

# TAUNTON HOUSING AUTHORITY

## LIMITED ENGLISH PROFICIENCY (LEP) AND LANGUAGE ASSISTANCE PLAN POLICY

The following policy applies to the Leased Housing Program and the Low Income Public Housing (LIPH) Program:

### I. INTRODUCTION

The Taunton Housing Authority (THA) 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 and the Voluntary Compliance Agreement dated September 27, 2007, the THA completed an LEP self assessment.

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

### II. GOALS OF THE LANGUAGE ASSISTANCE PLAN

The goals of THA's Language Assistance Plan include:

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

### III. LEP INDIVIDUALS WHO NEED LANGUAGE ASSISTANCE

The Taunton Housing Authority will provide written translation of vital documents for each eligible LEP language group that constitutes 5 percent or 1,000 persons, whichever is less of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or

If there are fewer than 50 persons in a language group that reaches the 5 percent trigger, the THA does not translate vital written materials, but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

#### **IV. TYPES OF ASSISTANCE NEEDED BY LEP PERSONS**

The majority of contacts between THA and LEP persons are meetings, written communications and phone calls where information is exchanged. Examples include interactions by applicants with the THA's tenant selection department during the application process leading up to housing in public housing or the leased housing program, as well as periodic contacts between residents and THA operations staff related to management, maintenance and lease compliance issues. Oral interpretation services may be needed for these contacts.

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". The list of documents considered vital by THA includes the following for public housing and HCV as applicable:

- Language Identification Form
- Initial and final application(s) for housing
- Appointment notices
- Consent forms
- Lease including lease addenda
- Lease compliance notices including notices to quit
- Termination notices
- Grievance and Conference hearing notices and procedures
- Recertification related forms and notices
- Inspection notices and result
- Rent notices and schedules
- Rent change notices
- Transfer policies and procedures
- Section 8 family obligations

The THA will periodically review and update this list to reflect those documents which are considered vital to applicants and/or residents.

#### **V. LANGUAGE ASSISTANCE TO BE PROVIDED**

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

##### **A) Identification of LEP Persons and Notices**

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

Notices of Oral Interpretation Services: THA will provide free access to either bi-lingual staff or telephone interpretation services for all contacts with LEP individuals. THA will prominently post multi-lingual notices at its central office and THA site based management offices and on its website which indicate that free oral interpretation services are available upon request.

Language Preferences of Residents and Applicants: THA will ask applicants and residents, through the use of its language identification form, to identify their primary language at initial application (for new applicants) and at recertification (for existing residents/participants), and to identify their language preference for receiving written communications. The language identification form will also ask the applicant, resident/participant if translations services are necessary.

## B) Language Assistance Measures

- Oral Interpretation - Staff: Where feasible, bi-lingual THA staff will be deployed to communicate with LEP individuals in their native languages and to assist them in reviewing THA materials, answering questions about THA programs, and responding to THA forms and information requests. Currently, THA employs staff members who speak Spanish and Portuguese which are the non-English languages spoken most frequently by eligible persons served by THA.
- Oral Interpretation - Telephone Support: THA will use the services of a professional telephone interpretation service whenever requested by an LEP individual and/or when an LEP person uses an I Speak card to signify that they speak a non-English language and a qualified staff person that speaks the appropriate language is unavailable. When these contacts involve review of THA forms and procedures, THA will schedule the call so that the telephone translator has the opportunity to first review the relevant form or procedure. THA will only utilize interpretation services, which demonstrate a high degree of training and professionalization among the interpreter staff. THA currently utilizes a service which provides 24/7 coverage, trained and certified interpreters, and coverage for 170 languages. THA staff will be trained in how to access this service, which will be available as needed for LEP applicants, public housing residents or HCV participants.
- Oral Interpretation - In Person Assistance: In limited instances where telephone interpretation services or the use of bilingual THA staff are determined insufficient to ensure meaningful access, THA will provide qualified in-person interpretation services at no cost to the LEP individual either through a qualified language services contract or trained interpretations services. Examples of contacts where in person assistance is likely to be required includes termination hearings and evictions. Due to the considerable expense involved in providing in-person assistance, THA will generally strive to use telephone assistance. If the LEP person does not wish to use the THA free interpretation services, the LEP person may provide their own qualified interpreters at their own expense; however, see below regarding use of family and friends as interpreters.
- Oral Interpretation - Use of Other Interpreters not provided by THA: As noted above, LEP individuals will be informed that THA will provide them with free access to oral interpretation services via bilingual THA staff or qualified, trained contractors 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 and the LEP person signs a release that indicates alternative services were offered and waived. 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: THA will translate the vital documents listed above into the most frequently used non-English languages: Spanish and Portuguese.
- Communication with LEP Telephone Callers: THA will continue to provide English, Spanish and Portuguese options. For callers to THA's office, recognizable languages including Spanish and Portuguese will be transferred to bi-lingual THA staff when available. If needed, THA will attempt to place a three-party call to the oral interpretation telephone service to determine if the service is able to identify the language spoken and provide an interpreter.

## C) Staff Training and Coordination

THA 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 THA residents/participants.
- THA will designate a staff member, responsible for ongoing updating of the LEP analysis, addressing staff and public questions and issues related to LEP matters, and providing ongoing LEP training.

D) Providing Notice to LEP Persons

To ensure that LEP persons are aware of the language services available to them, THA will take the following actions:

- Post LEP notices in THA's offices and on website: As described in paragraph V.B. above.
- Partner with community agencies: THA will contact local community agencies who work with LEP persons to: a) inform them of THA's policies regarding language services to LEP persons; and, b) solicit their assistance and cooperation in communication THA's policies and providing assistance to LEP persons.
- Incorporate multi-lingual messages into THA outreach documents: THA will utilize standard messages in Spanish and Portuguese on outreach materials and notices.
- Inform resident associations of language assistance services.

E) Monitoring and updating the Language Assistance Plan

Every two years, as part of THA 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 Taunton;
- 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.
- Since it will be part of the agency's overall annual plan process, the annual LAP review and update process will facilitate public review and comment.