

Instructions for Developing a Language Access Plan

Overview

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 require that recipients of federal funds take responsible steps to ensure meaningful access by persons with limited English proficiency (LEP persons). A Limited English Proficient person is a person who does not speak English as their primary language and who have a limited ability to read, speak, write or understand English. To ensure meaningful access to its programs for LEP persons, NCHFA requires all of its recipients receiving federal funds to develop a Language Access Plan.

Four Factor Analysis

The first step in creating a LAP is to do a four factor analysis. This analysis considers:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
2. The frequency with which LEP individuals come in contact with the program
3. The nature and importance of the program, activity, or service provided by the program to people's lives;
4. The resources available to the recipient and costs.

Conducting an Analysis

To conduct the first part of the Analysis, you will need to access Census Data. Go to www.factfinder.census.gov, scroll down the page to the "What we Provide" section and click on "American Community Survey - Get Data". Then on the left choose "Geographies". Choose county for the geographic area, then select NC for the state, then the county your organization serves, and finally "add to your selections".

Select more counties if your organization serves more than one county. Close this box by clicking on the "X". At the top of the main page under "Topic or Table Name", type B16001 click on the name of the table when it comes up, and then click on "Go". This will allow you to choose the third table by clicking on the box to the left of "Language Spoken at Home by Ability to Speak English 2013 ACS 5 Year Estimates". After choosing the table, click on "View" at the top left, then "Download" under "Actions". Choose "PDF", "Ok", "Download", "Open".

For any LEP group that is 4% or more of your county's total population, NCHFA considers that significant size and requires language assistance services for that language. Each organization still needs a Language Access Plan if the LEP population(s) are smaller than 4%.

To determine if you reach the 4% or higher threshold, take the total number of people in your county and multiply by .04. After you have this number, compare it to the numbers in the columns "Speak English less than very well". If the number is the same or higher than the 4% number you calculated, the population is considered to be of significant size and requires language assistance services for that language.

Drafting a Plan

Your Language Access Plan should summarize the findings of the Four Factor Analysis. Then your Language Access Plan should address what language assistance services will be provided, if requested or needed. For example, if your organization has bilingual staff or a program website in another language, these would be considered language assistance services.

You can also include items like your organization will contact the Carolina Association of Interpreters and Translators if language services are requested and/or have HUD's I Speak Cards available in your office for LEP persons who walk in. Other examples of language assistance services are to have a contract with another organization to supply an interpreter when needed or use a telephone service line interpreter; or the agency may seek the assistance of another agency in the same community with bilingual staff to help provide oral interpretation.

HUD's I Speak Cards and some translated materials are available here:

<http://www.hud.gov/offices/fheo/promotingfh/lep.cfm>. Your LAP should also address staff training, an LEP contact person, and the process for addressing complaints.

This may be a concise document of 1 -2 pages.