

Regular Session, 2010

HOUSE CONCURRENT RESOLUTION NO. 110

BY REPRESENTATIVE LAFONTA AND SENATOR MURRAY

A CONCURRENT RESOLUTION

To urge and request the executive head and chief administrative officer of each state department to annually compile and report information regarding the delivery of services to Spanish-speaking persons with limited English proficiency to the Latino Commission.

WHEREAS, the Civil Rights Act of 1964 prohibits discrimination against persons based on their national origin; and

WHEREAS, one form of discrimination based on national origin is a failure to treat persons with limited English proficiency (LEP) equally in the delivery of governmental services; and

WHEREAS, pursuant to the Civil Rights Act of 1964, on August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency", which requires federal agencies and state agencies that receive federal funds to develop and implement systems to provide services so that LEP persons can have meaningful access to them; and

WHEREAS, though it is clear that every agency cannot be expected to provide every service in every possible language, the executive order requires agencies to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons, and it establishes a flexible and fact-dependent standard for assessing the need to provide language assistance in any particular case; and

WHEREAS, the factors which an agency must consider in assessing this need include the number or proportion of LEP persons eligible to be served or likely to be encountered by the program and the frequency with which LEP individuals come in contact with the program; and

WHEREAS, the number of Latinos in Louisiana has increased dramatically, particularly since Hurricane Katrina, and in 2009, the Legislature of Louisiana created an

entity which is charged with identifying obstacles to the effective delivery of governmental services to the Latino community; and

WHEREAS, it is appropriate that the Latino Commission should monitor the delivery of governmental services to LEP persons whose primary language is Spanish, and in order to do that the commission needs accurate information on the numbers of Spanish-speaking LEP persons the agencies are encountering.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the executive head and chief administrative officer of each state department to annually compile and report the following information regarding all agencies in his department, as provided in the Executive Reorganization Act, to the Latino Commission: the number and proportion of LEP persons whose primary language is Spanish whom the agency encountered in the previous year in the delivery of its services and the operation of its programs, and if the proportion of such persons is over five percent of the total number of persons served, what steps the agency has taken to prevent discrimination based on national origin as proscribed by the Civil Rights Act of 1964.

BE IT FURTHER RESOLVED that each such report shall cover a calendar year and the report on a calendar year shall be delivered to the commission by March first of the following year and that the first reports shall be delivered by March 1, 2011.

BE IT FURTHER RESOLVED that all state agencies, regardless of the transfer type by which they are placed in a department by the Executive Reorganization Act, shall cooperate in providing information to the executive head and chief administrative officer in the form and manner he determines.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the executive head and chief administrative officer of each department in the executive branch of Louisiana government and to the chairman of the Latino Commission.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE