

Language Access Plan Template CDBG Recipients

Instructions:

Refer to the *DCA LAP Policy* and the *DCA Sub recipient Language Access Plan Guidance* and follow the following steps described in detail below:

Step 1: Provide General Information

Step 2: Perform the Four Factor Analysis

Factor 1: The number of LEP people in the jurisdiction

- Use the most recent data release of American Community Survey Table B16001 (Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over) and Table S1601 (Language Spoken at Home) published in December of each year. *Please source all data provided to DCA.*
- Determine the threshold for providing translation

Factor 2: The frequency of interaction

Factor 3: The nature and importance of the activity

Factor 4: The resources available

Step 3: Prepare the Language Access Plan

- Four-Factor Analysis
- Responsible staff and training plan
- Documents to be translated (if needed)
- Plan for complaints and appeals
- Records retention and update plan

Step 1: Provide General Information:

Provide the following information at the beginning of the local government's Language Access plan

- Grantee
- CDBG Grant Number
- Target Area
- Preparer's name, phone number, email address

Step 2: Conduct a Four-Factor Analysis to determine how to provide needed language assistance

The Four Factors are:

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the Agency or its federally funded programs.

Use data to answer the question:

How many Limited English Proficient people are in your local government's city or county's jurisdiction?

Attach maps (if applicable) or other relevant data to your Language Access Plan. All data or maps provided must be accurately sourced.

Please use the Census Table B16001 and Table S1601 to find this information. The size of the language group determines the recommended provision for written language assistance.

Size of Language Group	Recommended Provision of Written Language Assistance
1,000 or more in the eligible population	Translated vital documents
More than 5% of the eligible population or beneficiaries and more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries and 50 or less in number	Translated written notice of right to receive free oral interpretation of documents.
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required.

Note: In the case where the overall jurisdiction numbers fall below the threshold to provide translated written documents but existing or planned DCA target areas exist, the DCA Sub recipient must evaluate whether there are limited English proficient households within the target areas that may need notification or other LAP services. The Sub recipient's evaluation should use local knowledge or data or other relevant data in conducting its evaluation and should indicate its conclusions regarding the steps necessary reach out to these households in the language they speak to ensure that adequate notification is achieved. This evaluation will be particularly important for housing grants where eligible applicants for assistance may need application or other documents translated to take advantage of available services.

Factor 2: The frequency with which LEP persons come into contact with the Agency's programs: The frequency with which a program engages with the public can vary. For example: *Daily*: walk-ins at a housing counseling agency; *Annually*: A program accepts applications for assistance once a year.

For CDBG grants, grantees must engage with the public at these critical steps:

- a. When notifying the public about a grant award application and its proposed activities
- b. When notifying the public about the grant award and its funded activities



- c. When seeking applicants to participate in the program (e.g., when seeking homeowners for rehabilitation assistance)
- d. When seeking qualified contractors
- e. When working with homeowners selected for assistance
- f. When seeking bids from builders to construct the homes
- g. When notifying the public about the grant award closeout and its accomplishments

Identify how your program engages with the public and how frequently does this occur

Factor 3: The nature and importance of the programs, activities, or services to people’s lives. The more important the activity, information, service, or program, or the greater the possible consequences of the contact to the LEP persons, the more likely the need for language services. The obligations to communicate rights to a person who is being evicted differ, for example, from those to provide recreational programming. A recipient needs to determine whether denial or delay of access to services or information could have serious or even life-threatening implications for the LEP individual.

Answer the following questions:

What is the nature of the program? e.g. Providing improved water and sewer services

What is the importance of the program? Would denial or delay of access to services or information could serious or even life-threatening implications for the LEP individual?

Factor 4: The resources available and costs to the recipient.

Read the section in the guidance on this factor and the expectations from HUD about cost reasonableness. DCA can assist with translation services if necessary. Language assistance that a sub recipient might provide to LEP persons includes, but is not limited to

- Oral interpretation services;
- Bilingual staff;
- Telephone service lines interpreter;
- Written translation services;
- Notices to staff and sub recipients of the availability of LEP services; or
- Referrals to community liaisons proficient in the language of LEP persons.
- Provide "I speak" card (see policy documents for details)

Determine the resources to be made available if any

Step 3: Prepare a Language Access Plan (LAP) and submit it to your DCA representative that includes:

- a. The Four-Factor Analysis
- b. The name of the individual responsible for coordination of LEP compliance
- c. A training plan on LEP requirements for all staff involved in programs and activities funded by the federal government and awarded by DCA



- d. A list of vital documents to be translated (if necessary) and schedule for translating and disseminating vital documents
- e. A plan for complaints and appeals. See the complaints and appeals requirement in the DCA policy.
- f. A policy for updating the Four-Factor Analysis and the LAP every five years. Note: The CDBG grant term is two years. A grantee can apply for CDBG and use the established LAP for multiple grant terms.
- g. A plan to maintain records regarding its efforts to comply with Title VI LEP obligations.

