



Cottonwood Area Transit Limited English Proficiency Policy

It is the policy of the City of Cottonwood and Cottonwood Area Transit (CAT) to ensure that our programs and activities, normally provided in English, are accessible to Limited English Proficiency (LEP) persons and do not discriminate on the basis of national origin in violation of the Title VI prohibition against national origin discrimination. The City of Cottonwood and CAT will, to the maximum extent feasible in its official deliberations and communications, community outreach and related notifications, provide appropriate alternative non-English formats for persons with LEP to access information and services provided, if requested.

Executive Order 13166

Executive Order No. 13166. “Improving access to Services for Persons with Limited English Proficiency,” was created to “...improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP)...” President Bush affirmed his commitment to Executive Order 13166 through a memorandum issued October 25, 2001, by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr. Federal agencies were told to look at how they served people who were limited in their English and to see what measures they could take in their direct contacts with LEP individuals that would increase meaningful access. In addition, a Federal Interagency Workgroup on Limited English Proficiency (Workgroup) was formed to coordinate guidance and technical assistance effort throughout the Federal Government in support of EO13166. One of the Workgroup’s first accomplishments was the creation of a Federal website (<http://www.lep.gov>). The site is a work in progress and is designed to be a one-stop referral shop for recipients, federal agencies and communities in the quest for LEP information and technical assistance. It is through the coordinated efforts of the Workgroup that this planning and self-assessment tool has been created.

Title VI

The basis for EO 13166 is Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, (hereinafter Title VI), which provides that no person shall “on the ground of race, color, or national origin, be excluded from benefits, or be subjected to discrimination under any program or activity

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receiving Federal financial assistance. “Section 602 authorizes and directs Federal agencies that are empowered to extend federal financial assistance to any program or activity” to effectuate the provisions of {Section 601}***by issuing rules, regulations or orders general applicability.” 42 U.S.C. 2000d-1.

The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), affirmed then Department of Health, Education, and Welfare (HEW) policy in line with the HEW’s Title VI regulation which is similar to the act of DOJ, 45 CFR 80.3(b) (2), stating that a recipient’s failure to ensure meaningful opportunity to national origin minority, limited English proficient persons to participate in the Federally funded programs violates Title VI and Title VI regulations. In the *Lau*’s case, a San Francisco school district that had a significant number of non-English speaking students of Chinese origin was required to take reasonable affirmative steps to provide them with a meaningful opportunity to participate in the federally funded education program. The requirement of provide meaningful access under Title VI applies beyond the education context to include all the programs and activities of all recipients of federal financial assistance.