

## **Everett Housing Authority Language Access Plan (LAP)**

### **I. POLICY**

It is the policy of the Everett Housing Authority (EHA) to take reasonable steps to ensure that Limited English Proficient (LEP) persons have meaningful access to EHA's direct services. This policy is in accordance with the HUD's Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, issued January 22, 2007. EHA hereby designates the Executive Director and/or his/her designee, as its Language Access Coordinator ("LAC"), to annually assess the language assistance needs of EHA and monitor EHA's delivery of language assistance services in conjunction with EHA departments that provide direct services. The LAC shall recommend and implement any modifications, as required, regarding EHA's delivery of language assistance services to LEP Persons.

### **II. APPLICABILITY**

This policy applies to EHA Housing Choice Voucher Program's participants and applicants. EHA acknowledges that Title VI's LEP obligations apply to (i) all programs and activities of entities that receive federal financial assistance, and (ii) all sub-recipients that receive federal funds that are passed through EHA. Notwithstanding the foregoing, EHA is responsible for ensuring meaningful access to all portions of their program or activity, not just those portions to which HUD funds are targeted.

### **III. ASSESSMENT OF LANGUAGE SERVICES NEEDS-FOUR FACTOR ANALYSIS**

The EHA HCV program must conduct periodic evaluations of the service tools being provided to LEP participants, and applicants to determine if there are new needs. Annually EHA will review data collected pursuant to the provisions of this Policy and the Four Factor Analysis to assess whether or not Vital Documents should be translated into additional languages.

The following assessment services tools may be used in the determination of the EHA's language assistance service's needs:

A. Determine the number or percentage of LEP persons eligible to be served or likely to be served by direct services by utilizing Language Identification Card and record language of participant or applicant at points of contact and service. Appendix A describes in detail data collected to determine the number of LEP persons likely to be served.

The group of citizens that EHA programs would be most likely to service, of these citizens:

65.5% Citizens that Speak only English

34.5% Citizens speak a language other than English. 45% of these citizens speak English less than "very well";

10.1% Citizens speak Spanish or Spanish Creole 42.3% of these citizens speak English less than "very well";

24.4% Citizens speak other languages. 46.0% of these citizens speak English less than "very well".

EHA shall outreach, educate, and affirmatively market the availability of housing and housing related services to eligible persons in the geographic area that are least likely to apply for and/or receive the benefits of the program without such outreach and education activities and/or affirmative marketing.

B. EHA HCV staff shall track and record requests for language assistance, which services are provided (interview, conference, hearing, briefing etc.), and who provided language services. To facilitate the tracking and recording of requested language assistance, EHA staff will log daily requests for interpretation and provide copies of "Language Identification cards" to program participants.

C. Determine the nature and importance of the program, activity, provided through the program, by recognizing which EHA activities may require an interpreter to assist an LEP person. For example, assisting a LEP person with interpretative services during a Section 8 Briefing, annual re-certifications, or informal appeal hearing.

The housing authority will develop a list of all activities and documents related to its programs and determine the importance of each. Based on this analysis EHA shall determine how language services to LEP persons shall be delivered.

EHA always considers the basic activity for which it was funded as being of high importance. In addition, given the critical role housing plays in maintaining quality of life, housing and ancillary housing services rank high on the importance of the program.

D. Determine available and future resources and costs associated with providing direct services to LEP participants and applicants. EHA utilizes its resources in targeting interpretation and translation to the most important activities. In an effort to maximize its resources and in an effort to provide housing services, EHA looks to provide their LEP population with opportunities to engage in housing services through agreements with competent translators and interpreters in community-based organizations, or through telephonic interpretation services, technological advances, and sharing of language assistance materials and, services between housing authorities and advocacy and industry groups.

#### IV. PROVIDING LANGUAGE ASSISTANCE SERVICES

The following represents EHA's implementation plan to address the identified needs of the LEP population it serves. The development and maintenance of the following written plan on language assistance for LEP persons, or a so called Language Access Plan (LAP) for use by EHA employees will provide a framework for timely and reasonable language assistance.

##### A. Interpretative Services (Oral Language)

EHA must provide oral interpretation upon request and at no charge to LEP persons at points of contact and service to ensure meaningful access to EHA's direct services. EHA shall notify all applicants and participants of their ability to request an interpreter in notices from EHA for hearings, interviews, scheduled appointments, and adverse actions. If necessary, such interactions may need to be rescheduled to a later date in order to provide language assistance services.

Types of activities for which interpretative services must be offered to LEP persons include, but are not limited to the following:

- Eligibility Interviews
- Voucher Briefings
- Applicant/Participant Hearings
- Interviews regarding Annual Recertifications
- Reasonable Accommodation Requests
- Notices of Public Hearings

EHA staff is prohibited from requiring or asking LEP persons to bring their own interpreter. If a LEP person requests that an adult family member or friend (18 years of age or older) provide interpretation, this practice is acceptable only if it is his/her choice and upon his/her own suggestion. The employee must advise the LEP person about the availability of free language services and document in writing if the LEP person still chooses to provide his/her own interpreter. EHA staff may utilize telephone interpretation services when necessary.

There are some situations where the use of family members or friends is not appropriate e.g., in situations involving domestic abuse, sexual assault, or in hearings related to adverse actions. In these instances qualified interpreters must provide language assistance.

##### B. Translation Services (Written Language)

Documents which contain vital information or information that is critical for ensuring meaningful access to EHA's direct services are considered Vital Documents. EHA shall conduct an initial review of its written documents for the purpose of assessing which documents contain vital information and require translation. Regardless of the provision

of translated documents, only the English-language version of any EHA (Including the MassNAHRO Section 8 Applications), HUD, or DHCD documents will be recognized by the authority as legal and binding.

The EHA shall translate vital information as necessary. This commitment is subject to the availability of appropriated funds. It may not occur in full if the translations required would create an undue administrative and financial burden on the EHA. In addition, the EHA will rely on HUD to translate their own required documents. Examples of Vital Documents may include, but are not limited to: Application for HCV Program; Request for Lease Approval; and the Tenancy Addendum.

Although many documents will be completely translated under this policy, the EHA recognizes that some Vital Documents are not entirely comprised of vital information. Where appropriate, EHA shall use translated summaries to provide the vital information contained in a Vital Document to an LEP person. Further, some notices contain individualized facts which would be impractical to translate in every instance because of their multiplicity and the associated cost and time involved. In these circumstances, EHA will advise the notice recipient how to obtain interpretive services and/or provide a translated summary of the document in their languages.

EHA will annually re-assess the data collected pursuant to section III above, and determine pursuant to applicable federal guidelines and the Four Factor Analysis whether Vital Documents should be translated into other languages, or whether certain languages may be dropped from the requirement. This re-assessment will be incorporated annually into EHA's plan and posted on EHA's web site.

In addition to the aforementioned criteria utilized and analyzed under the EHA LAP policy, EHA provides the following language assistance:

- (i) Types of Language service available;  
*Translation of important relevant documents and interpretation services, as needed, for important issues.*
- (ii) How to respond to LEP callers;  
*Telephone support: EHA will use the services of a professional telephone interpretation service whenever requested by an LEP individual or apparently necessary to communicate with an individual. EHA has contacted Language Line Solutions to provide this support.*
- (iii) How to respond to written communication from LEP persons;  
*In any circumstance where written communication is presented by an LEP person to EHA in a language other than English, EHA will promptly have said communication translated, and respond as needed.*
- (iv) How to respond to LEP persons who have in-person contact with the EHA staff; and

*Staff members will utilize language identification cards to determine the primary language of the LEP person and provide a copy of "What If I Don't Speak English" in the requested language, if available.*

- (v) How to ensure competency of interpreters and translation services. *EHA will develop and implement a procedure for assessing and evaluating the competency level for all persons who are employed or otherwise act on its behalf as interpreters and translators. EHA will ensure that all persons on its list interpreters/translators have been properly trained regarding the role of the interpreter, the ethics of interpreting, the need to maintain confidentiality, and in the case of translators, the ability to read and write competently.*

## **V. TRAINING**

The LAC will ensure that appropriate staff are updated and trained about the Limited English Proficiency Policy and Language Assistance Services Implementation Plan. This will include: an overview of EHA's Limited English Proficiency Policy and Language Assistance Services Implementation Plan; how and when to use EHA's Language Identification card to identify the language in which the LEP person needs assistance; and how and when to access language services.

## **VI. MONITOR AND UPDATE THE LAP**

Every three years the EHA will conduct a Four Factor Analysis to be part of its Annual Plan and in the interim years conduct a review of its LEP Plan to determine;

1. Whether there have been any significant changes in the composition or language needs of the LEP population in persons serviced or encountered in the eligible service population;
2. If additional vital documents require translation; and
3. Any issues related to serving LEP persons, which may have emerged during the past year.

## **VII. COMPLAINTS**

Any LEP person who believes that he/she has not been provided adequate language assistance services should report that information to the Executive Director of the Everett Housing Authority (617) 387-6389. If after working with the Executive Director or his designee, a person believes the EHA is not taking reasonable steps to ensure meaningful access to LEP persons, that individual may file a complaint with HUD's local office of FHEO. For contact information of the local HUD office, go to the HUD website or call the housing discrimination toll free hotline @ 800-669-9777 (voice) or 800-927-9275 (TTY). This information will be posted in plain view in any language into which it has been determined that vital documents must be translated.

## VIII. FEEDBACK

EHA will meet with LEP advocates and community organizations semi-annually to discuss EHA's implementation of its Language Assistance Services Policy and Implementation Plan and to receive information on emerging LEP populations or obstacles to utilization of EHA's services within existing populations.

## IX. DEFINITIONS

### A. Limited English Proficient Person

A Limited English Proficient Individual is a person who does not speak English as his/her primary language and who has a limited ability to speak, read, write or understand English at a level that permits him/her to communicate effectively, in the course of applying for, or receiving, agency services or benefits.

### B. Vital Document

A Vital Document is a document that contains vital information or information that is critical for ensuring meaningful access to EHA's direct services.

EHA considers the following types of documents to be Vital Documents:

- Consent and Complaint Forms
- Intake forms with potential for important consequences including income questionnaires and applications for eligibility
- Notices of Eviction
- Notices advising LEP persons of free language assistance
- Notices of public hearings
- Leases and Tenant or Participant Rules

### C. Translation Services (Written Language Services)

Translation services are the written communications of a text from one language (source language) into an equivalent written text in another language (target language).

### D. Interpretation Services (Oral Language Services)

Interpretation services are the processes of orally communicating information from one language (source language) into another language (target language).

### E. Language Identification Card

The Language Identification Card lists numerous languages, permitting persons who need language assistance services to identify the language in which assistance is needed. This document is available on the EHA's internal public folder as well as on the EHA web site.

### F. Covered Languages

Covered Languages, for translation (written language) only, are those languages identified in EHA's Language Assistance Implementation Plan and are subject to

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change based on the annual examination under the Four Factor Analysis, results of which are posted on EHA's web site.

EHA LAP April 28, 2015

## Appendix A

### LEP Persons Who Need Language Assistance.

The Home Languages US Census Bureau 2009-2013 5-Year American Community Survey estimates the population of Everett at 42,935 with 17,353 being foreign born. There are 15,298 Households and of those 54.8% Speak a language other than English Following is a breakdown of the languages spoken:

- 29.7% Speak Indo-European Languages
- 20.6% Speak Spanish or Spanish Creole
- 2.7% Speak Asian and Pacific Island Languages
- 1.7% Speak Other Languages

Further research from the US Census Bureau, American FactFinder of Languages Spoken at Home 2009-2013 American Community Survey 5-year estimates shows there 22,585 citizens 18 years of age or older. This would be the group of citizens that EHA programs would be most likely to service, of these citizens:

- 65.5% Citizens that Speak only English
- 34.5% Citizens speak a language other than English. 45% of these citizens speak English Less than "very well"
- 10.1% Citizens speak Spanish or Spanish Creole 42.3% of these citizens speak English Less than "very well"
- 24.4% Citizens speak other languages, 46.0% of these citizens speak English Less than "very well"

Our Research using Massachusetts Department of Education Information gives the breakdown of languages spoken at Home by the 7,180 students of Everett

- 3,194 of the population of Everett speaks "English"
- 1,888 of the population of Everett speaks "Spanish"
- 983 of the population of Everett speaks "Portuguese"
- 521 of the population speaks "Creole (Haitian)"
- 160 of the population speaks "Arabic"
- 154 of the population speaks "Vietnamese"
- 280 of the population speaks other languages

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In the Report "*In the aftermath of Question 2: Students with Limited English Proficiency in Massachusetts*," By Athonia Owens, Rapport Public Policy Fellow (June 2010)" indicates out of 22 Massachusetts communities surveyed, 77.5% of students with Limited English are "likely to be low income."



## Appendix B

### What If I Don't Speak English

Everett Housing Authority offers persons who are limited English proficient (LEP) an equal opportunity to be served in all of its facilities and programs. Our policy is to communicate effectively with LEP persons through In-person or telephone interpreter services, and translated materials

1. If you do not fluently speak English, please let staff know what language you speak. Interpreters are available in many languages, most of which appear on our Language Identification Cards.
2. EHA provides interpreter services at no cost to its program participants or service recipients. You do not have to bring your own interpreter.
3. If you prefer to have a family member or friend interpret, EHA will respect your preference unless it would hamper effective communication. You may change your mind at any time and request an EHA interpreter. EHA strongly discourages use of minors as interpreters.
4. In addition to the interpreter services offered when you visit our offices, EHA staff may use a telephone interpreter service to receive your incoming calls or to reach you by telephone.
5. If you need help translating English language letters or other written material you receive from EHA, please ask EHA staff to have an interpreter assist you.