



**HOUSING AUTHORITY  
COUNTY  
OF SAN BERNARDINO**

# 2015 Language Access Plan

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# Language Access Summary

## Federal and HUD Guidelines

On August 11, 2000, President William Clinton signed Executive Order 13166 – Improving Access to Services for Persons With Limited English Proficiency which took effect August 16, 2000 for the Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination Against Persons With Limited English Proficiency. The order stated “each Federal agency shall work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.” Under the order, each federal agency was required to draft guidance specific to its recipients detailing general standards that would be applied.

In 2003, the Department of Housing and Urban Development (HUD) issued guidelines that were finalized on January 22, 2007. These guidelines apply to any recipient of HUD assistance including but not limited to public housing agencies and assisted housing providers.

Under the 2007 HUD Guidelines, recipients are required to make all of their programs accessible to Limited English Proficiency (LEP) persons. The LEP persons included in the guidelines include persons seeking housing assistance, seeking supportive services to become first-time homebuyers, seeking housing-related social services, training, or any other assistance from HUD recipients, current tenants, or parents or family members of these persons. The types of services and LEP communities targeted are based on a 4 Factor Analysis which includes:

1. The number of proportion of LEP persons eligible to be served or likely to be encountered by the program.
2. The frequency with which LEP individuals come into 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 grantee/recipient and costs.

## Compliance

Compliance with the 2007 HUD Guidelines is voluntary. However, recipients are required to comply with civil rights-related programs and provide meaningful access to LEP persons. Complaints of discrimination based on national origin due to failure to provide meaningful access filed with HUD will be investigated. Continued failure to provide meaningful access will result in the withdrawal of HUD funding.

# Language Access Plan

## Plan Statement

The Housing Authority of the County of San Bernardino (HACSB) is committed to its mission of empowering all individuals and families in need to achieve an enriched quality of life by providing housing opportunities and resources throughout San Bernardino County. In keeping with this mission, in 2005 HACSB adopted its first Language Access Plan (LAP) to ensure its programs and services are accessible to persons with Limited English Proficiency (LEP).

## Identification of LEP Communities

Limited English Proficiency (LEP) persons are those who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English<sup>1</sup>. When reviewing demographic data to analyze language assistance needs, it is important to focus on the languages spoken by those who are not proficient in English, and not simply individuals who speak multiple languages.

A 2015 review of the language proficiency of the residents of San Bernardino County revealed 318,754 individuals in the HACSB jurisdiction who do not “speak English very well.”<sup>2</sup> Of the languages spoken by the residents of San Bernardino County, there are 9 languages that are spoken by the threshold population size of 5% or 1,000 persons. Those 9 languages are:

<u>Language</u>	<u>Number of Individuals in Population</u>
Spanish or Spanish Creole	271,832
Arabic	3,243
Chinese	9,038
Korean	5,847
Mon-Khmer, Cambodian	1,203
Persian	1,003
Tagalog	6,438
Thai	1,074
Vietnamese	6,362

While there are 9 languages in the population that meet the HUD thresholds, the frequency of contact with LEP individuals who speak languages other than Spanish is limited. The 2015 Four-Factor Analysis

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<sup>1</sup> January 22, 2007 HUD Guidance – Who is a Limited English Proficient Individual?

<sup>2</sup> U.S. Census Bureau – 2007-2011 American Community Survey 5-Year Estimates – Languages Spoken at Home by Ability to Speak English for the Population 5 Years and Over

shows that the total client contact with LEP clients who do not speak Spanish is less than 1% of HACSB's program population as detailed below.

Language Assistance July 2013 - July 2015					
Total HACSB Participants and					58,738
Language	Operations	Wait List Opening	Wait List Lottery Noticing	Total	% of HACSB
					Total
Arabic	6	2	46	54	0.0919%
Amharic	0	1	0	1	0.0017%
Armenian	0	4	0	4	0.0068%
Cambodian	0	0	22	22	0.0375%
Chinese (Mandarin)	1	0	21	22	0.0375%
Japanese	0	0	18	18	0.0306%
Korean	1	1	7	9	0.0153%
Portuguese	1	0	0	1	0.0017%
Slovak	1	0	0	1	0.0017%
Spanish	1140	No Data	41	1181	2.0106%
Tagalog	2	0	13	15	0.0255%
Vietnamese	96	3	6	105	0.1788%
Totals	1248	11	174	1433	2.4396%

Based on Factor 2 of the 2015 Four-Factor Analysis: The frequency with which LEP persons come into contact with the program, written translation and noticing should be completed in Spanish. LEP clients who contact HACSB for service who speak other languages will still be provided access to programs and services through oral interpretation.

## Language Assistance Measures

HACSB serves the LEP community with oral interpretation and written translation services for the Housing Choice Voucher (HCV) and Public Housing (PH) programs.

### Oral Interpretation Services

HACSB serves LEP persons with oral interpretation services that include but are not limited to the following services:

- Bilingual Staff – Spanish and Vietnamese<sup>3</sup>.
- Free interpretation services offered through contract vendor.
- Special HCV and PH Briefings offered to LEP clients.
- LEP persons are allowed to use interpreters of their own choosing who are 18 years of age or older.

<sup>3</sup> Bilingual HACSB Staff are tested for accuracy using an independent third-party. New employees are subject to independent testing before serving as bilingual employees. Please see Attachment B.

### Written Translation Services

HACSB will provide written translations of the documents determined to be “vital” to assist with access to HACSB’s housing programs by LEP persons. The written translations will be provided in Spanish based on the frequency of Spanish-speaking LEP clients who contact HACSB. The Vital Documents list is included as Attachment A and was developed with consideration of the applicable State of California and Fair Housing laws.

Oral interpretation services will be used for all documents that have not been translated. Individualized documents containing important information will include noticing that language assistance services are available free of charge and oral interpretation services will be provided by bilingual employees and/or a contracted telephone vendor.

### Expand Accessibility Services to the Authority Owned Portfolio

HACSB will expand the Language Assistance services to the Authority Owned portfolio with the use of Spanish bilingual employees at property offices, telephonic interpretation services, and noticing through posters in property offices and “I Speak” cards for clients to self-identify as an LEP person and the language in which they are comfortable communicating.

### Accessibility to Non-Vital Programs

All housing related programs are considered vital to participants and the public. Other programs not directly related to housing or that may affect someone’s right to housing are considered non-vital. While the accessibility to non-vital programs is important, it is not subject to the same standards as housing programs. HACSB programs that are considered non-vital include:

- Section 3
- Community Development Initiatives
- Procurement
- Community Outreach

LEP assistance in accessing these programs will be offered through the use of bilingual employees and cost effective written translation programs available through the internet. Notice of these services will be provided on program documents issued to participants and the public.

## Notice of Language Assistance Services

HACSB will provide notice of the availability of its LEP Services free of charge. The notices include:

- Interpretation Service Posters in all offices.
- Bilingual options available on the automated phone system.
- “I Speak” cards available for clients to self-identify at all offices.
- Interpretation Service notice added to the HACSB website, community notices, public notices, and other identified communications.
- Notices in local ethnic media.
- Language Access Plan available on the HACSB website and at all offices.

# Implementation and Training

## Persons Charged with Plan Implementation

While all HACSB employees are responsible for ensuring LEP persons are provided adequate access to our information, programs and resources, there are key individuals who specifically have the responsibility of implementing and monitoring this Language Access Plan.

The Language Access Coordinator is responsible for ensuring the agency adheres to the plan and procedures to provide meaningful access. This person is responsible for the oversight, performance, and implementation of the plan. The Coordinator is also responsible for performing the annual plan evaluation and analyzing the survey responses and complaints of LEP persons as part of the evaluation process. The Language Access Coordinator is the Administrative Services Manager of HACSB.

The Deputy Executive Director and the Housing Authority Deputy Director (Housing Services) are responsible for implementing the Language Access Plan for the Housing Choice Voucher, and Five Year Lease Assistance Programs. The Assistant Deputy Executive Director and Housing Authority Deputy Director (Housing Communities) are responsible for implementing the Language Access Plan for the Affordable (Public) Housing Program and Authority Owned portfolio.

## Implementation Timeframes

	<u>Implementation Date</u>
Amend Noticing in Offices and on the Phone System	2/29/2016
<u>Expanded Program Accessibility</u>	
Expand services to Authority Owned portfolio	2/29/2016
Non-Vital Program Accessibility	2/29/2016
<u>Notice of Language Access Services</u>	
Notices added to the HACSB website, community notices, public notices, and other identified communications.	2/29/2016
<u>Plan Monitoring and Updating</u>	
Complaint Process	2/29/2016

## Training

All HACSB employees may at one time or another come into contact with either a participant or member of the public who may be an LEP person. All HACSB employees are trained on the following items:

- LAP policies and procedures.
- Types of services available to assist LEP persons.
- How to respond to LEP callers.
- How to respond to LEP visitors.
- How to respond to written communication from LEP persons.
- How to access oral interpretation and written translation services.
- How to work effectively with interpreters.
- How to record and document language assistance services provided to clients.

Staff who serve as Bilingual Employees are also trained on the following items:

- Interpreter Standards for HACSB Bilingual Employees.
- How to record and document language assistance services provided to clients.

# Monitoring and Updating the Plan, Policies, and Procedures

HACSB's Language Access Plan is monitored annually by the Language Access Coordinator. The Coordinator reviews:

- Languages in San Bernardino County that meet the threshold requirements.
- Languages most frequently used by program participants and public contacts.
- Implementation status.
- Effectiveness of services.
- The availability and cost of providing additional services.

Upon completion of the annual review, updates and revisions of the Language Access Plan are submitted for approval by the Executive Director, Housing Commission, and Board of Governors.

## Languages in San Bernardino County

To evaluate the languages in San Bernardino County that meet the threshold requirements, information is obtained from the U.S. Census Bureau, community based associations, and any other resources available.

## Languages Most Frequently Used by Program Participants and Public Contacts

To determine the languages most frequently used by program participants and public contacts, HACSB reviews data recorded in the client management system, by Bilingual Employees, and by site-level Language Assistance Designees. The data is analyzed annually to determine the frequency and types of services being used. Reviewed data includes:

- Primary language used by person who contacted HACSB.
- Type of assistance provided during encounter.
- LEP persons choice to use own interpreter and age of interpreter.
- Number of LEP persons served.

This information will not only identify the languages HACSB comes into contact with most frequently, but also assists with evaluating the effectiveness of the services provided.

## Implementation Status

The status of implementing the services will be evaluated and adjusted as necessary annually.

## Effectiveness of Service

HACSB's efforts will be monitored annually for effectiveness in providing meaningful access to housing programs. The effectiveness will be evaluated based on annual customer service surveys and any responses received through the Feedback Process available to the public for individuals denied services for lack of English proficiency.



Effectiveness of Service (continued)

The Feedback Process will allow any member of the public, participant, or past participant to submit comments regarding the Language Access Services provided by HACSB. The comment form will be available on the HACSB website and at all HACSB offices. The comments will be submitted to the Language Access Coordinator for review and follow up with the appropriate personnel, or adjustments to the plan.

Availability and Cost of Providing Additional Services

Each year, the Language Access Coordinator will research and solicit ideas for new ways to serve LEP persons. An evaluation of the availability, cost, and potential effectiveness of the additional services will be performed and adjustments to the plan will be recommended accordingly.

# Attachment A

## Vital Documents

HACSB has developed a list of the documents that are vital to the access of LEP persons to HACSB's housing programs. This list was developed with consideration of the applicable laws of the State of California and Fair Housing laws. Documents have also been identified that may contain important information and will contain noticing of HACSB language access services and how to obtain services.

### **Vital Documents to be Translated**

Pre-Applications

### **HOPE Program**

Requirements & Obligations

### **Briefing Packets – MTW, Non-MTW, and Special Programs**

Program Summary

Applying for HUD Housing Assistance –  
Consequences of Fraud

Calculating Your Assistance/Helpful Tips  
to Search for a Home

Census Tract Map

Certification/Acknowledgement of  
Receipt

Crime Free Addendum

Documents for Your Use and to be  
Returned

Family Obligations Contract

HACSB LAP Contract – Part C: Tenancy  
Addendum

Individual Training and Services Plan Goal  
Planning Questionnaire

Next Steps

Payment Standards

Program Offices and Areas Served

Questions and Answers Quiz

Record of Contacts Made to Find a Unit

Rental Assistance Booklet

Request for Reasonable Accommodation

RFTA and Ownership Document Packet

Special Program – Payment Standards  
Subsidy Amount for Five Year Lease  
Assistance

Utility Allowance Schedule

Zero Tolerance Fraud Policy

### **Translated Documents Available from HUD and Other Sources**

A Good Place to Live

Are You a Victim of Housing  
Discrimination

Protect Your Family From Lead in Your  
Home

## **Documents to Receive Noticing**

### Housing Services

Acknowledgement of Program Violations  
Conditional Termination Letter  
Informal Hearing Letter  
MTW Voucher  
MTW Contract  
Privacy Act  
Program Termination Letter  
Zero Income Letter

### HOPE

Documentation Submission Letter  
HOPE NE Letter  
HOPE Recertification Appt  
Voluntary Term Letter

### Public Housing

Acknowledgement of Program Violations Applicant Correspondence  
Application Needs Letter  
Application Removal Letter  
Criminal History Background Info  
Criminal HBI – Additional Persons  
Initial Briefing Letter  
LR Briefing Packet  
Public Housing Information  
Public Housing Information Booklet  
Request for Informal/Formal Grievance Hearing  
Rescheduled Briefing Letter  
Section 214 Verification Consent  
Smoke Detector Policy

### Affordable Housing and Housing Services

Disclosure Questionnaire and Supplement  
List of Non-Contending Members  
Release of Information  
Repayment Agreement  
Section 214 Verification Consent

# Attachment B

## Bilingual Program

**Eligibility:** Full or Part-time employees in designated positions who successfully pass the Bilingual Skill Assessment, are eligible to participate in the Bilingual Pay Program.

**Designated Positions:** Positions which require direct contact with current or potential clients are "Designated" Positions. Additional positions may be designated in the Administrative Office, as required, to provide sufficient bi-lingual support services.

**Bilingual Skill Assessment:** Effective January 1, 2011, all eligible personnel will be assessed (or reassessed) for:

- Proficiency in speaking and understanding the spoken Spanish and/or Vietnamese Languages.
- Effective communication with sign language.

Newly-hired employees in designated positions will be assessed at the time of hire.

**Bilingual Pay Incentive:** Eligible employees who successfully pass the Bilingual Skill Assessment will receive the following incentive pay:

Defined	Full Time	Part Time
<ul style="list-style-type: none"><li>• Speak and understand the spoken language; and/or</li><li>• Communicate effectively with sign language</li></ul>	\$40.00 Per pay period	\$20.00 Per pay period