



North Carolina Office of State Budget and Management
Language Access Plan

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Section 1: Introduction and Background

1.1 OSBM Overview

This Language Access Plan has been developed to ensure that all North Carolina residents have access and can meaningfully participate in the programs, activities, and services of the Office of State Budget and Management (OSBM). This language access plan outlines the language assistance services provided by OSBM to ensure communication and participation for individuals with limited English proficiency. The state of North Carolina is committed to increasing digital equity and overall access to services and opportunities for the state's growing population of immigrants, refugees, and individuals who use languages other than English.

The function of the agency is to:

- Provide fiscal advice to the Governor on fiscal issues in a non-partisan manner.
- Prepare the Governor's recommended budget consistent with Governor's goals and agenda.
- Apply state law and policy in the administration of the budget and enacted by General Assembly.
- Provide administrative continuity and institutional knowledge of prior budgets and policy decisions.
- Publish the State Budget Manual – policies on budget preparation, administration, travel, and other matters.
- Coordinate agency strategic planning process.
- Forecast and monitor state revenues.
- Produce official population estimates for state, counties, municipalities.
- Staff the Council of Internal Audit.
- Provide guidance on standards and best practices to internal audit programs in state government.

OSBM provides direct services primarily to people within state government, including agency policymakers and the Governor's Office. Other entities OSBM regularly interacts with includes local governments, federal agencies, and non-state entities receiving state funds as directed by state legislation. On occasion we receive requests from media or researchers/organizations looking for information on state demographics or state budget information.

The agency affiliate office, OSBM Disaster Recovery, administers state grants and disaster recovery programs as directed by state law. They primarily conduct the work in partnership with the Federal Emergency Management Agency, the NC Department of Emergency Management, and local governments. However, they occasionally have direct interaction with residents of specific, disaster-affected geographies. It is not possible to know in advance the demographics or percentage of Limited English Population of the program eligible population of disaster-affected areas. This is contingent on where the disaster strikes, and the structure of the program specified by the North Carolina General Assembly.

Most of the people to whom OSBM provides services and materials are not individuals with Limited English Proficiency (LEP). It is possible that some individuals with Limited English Proficiency would want access to demographic or budget data. It is estimated that 4.6% of the population in North Carolina has LEP.

1.2 Language Access Plan Legal Basis and Purpose

Purpose and Goals

This language access plan aims to provide guidance and establish a framework for OSBM to ensure that individuals with limited English proficiency have access to OSBM-produced materials. The language access plan also seeks to bring the OSBM into compliance with Title VI and other applicable federal, state laws, regulations, and guidelines.

Authority

The State of North Carolina is committed to advancing the goals of Title VI of the Civil Rights Act of 1964 and Executive Order 13166 and ensuring compliance.

Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d) (Title VI), prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. As a recipient of federal financial assistance, the OSBM is bound by Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulation, 45 C.F.R. Part 80, which prohibits discrimination based on race, color, or national origin (which includes Limited English Proficiency).

Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (Aug. 16, 2000), requires federal agencies to take reasonable steps to provide meaningful access to their programs and activities for individuals with limited English proficiency (LEP). This includes providing individuals with LEP language services, such as interpretation and translation, to meaningfully access and engage in federally conducted programs and activities.

EO 13166 requires all federal agencies to develop and implement a Language Access Plan to “improve access to its federally conducted programs and activities by eligible LEP persons” (p. 50121).¹

Guiding Principles

This language access plan provides a framework for timely and reasonable language assistance to limited English proficient constituents/users of OSBM services.

¹See Executive Order No. 13166, 3 C.F.R. 50121 (2000). <https://www.govinfo.gov/content/pkg/FR-2000-08-16/pdf/00-20938.pdf>

To ensure all constituents can access critical services and participate in programs, OSBM is committed to:

- Implementing a language access plan and taking concrete steps towards meeting the administrative and language service standards outlined in this language access plan;
- Serving individuals who speak a language other than English and providing free, timely, culturally competent, and high-quality access to OSBM services.

In committing to providing linguistically accessible services for limited English proficient constituents/users of OSBM services, OSBM also aims to increase public trust and confidence and increase the general public's awareness of OSBM.

Definitions

- **Covered Entity:** applies to all state departments, agencies, offices, or entities.
- **Coordinating Entity:** applies to the Language Access Program or entity tasked with coordinating implementation of the statewide language access policy and plan.
- **Limited English Proficiency (LEP):** the inability to understand or to effectively express oneself in spoken or written English as a result of one's national origin and the individual has not developed fluency in the English language.
- **Individuals Who Use LOTE:** individuals who read, speak, write, or understand a language other than English. This term is used as an equivalent term to Individuals with LEP.
- **Language Access:** the process of ensuring that individuals who use LOTE have access to vital documents and services in a language they can understand, either through interpretation or translation services. Please see meaningful language access below.
- **Meaningful Language Access:** the ability to receive information and to participate in and benefit from public services offered by a covered entity.
- **Language Access Plan:** a management document and roadmap that outlines the tasks and priorities to be implemented to ensure the covered entity will meet compliance standards set forth in the policy.
- **Language Access Coordinator or Liaison:** staff of the covered entity, department, or agency tasked with coordinating and overseeing the department's language access implementation activities.
- **Oral Language Services:** includes various methods to provide verbal information and interpretation, such as staff interpreters, bilingual staff, telephone interpreter programs, tele-video interpretation services, and private interpreter programs. See also interpretation.
- **Interpretation:** the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning. See also oral language services.
- **Translation:** the replacement of written text from one language (source language) into an equivalent written text in another language (target language).
- **Vital documents:** public-facing written materials in any format created, issued, or made available on any platform by a covered entity to inform and communicate with the public, allow the public to apply for benefits, services, program participation, notify or correspond with an individual about their eligibility, participation, benefits, or outcomes of an application, advertise and inform the public about programs, services, resources, rules, requirements, and

events, provide instructions and guidance, and provide the public a complaint submission process.

Section 2: Needs Assessment

The state of North Carolina is home to a diverse range of people of different cultures, ethnicities, races, and backgrounds. To support OSBM in determining language assistance services, OSBM is including information on the current and potential individuals who would need OSBM services in a language other than English. Data provided in this section illustrates the number of limited English proficient individuals who may need language services, as well as the types of services the OSBM provides that the general public and potential limited English proficient individuals would access.

This section also provides guidance on using the four-factor analysis as a framework to determine the language services to meet the needs of limited English proficient individuals.

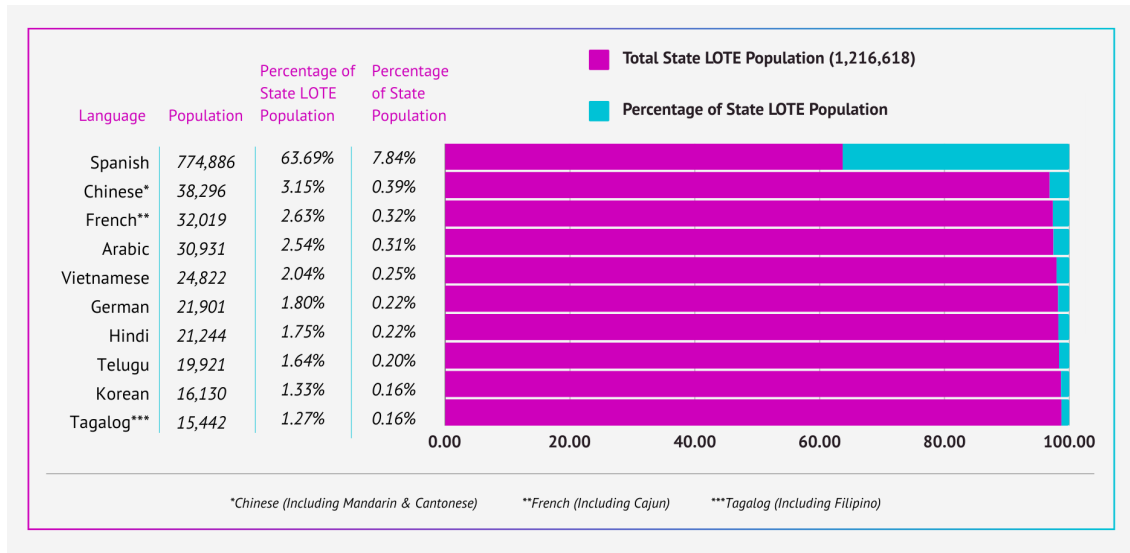
2.1 Data Analysis – Limited English Proficient Population

As of 2022, an estimated 12.3%, or 1,216,618 individuals five years and older, speak a language other than English at home in North Carolina.² Of those who speak a language other than English, an estimated 37.14%, or 451,823 individuals, are Limited English Proficient. The limited English proficient population represents 4.47% of the total population of the state of North Carolina.

Of the 1,216,618 state residents who speak a language other than English home, the top ten most common languages spoken by residents who speak languages other than English are displayed below.

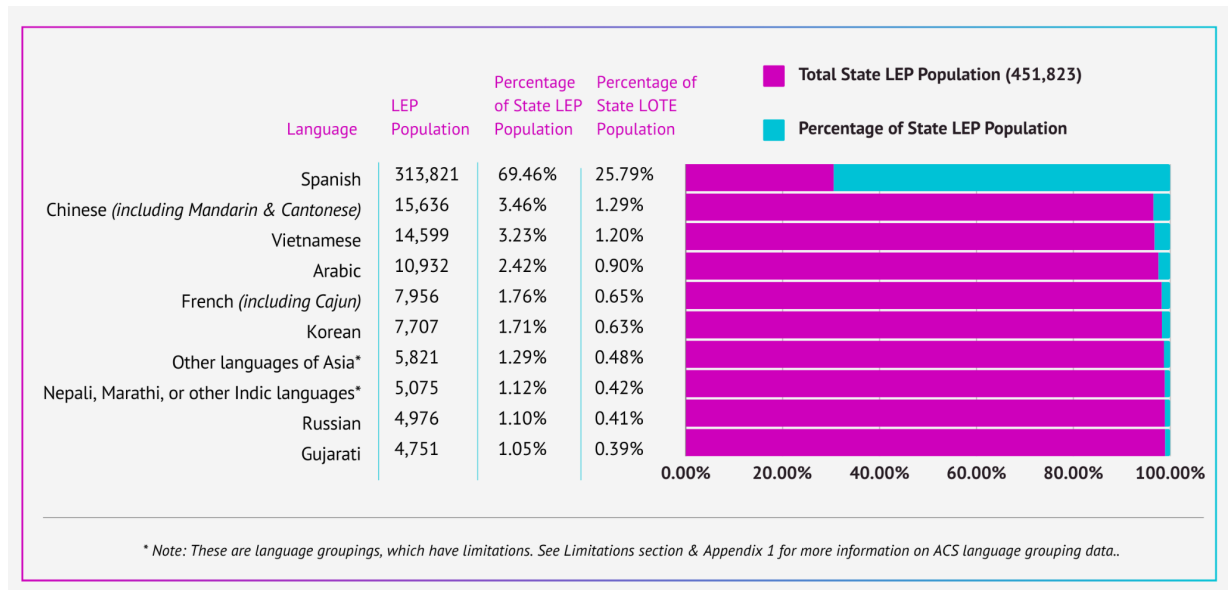
² U.S. Census Bureau, ACS, 2022 5-Year Estimates (Table B16001)

Language Access Plan – OSBM



Source: U.S. Census Bureau, ACS, 2022 5-Year Estimates (Table B16001)

Of the 451,823 state residents who are limited English proficient, the top ten most common languages spoken by residents with limited English proficiency are displayed below



Source: U.S. Census Bureau, ACS, 2022 5-Year Estimates (Table B16001)

An analysis of regional demographic data for the State of North Carolina is available in The State of North Carolina Language Access and Digital Equity Needs Assessment Report.

To ensure that language assistance services meet the needs of limited English proficient constituents, the OSBM will track requests for information by limited English proficient individuals. The gathered data will include the identification of OSBM materials requested, types of language assistance requested (i.e., interpretation, translation, etc.), and language requested.

The OSBM will also continue to monitor statewide and local/regional data to assist with identifying the potential need for language assistance services in new or emerging languages and/or to assist with identifying the need for additional language services to be delivered in high-demand languages.

2.2 Services OSBM Provides to General Public and/or Prospective Limited English Proficient Users

OSBM primarily provides direct services primarily to people within state government, including agency leadership and the Governor’s Office. The agency also interacts with local governments, federal agencies, non-state entities receiving state funds as directed in state legislation, and researchers or organizations looking for information on state demographics or state budget information.

OSBM provides demographic data on our website and the LINC platform. The agency provides budget information on the website and Open Budget platform.

2.3 Four-Factor Analysis

OSBM will ensure meaningful access to their programs and activities for limited English proficient individuals by taking reasonable measures. Although the standard is intended to be flexible and dependent on the facts of each case, the four-factor analysis begins with an individualized assessment that considers the following four factors to determine on how to proceed. The four-factor analysis is a tool that recipients of federal financial assistance can use to help them *prioritize* language access services.

- **Factor #1** - the number or proportion of limited English proficient individuals that could be served by or could encounter OSBM’s services.

OSBM will monitor language assistance needs and demographic data to ensure that language services are provided to limited English proficient individuals for services that would be used significantly by the general public and potentially by limited English proficient individuals. This ongoing analysis will monitor the number of limited English proficient individuals who need access to OSBM content (or potentially would need access) and the language in which content is needed.

- **Factor #2** – the frequency with which limited English proficient individuals come into contact with OSBM.

To continue to assess language assistance services that would best meet the communication needs of its limited English proficient constituents, OSBM will track and analyze the various ways in which limited English proficient individuals come into contact with OSBM and the frequency of such contact.

OSBM will track data will include the various languages spoken by limited English proficient constituents in contact with the OSBM and the frequency of need for language assistance services in high-volume languages.

Once enabled, the LINC system will track the number of users who switch to the Spanish version of the platform. The agency will also track traffic on any translated content on the OSBM website.

- **Factor #3** – the nature and importance of the program, activity, or service provided by OSBM.

OSBM will review services and information and will prioritize language assistance for programs, activities, services, or information that if not understood by limited English proficient individuals could have immediate and or severe impacts on limited English proficient individuals.

Current Systems and Practices

The OSBM website is the main source of information about OSBM. It is available in different languages via the “Select Language” option at the top of the site navigation.

LINC data platform provides an AI-assisted search. End users may type in their query in any language they want and the search will return the correct data set based on the search terms.

OSBM Disaster Recovery has leveraged partnerships with FEMA and NC Emergency Management, as well as community disaster response groups, to reach the LEP population in affected program areas in the past when appropriate. While there have been community outreach efforts that have engaged interpreters in the past, there is not an ongoing need for translation and interpretation. This is and will continue to be used on an as-needed basis.

Implementation Goals

The Governor’s Recommended Budget is the most broadly accessed document produced by OSBM and is intended for both state agencies and external audiences. OSBM will explore options for translation of all or part of the Governor’s Budget Recommendations. We will track the traffic on the Spanish version of the proposal to evaluate demand.

- **Factor #4** – the resources available currently, as well as the cost associated with providing the language assistance.

The OSBM will monitor the costs associated with current language assistance services, as well as assess the level of resources, costs, and capacity to implement and support additional language services over time. Based on the assessment of resources, the OSBM will identify efforts to support cost-savings and cost-sharing when/if needed. Such efforts may include sharing resources with other departments and agencies and/or using technology to support the delivery of language assistance services.

Current Systems and Practices

The OSBM website has a language selection option that translates the websites into 15 languages. PDF documents published to the site are not translated.

LINC provides access to demographic and other government data. The platform allows users to type in a data query in any language of their choosing and it will return the datasets that match the query.

Implementation Goals

OSBM will work to translate key documents that are accessed broadly by the general public, beginning with the Governor’s budget recommendations. OSBM work with our Open Data Services (ODS) partner to add an option to the LINC data platform to switch the language on the site to Spanish.

Section 3: Language Assistance Services

The OSBM is committed to taking reasonable steps to ensure meaningful communication and access to information for the OSBM users with limited English proficiency.

3.1 Language Assistance Services Plan

OSBM will explore language assistance services in various ways to support meaningful communication for limited English proficient constituents and to support meaningful access to public information.

The OSBM will designate a Language Access Coordinator/Liaison. The Liaison will work to implement OSBM’s Language Access priorities and plan, including data collection and analysis, and engaging appropriate translation vendors as needed.

The Governor’s Recommended Budget is the most broadly accessed document produced by OSBM and is intended for both state government and public audiences. OSBM will explore options for translation of all or part of the Governor’s Budget Recommendations. We will track the traffic for the Spanish version on our website to evaluate demand.

OSBM will explore development and distribution of translated and multilingual content in other communication formats used to provide public information. The OSBM will apply “Safe Harbor” standards when determining translation efforts, which includes providing written translations of vital documents for each eligible limited English proficient language group constituting 5 percent or 1,000 people, whichever is less, of the population of individuals eligible to be served or likely to be affected or encountered.

Section 4: Notification of Language Access & Public Requests and Feedback

The OSBM will include information on the OSBM website and LINC data platform about the availability of language options on the sites and provide information on how language assistance services can be requested.

OSBM will work to establish an online form on the OSBM website, which can be translated into one of 15 languages. The form will allow users to make requests, express concerns complaints, or provide feedback in any of these available languages.

Section 5: Monitoring and Evaluation

The OSBM will monitor and evaluate the effectiveness of this language access plan. The Language Access Liaison will work with agency management to evaluate language use and language assistance needs. OSBM will continue to collect language access data and plans for updating the language access plan.