those who are in fact, served or encountered in the eligible service population. This population will be program-specific and includes persons who are in the geographic area that is part of the recipient's service area. However, where, for instance, a motor vehicle office serves a large LEP population, the appropriate service area is that served by the office, and not the entire population served by the recipient. Where no service area has previously been approved, the relevant service area may be that which is approved by state or local authorities or designated by the recipient itself, provided that these designations do not themselves discriminatorily exclude certain populations. When considering the number or proportion of LEP persons in a service area, recipients should consider LEP parent(s) whose English proficient or LEP minor children and dependents encounter the services of DOT recipients.

Recipients should first examine their prior experiences with LEP persons and determine the breadth and scope of language services that are needed. In conducting this analysis, it is important to: Include language minority populations that are eligible beneficiaries of recipient's programs, activities, or services but may be underserved because of existing language barriers; and consult additional data, for example, from the United States Census Bureau (US Census), school systems and community organizations, and data from state and local governments, community agencies, school systems, religious organizations, and legal aid entities.

OCPW provides services to persons across Orange County and took into account the language needs of all persons across the county's total geographical area. Annually, OCPW will conduct a LEP assessment. This will include use of the American

Community Survey (ACS) 1-Year Estimate, conducted by the US Census, and data collected by the County to support in determining the proportion of LEP persons within Orange County.

The table below shows persons who identified themselves as speaking English less than “very well” and is categorized by the primary language of the person. Percentages listed in the table compare the proportion of the specific LEP group to the population of the county as a whole.

<h2 style="margin: 0;">Orange County</h2> <h3 style="margin: 0;">Limited English Proficiency Data</h3>		
Total Number of People	2,979,343	Speaks English Less Than Very Well
Spanish:	726,257	8.7388%
Vietnamese:	188,931	3.7736%
Chinese (incl. Mandarin, Cantonese):	104,988	1.5705%
Korean:	80,533	1.4144%
Persian (incl. Farsi, Dari):	38,781	0.4899%
Tagalog (incl. Filipino):	47,202	0.3816%
Japanese:	17,661	0.2405%
Arabic:	30,557	0.2280%
Russian:	11,843	0.1808%
Gujarati:	10,252	0.1224%
Khmer:	5,519	0.1067%
Ilocano, Samoan, Hawaiian, or other Austronesian languages:	9,455	0.1050%
Thai, Lao, or other Tai-Kadai languages:	7,830	0.1042%
Other languages of Asia:	5,557	0.0735%
Ukrainian or other Slavic languages:	5,216	0.0734%
Other Indo-European languages:	7,198	0.0641%
Urdu:	12,827	0.0634%
Hindi:	12,815	0.0625%
Punjabi:	4,531	0.0471%

Tamil:	5,064	0.0428%
Portuguese:	6,163	0.0423%
German:	10,236	0.0414%
Hmong:	1,166	0.0278%
Amharic, Somali, or other Afro-Asiatic languages:	4,304	0.0254%
Armenian:	3,408	0.0248%
Polish:	2,940	0.0225%
Serbo-Croatian:	2,471	0.0208%
Italian:	4,251	0.0198%
Bengali:	2,996	0.0191%
French (incl. Cajun):	7,776	0.0190%
Nepali, Marathi, or other Indic languages:	4,214	0.0189%
Telugu:	2,329	0.0172%
Hebrew:	3,128	0.0148%
Greek:	1,645	0.0092%
Other and unspecified languages:	2,115	0.0067%
Yoruba, Twi, Igbo, or other languages of Western Africa:	667	0.0052%
Other Native languages of North America:	231	0.0045%
Malayalam, Kannada, or other Dravidian languages:	2,003	0.0045%
Yiddish, Pennsylvania Dutch or other West Germanic languages:	2,060	0.0044%
Haitian:	62	0.0000%
Swahili or other languages of Central, Eastern, and Southern Africa:	1,090	0.0000%
Navajo:	0	0.0000%

Source: ACS 1-Year Estimate (2023) US Census

The data indicates that under the Safe Harbor Provision, Spanish (8.74%) is the only required language to provide translation of written documents. However, OCPW may engage a limited number of persons that may need language assistance in Spanish (8.74%), Vietnamese (3.77%), Chinese (1.57%) and Korean (1.41%).

2. Assess the frequency with which LEP persons come into contact with programs, activities, or services.

OCPW will assess, as accurately as possible, the frequency with which they have or should have contact with LEP persons from different language groups seeking assistance, as the more frequent the contact, the more likely enhanced language services will be needed. The steps that are reasonable for OCPW to take for a LEP person on a one-time basis will be very different than those expected to serve LEP persons daily.

OCPW will also consider the frequency of different types of language contacts, as frequent contacts with Spanish and Vietnamese- speaking people who are LEP may require certain assistance in Spanish and Vietnamese, while less frequent contact with different language groups may suggest a different and/or less intensified solution. If an LEP person accesses a program or service daily, a recipient has greater duties than if the same individual's contact is unpredictable or infrequent. However, even if OCPW serves LEP persons on an unpredictable or infrequent basis OCPW will use this balancing analysis to determine what to do if an LEP person seeks services under the program in question. Additionally, in applying this standard, OCPW will consider whether appropriate outreach to LEP persons could increase the frequency of contact with LEP language groups.

The County CEO on behalf of all County departments collects and tracks requests for language assistance on behalf of all its departments, including OCPW. The table below shows the top four languages requested when needing language assistance which is consistent with the data above sourced by the US Census.

<b>PW Translation Requests</b>				
<b>Year</b>	<b>Spanish</b>	<b>Vietnamese</b>	<b>Chinese</b>	<b>Korean</b>
2022	24	22	25	18
2023	3	3	1	1
2024	0	0	0	0
2025 (As of 06/30/2025)	0	0	0	0

Requests for language assistance have decreased over time as the County has expanded its Language Access Policy. The Language Access Policy has expanded to establish the standards and procedures for County departments to endeavor in providing

residence, regardless of their English language proficiency, with communications in the prevalent languages relevant to access County programs, services, and information, including but not limited to Board of Supervisors meeting agendas; emergency and public health notices; infographics; flyers; signage posted in public spaces; and County websites.

3. Assess the nature and importance of the programs, activities, or services provided.

OCPW program seeks to design services for a variety of County projects such as, roads, bridges (vehicular and pedestrian), bikeways and trails, maintenance road access, traffic engineering, drainage facilities, flood channels, levees and other civil engineering related projects. The more important the activity, information, service or program or the greater the consequences of the contact to the LEP persons, the more likely language services will be needed. OCPW will determine the obligation to communicate information to an LEP person will vary based on the program and will notify residents in a variety of ways, including, but not limited to mailed flyers, public meetings to support community engagement and solicit public feedback, email notifications and website postings.

4. Assess the resources available to OCPW.

The County Language Access Policy ensures that all departments including OCPW have a variety of options to provide translation of written communication and language interpretation services, in person and over the phone. OCPW will take reasonable steps to ensure meaningful access of LEP persons to OCPW programs and will carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns.

OCPW's overall goal is improving and maintaining language access for OCPW customers. The intent is to achieve a balance that ensures meaningful access while avoiding undue burdens on OCPW resources.

## **b. LAP Implementation Plan**

OCPW is committed to ensuring residents can access services

regardless of their ability to speak English and has developed a plan based upon gathering resident information, LEP Four-Factor Analysis, providing language assistance and staff development.

Based on the four-factor analysis, OCPW has identified Spanish as the primary language assistance needs and services required to provide meaningful access to information for the LEP residents of Orange County. Additionally, based on the ACS 2023 1-year estimate, US Census Data and data tracking by the County CEO's office, of language assistance requests submitted to the County, the County has identified **6 (six) prevalent languages**, including Spanish, among residence.

- Arabic
- Chinese
- Farsi
- Korean
- Spanish
- Vietnamese

These prevalent languages are available options on the OCPW website as can be seen on the screen shot below or on the OCPW webpage linked here, [OC Public Works | Orange County | California](https://ocpublicworks.com).



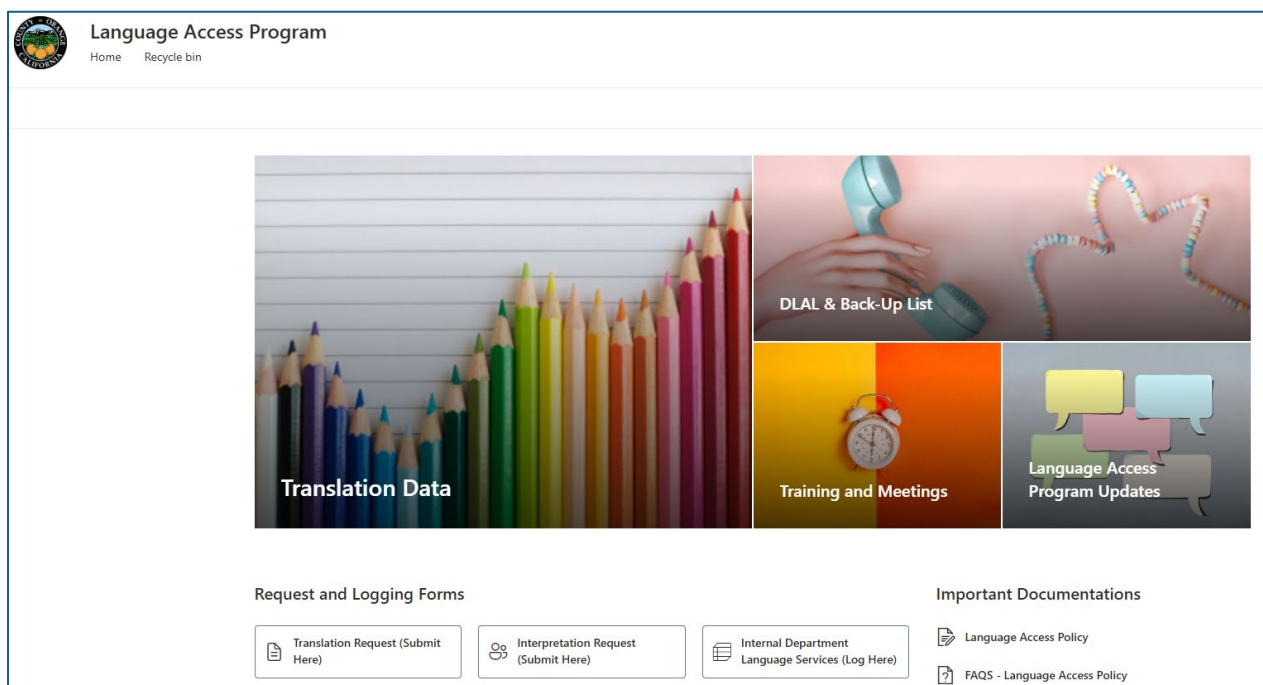
The County Language Access Policy is available to the public on the OCPW webpage, linked here, [Language Access Policy](#).

OCPW will review its LEP Plan on a triennial basis and incorporate LEP data gathering ventures, such as surveys, to further identify additional language area-specific needs for the top languages identified. A review of OCPW's relevant programs, activities, and services that are being offered or will be offered by OCPW and will provide language assistance in compliance with the County Language Access Policy, and Title VI that includes but not limited to, the following:

- Provide translation services at OCPW public meetings, as needed
- Translation of written communication such as brochures, signage and post signage that says translation is available
- County and all department websites have available a third-party, online, real-time translation service for information posted on a County

- website, County Social Media Accounts, and Board of Supervisor Meeting Agendas
- Provide training to employees on how to service LEP persons
  - Language interpretation which includes in-person and by phone communication through bilingual staff or contracted interpreter services
  - Collaborate, if needed with minority organizations, to ensure LEP persons are aware and have access to County services.

Additional language translation services are provided through the County CEO Language Access Program, where staff can request, get support and log any translation needs. See Language Access portal screen shot below.



Examples of translated documents can be viewed at this link, [Title VI of the Civil Rights Act | OC Public Works: Orange County California](#).

### c. Safe Harbor Provision

The FTA Circular 4702.1B states, “DOT has adopted DOJ’s Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written

*translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.*

*These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP persons through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provisions, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program."*