Language Access Plan

Georgia Department of Community Affairs

Who are Limited English Proficient (LEP) persons?

- Persons who:
  - Do not speak English as their primary language as a result of national origin
  - Have a limited ability to speak, read, write, or understand English
- LEP obligations apply to every LEP person who meets the program requirements, regardless of citizenship status.

Why is this important?

- Legal Obligation:
  - Title VI of the Civil Rights Act of 1964: Protects individuals from discrimination on the basis of their race, color, or **national origin**
  - Executive Order (EO) 13166 signed on August 11, 2000: Programs receiving federal financial assistance must provide **meaningful access to Limited English Proficient (LEP) persons**
- If a person believes that an entity receiving HUD funds is not taking reasonable steps to ensure meaningful access to LEP persons, that individual may file a complaint with HUD.

Does your city/county need to comply?

- All direct recipients of federal funds must provide services to ensure that LEP persons have meaningful access to these federally funded programs.
- Subrecipients—those who operate programs with federal funds passed through a direct recipient—must also comply.

What do you need to do?

- Conduct an analysis to determine what REASONABLE action is required to ensure meaningful access to all programs and activities assisted with federal funds
- Develop an implementation plan such as a Language Access Plan (LAP) to provide appropriate language assistance
- The actions you must take to meet your LEP obligations depend upon the program benefits being offered, the community being served, the resources available and the costs of the language services.

Four-Factor Analysis

1. The number or proportion of LEP persons served or encountered in the eligible service population
2. The frequency with which LEP persons come into contact with the program
3. The nature and importance of the program, activity, or service
4. The resources available to execute the program and costs of providing LEP services

Examples of LEP Services

- Oral interpretation
- Written translation
- Bilingual staff
- Telephone service lines interpreter
- Notices to staff and recipients of the availability of LEP services
- Referrals to community liaisons proficient in the language of LEP persons

Who can serve as oral interpreters?

- The interpreter should be able to comprehend and speak the language as spoken and written (if the language has a script) and can convey the meaning of the language faithfully and accurately reflecting the style, register, and cultural context of the source message, without omissions, additions or embellishments

What documents must be translated?

- All VITAL documents must be translated. These are documents critical for ensuring LEP individuals' meaningful access to each federally funded program
- Examples:
  - Public notices and fliers advertising federally funded programs
  - Intake forms, applications, and instructions to access resources
  - Pamphlets and guides

When do I have to provide translations?

- Must provide translations for each regularly encountered LEP group eligible to be served or likely to be affected by the program or activity
- HUD has adopted a "safe harbor" for translation of ***written*** materials.

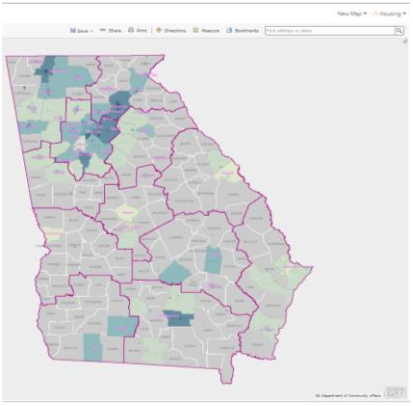
Size of Language Group	Recommended Provision for Language Assistance
1,000 or more individuals	Translate vital documents
More than 5% of the population and **more** than 50 individuals	Translate vital documents
More than 5% of the population and **less** than 50 individuals	Translate written notice of right to receive free oral interpretation of documents
<5% of the population and <1,000 individuals	No written translation is required

When does this go into effect?

- Title VI of the Civil Rights Act of 1964 and Executive Order (EO) 13166 **<u>are already effective</u>**.
- In accordance with its agreement with HUD, DCA will be:
  - Providing training and guidance as necessary to help Subrecipients meet their LEP obligations
  - Updating its own Language Assistance Plan which will include monitoring of its subrecipients for compliance with LEP obligations
  - Providing notice to its subrecipients regarding their LEP obligations

LEP Map: Visualizing Language Data

- Map available to support research component of the Four-Factor Analysis
- Map contains U.S. Census data for LEP population and prevalent languages
  - Spanish, Korean, Vietnamese, and Chinese
- Not a substitute for local knowledge of LEP need



LEP Map: What it is Used For

- Initial view shows county- and city-level data used in DCA's Four-Factor Analysis
- Subrecipients are able to zoom into their specific area and see the U.S. Census language data mapped by census tract
- Instructions are available for using this tool

LEP Map: Where to Find It

- georgia-dca.maps.arcgis.com/

Questions and Resources

- DCA staff to serve as resource
- Federal interagency website, www.LEP.gov, holds additional resources:
  - Language Identification Cards
  - Detailed Four-Factor Analysis research prompts