

LIMITED ENGLISH PROFICIENCY (LEP) AND LANGUAGE ASSISTANCE PLAN POLICY

1. INTRODUCTION

The Lynn Housing Authority & Neighborhood Development (LHAND) is committed to ensuring equal access to its programs and services by all residents, regardless of primary language spoken. Title VI and Executive Order 13166 require recipients of federal financial assistance to take reasonable steps to ensure meaningful access to their programs and services by Limited English Proficient (LEP) persons. Persons who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English can be considered LEP persons.

On January 22, 2007, the U.S. Department of Housing and Urban Development (HUD) issued Final Guidance to recipients of HUD funding concerning compliance with the Title VI prohibition against national origin discrimination affecting LEP persons. HUD's Final Guidance defines a four-factor self-assessment method which assists agencies receiving HUD funds in determining the extent of their obligations to provide LEP services. Based on the Final Guidance, LHAND completed a LEP self-assessment.

Using the LEP self-assessment as a guide, LHAND has prepared this Language Assistance Plan (LAP) which defines the actions to be taken by LHAND to ensure Title VI compliance with respect to LEP persons. LHAND will periodically review and update this LAP in order to ensure continued responsiveness to community needs and compliance with Title VI.

2. GOALS OF THE LANGUAGE ASSISTANCE PLAN

The goals of LHAND's Language Assistance Plan include:

- a. To ensure meaningful access to LHAND's public housing and Housing Choice Voucher programs by all eligible individuals regardless of primary language spoken.
- b. To ensure that all LEP individuals are made aware that LHAND will provide free oral interpretation services to facilitate their contacts with and participation in LHAND programs.
- c. To provide written translations of vital documents to LEP individuals in accordance with HUD's "safe harbor" guidelines.
- d. To ensure that LHAND staff are aware of available language assistance services and how these services need to be used when serving LEP individuals.
- e. To provide for periodic review and updating of language assistance plans and services in accordance with community needs.

3. LEP INDIVIDUALS WHO NEED LANGUAGE ASSISTANCE

The City of Lynn is a diverse community in which numerous LEP households reside. The LHAND obtained information from the U.S. Census Bureau's American Factfinder website in order to gather data about the City's overall population as well as the population of LEP persons within the jurisdiction.

This data indicates that Lynn's population is 32% Hispanic, 47% non-Hispanic White, 10% non-Hispanic Black, and 6% Asian.

The data reveals that 47% of the City's population over the age of 5 speaks a language other than English at home. Of this population, 63% speaks Spanish. According to Census data, there are at least thirty-three (33) languages other than English spoken in Lynn homes. The data indicates that 21% of Lynn residents are linguistically isolated. This data clearly identified that there is a significant proportion of persons who speak Spanish as a first language and that LHAND must continue to make available translated documents and access to oral translators for the Spanish speaking population.

It was determined through review of this data for the City of Lynn, as recommended by HUD that Spanish was the only language to meet the 4 factor analysis criteria (1 – Number or proportion of LEP persons served or encountered in the eligible service area; 2 – Frequency of contact with the program; 3 – Importance of service, information, program or activity; 4 – Costs versus resource and benefits) requiring translation of vital documents. This was supported by the volume of encounters with LEP persons where the majority was Spanish speaking.

The next largest LEP population is persons who speak Khmer and identified themselves as speaking English "less than" very well. This population totals 1,517, which is less than 2% of the Lynn population of persons over the age of five years. LHAND took into consideration that while there are 1,517 LEP persons in this population, not all of them will seek assistance from LHAND programs and services as some of them are children and others will not need the type of services provided by LHAND. The LHAND has determined that it will look into the cost and feasibility of translating vital documents into Khmer and will continue to provide oral translation as needed to Khmer speaking LEP persons requesting such service.

Other language groups in the City of Lynn had few LEP persons and therefore did not meet the threshold to require written translation of vital documents into those languages. The LHAND will provide oral translation as needed to LEP persons requesting such services.

4. TYPES OF ASSISTANCE NEEDED BY LEP PERSONS

The majority of contacts between LHAND and LEP persons are meetings, written communications and phone calls where information is exchanged. Other contacts involve the exchange and review of printed materials, some of which may be considered "vital documents". HUD Final Guidance defines vital documents as, "any document that is critical for ensuring meaningful access to the recipients' major activities and programs by beneficiaries generally and LEP persons specifically".

LHAND will periodically review and update documents which are considered vital to applicants and residents.

5. LANGUAGE ASSISTANCE TO BE PROVIDED

In order to promote equal access to LHAND programs and services by LEP individuals, LHAND will implement the following array of language assistance services.

A) Identification of LEP Persons and Notices:

- Identification of LEP Persons and Notices - Use of "I Speak Cards": In order to help identify LEP individuals and determine the appropriate language assistance, LHAND will make available I Speak Cards at its central office waiting rooms and LHAND site based management offices. Applicants, public housing residents and HCV participants can use these cards to indicate their primary language. LHAND staff at the point of entry will then make appropriate arrangements for interpretation services, generally using a bi-lingual staff person.

- Notices of Oral Interpretation Services: LHAND will provide free access to either bi-lingual staff or telephone interpretation services for all contacts with LEP individuals. LHAND will prominently post multi-lingual notices at its central office waiting rooms and LHAND site based management offices which indicate that free oral interpretation services are available upon request.
- Language Preferences of Residents and Applicants: LHAND will have available for applicants and residents, a form to identify their primary language preference for receiving written communications. The form will also ask the applicant or resident/participant if translations services are necessary. This information will be included in the paper files.

B) Language Assistance Measures:

- Oral Interpretation - Staff: Where feasible, bi-lingual LHAND staff will be deployed to communicate with LEP individuals in their native languages and to assist them in reviewing LHAND materials, answering questions about LHAND programs, and responding to LHAND forms and information requests. Currently, LHAND employs staff members who speak Spanish and Khmer which are the non-English languages spoken most frequently by eligible persons served by LHAND.
- Oral Interpretation - Use of Other Interpreters not provided by LHAND: As noted above, LEP individuals will be informed that LHAND will provide them with free access to oral interpretation services via bilingual LHAND staff as needed. If the LEP individual requests their own qualified, trained interpreter, this will be allowed at the individual's own expense. Use of family members and friends, especially minor children, as interpreters will generally be discouraged. Exceptions may be made where the contact with the LEP person is of a routine nature, one that does not involve confidential matters, or significant/complex matters impacting the applicant or resident's housing status, rent payments, or lease compliance issues. In these instances where the LHAND does not have free available translation services, the LHAND is stating by this policy that they will not be held liable for the translation provided by the LEP individual's own translator. Staff will be advised to be alert to the potential for any conflict of interest or competency issues that may arise from the involvement of family or friends.
- Written Translation: LHAND will maintain vital documents in the most frequently used non-English languages: Spanish.

C) Staff Training and Coordination:

- LHAND will provide training on LEP awareness and required assistance actions under the Language Assistance Plan for employees.

This will include:

- Mandatory training: A mandatory training will be scheduled for all employees to review the Language Assistance Plan elements, review new procedures related to the LAP, and to inform staff of their responsibilities relative to LEP persons. On an ongoing basis, periodic refresher training will be provided to staff who regularly interact with LHAND clients.
- LEP Coordinator: LHAND will designate a staff member as LEP Coordinator, responsible for ongoing updating of the LEP analysis, addressing staff, and providing ongoing LEP training.

D) Monitoring and updating the Language Assistance Plan:

Every two years, as part of LHAND's annual plan process, the LAP will be reviewed and updated, if needed. The review will assess:

- Whether there have been any significant changes in the composition or language needs of the LEP population in the City of Lynn;
- A review to determine if additional vital documents require translation;
- A review of any issues or problems related to serving LEP persons which may have emerged during the past year; and,
- Identification of any recommended actions to provide more responsive and effective language services.