Williamstown Housing Authority LANGUAGE ACCESS PLAN

I. INTRODUCTION

The Williamstown Housing Authority ("LHA") is committed to ensuring equal access to its programs and services by all residents, regardless of primary language spoken.

Pursuant to 760 CMR 4.02(1)(e). Massachusetts Local Housing Authorities must adopt and enforce a Language Access Plan ("LAP") regardless of whether they receive federal funds. DHCD has provided "DHCD LAP Guidance to Program Administering Entities" as an appendix to its Language Access Plan, most recently in 2017.¹

<u>Title VI of the Civil Rights Act of 1964</u> ("Title VI") also requires recipients of federal financial assistance to take reasonable steps to ensure meaningful access to their programs and services by individuals with Limited English Proficiency ("LEP"). Persons who do not speak English as their primary language and who have a limited ability to read, write, or understand English may be considered LEP individuals. Such reasonable steps to ensure meaningful access include language access planning.

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 individuals, including detailed guidance for language access planning.²

Furthermore, 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. DHCD, in its "DHCD LAP Guidance to Program Administering Entities," has encouraged LHAs to utilize this four-factor self-assessment method regardless of whether they receive HUD funds. Based on the DHCD and HUD guidance, the LHA has completed an LEP four-factor self-assessment ("Attachment A").

Using the LEP self-assessment as a guide, the LHA has prepared this LAP, which defines the actions to be taken by the LHA to ensure LHA compliance with Title VI and/or DHCD requirements with respect to LEP individuals. The LHA will periodically review and update this LAP in order to ensure continued responsiveness to community needs and compliance with 760 CMR 4.02(1)(e), as well as Title VI and related HUD guidance as applicable.

II. GOALS OF THE LANGUAGE ACCESS PLAN

¹ https://www.mass.gov/files/documents/2017/10/25/lapdhcd2017.docx

² https://www.federalregister.gov/documents/2007/01/22/07-217/final-guidance-to-federal-financial-assistance-recipients-regarding-title-vi-prohibition-against; see also https://www.federalregister.gov/documents/2007/03/16/E7-4794/final-guidance-to-federal-financial-assistance-recipients-regarding-title-vi-prohibition-against (Update of Web Site Reference)

The goals of the LHA's LAP include:

- To ensure meaningful access to the LHA's housing programs by all eligible individuals regardless of primary language spoken.
- To ensure that all LEP individuals are made aware that the LHA will provide free oral interpretation services to facilitate their contacts with and participation in programs administered by the LHA.
- To provide written translations of vital documents to LEP individuals speaking priority languages.
- To ensure that LHA staff are aware of available language access services and how these services need to be used when serving LEP individuals.
- To provide for periodic review and updating of this LAP and services in accordance with community needs.

III. LEP INDIVIDUALS WHO NEED LANGUAGE ASSISTANCE

See "Attachment A" for data analysis of LEP populations.

IV. TYPES OF ASSISTANCE NEEDED BY LEP INDIVIDUALS

Most contacts between the LHA and LEP individuals involve meetings, written communications and phone calls where information is exchanged. Examples include interactions by applicants with LHA staff during the application process leading up to and including placement in housing, as well as periodic contact between residents and LHA staff related to management, maintenance and lease compliance issues. Oral language assistance services may be needed for these contacts. Oral language assistance service may come in the form of "in-language" communication (a demonstrably qualified bilingual staff member communicating directly in an LEP person's language) or interpretation services. These services may also be necessary to communicate with LEP individuals when written materials are insufficient.

Other contacts involve the exchange and review of printed materials, some of which may be considered "vital documents". HUD's 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 individuals specifically". The LHA will strive to provide translation services as necessary and as resources permit for any document considered vital for an applicant's, tenant's, or participant's meaningful program access as provided in section V.B below ("Written Translation").

V. LANGUAGE ASSISTANCE TO BE PROVIDED

To promote equal access to LHA programs and services by LEP individuals, the LHA will implement the following array of Language Access services:

A. Identification of LEP Individuals and Notices

Use of "I Speak... Language Identification Flashcards": To help identify LEP individuals and determine the appropriate Language Access, the LHA will post and make available "I Speak... Language Identification Flashcards" in common areas, on its website, and by request. Applicants and residents can use these guides to indicate their primary language. During the tenant selection screening process, LHA staff will make appropriate arrangements for interpretation services generally; using either a bilingual staff person or a telephone interpretation service.³

Notices of Oral interpretation Services: Subject to budget constraints and in consideration of the four-factor self-assessment described on Attachment A, the LHA will provide free access to language assistance for staff contact with LEP individuals. The LHA will prominently post multi-language notices in common areas and on its website which indicate that free language assistance is available upon request (see "Attachment B"). The LHA will also gather data on requests for language assistance by language to inform its four-factor self-assessment.

B. Language Access Measures

Oral Interpretation - Staff: When feasible, bilingual LHA staff will be utilized to communicate with LEP individuals in their native languages and to assist them in reviewing LHA materials, answering questions about LHA programs, and responding to LHA forms and information requests. Currently, LHA does not employ staff members who speak any language other than English.

Oral Interpretation - Telephone Support: Subject to budget constraints and in consideration of the four-factor self-assessment described on Attachment A , if qualified bilingual LHA staff are unavailable to communicate with an LEP individual who is requesting assistance, the LHA will use the services of a professional telephone interpretation service, including when an LEP individual uses an "I Speak... Language Identification Flashcard" to signify that they speak a non-English language. When these contacts involve review of LHA forms and procedures, the LHA will schedule the call so that the telephonic interpreter has the opportunity to first review the relevant form or procedure. The LHA will only utilize interpretation services which demonstrate a high degree of training and professionalization among the interpreter staff. The LHA will utilize a service

³ "I Speak..." Language Identification Flashcards are available in numerous languages from the U.S. Census Bureau: https://www.lep.gov/sites/lep/files/media/document/2020-02/crcl-i-speak-booklet.pdf

which provides trained and certified interpreters and coverage for a multitude of languages. LHA staff will be trained in how to access this service, which will be available as needed for LEP applicants and residents.

Oral Interpretation - In Person Assistance: Subject to budget constraints and in consideration of the four-factor self-assessment described on Attachment A, in limited instances where telephone interpretation services or the use of bilingual LHA staff are determined insufficient to ensure meaningful access, the LHA may provide qualified in-person interpretation services at no cost to the LEP individual through the use of community resources and/or outside organizations or vendors who employ or contract with qualified and trained interpreters. Examples of contacts where in person assistance may be requested includes termination hearings and evictions. Due to the considerable expense often involved in providing in person assistance, unless in-person interpretation is available at low cost through community resources, the LHA will generally strive to use telephonic assistance, as resources permit. If the LEP individual does not wish to use the free interpretation services offered by the LHA, the LEP individual may provide their own qualified interpreters at their own expense.

Oral Interpretation - Use of Other Interpreters not provided by the LHA: As noted above, LEP individuals will be informed that the LHA will provide them with free access to oral interpretation services via bilingual LHA 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 as interpreters is allowed. Staff will be advised to be alert to the potential for any conflict of interest or competency issue that may arise from the involvement of family or friends.

Written Translation: The LHA will strive to translate documents that are vital to meaningful program access as resources permit and in consideration of the four-factor-self-assessment referenced in Attachment A and applicable HUD guidance. Priority languages for translation are identified in Attachment A. Vital documents are those that are critical for ensuring meaningful access to the LHA's major activities and programs by beneficiaries generally and LEP persons specifically. Meaningful program access generally requires awareness of, and ability to participate in, procedures for applying to the program, for meeting the requirements of the program, and for enjoying important benefits of the program. Meaningful program access also requires awareness of rights and services; otherwise, LEP persons may effectively be denied such access.

Written or "vital documents" include:

⁴ HUD guidance indicates that written translation of vital documents for each eligible LEP language group that constitute more than 5% (if > 50) of the eligible population in the market area or among current beneficiaries, or 1,000 of such persons, whichever is less, will constitute strong evidence that reasonable steps have been taken to address written translation needs.

- Application-related documents
- · Lease-related documents
- · Rent-redetermination related documents
- Consent and complaint forms
- Written standard notices of rights, denial, loss, or decreases in benefits or services, and other notices relating to hearings/conferences/grievances
- Notice to guit and eviction-related documents
- Non-Vital or Non-translated Written documents: For documents not considered "vital documents" or not immediately translated, a notice must be placed on the document which states in the most frequently encountered languages identified under the administering entity's LAP, "This is an important document. Please contact the Williamstown Housing Authority, 35 Adams Road, Williamstown, MA at 413-458-8282 for free language assistance" (see "Attachment C").
- Legal documents: In the case of legally binding documents such as a lease, although a translated copy of the document should be provided, the English version of the document is the one that is legally binding and considered the official document. The translated document is to be used as a reference tool only. A brief statement will be included on these documents in the language which the document has been translated into which states "This document is for informational purposes only. The English version of this document is considered the legally binding document" (see "Attachment D").
- Translation of written documents: For LHA program documents, including those
 that are highly individualized (such as ineligibility, termination or appeal notices),
 the LHA will, to the extent feasible within administrative and fiscal limits,
 translate these documents based on an assessment utilizing the four-factors
 discussed above.
- Note on timing-related rights: A person with LEP will not be penalized or denied meaningful and effective access because of an administering entity's inability to provide timely translation or interpretation services. This would include allowing additional time for translation and/or interpretation without impacting an applicant's position on the LHA waitlist.
- Review and updating: The LHA will periodically review and update the list of
 vital documents to reflect those documents which are considered vital to
 applicants and/or residents, and will also track existing translated documents that
 need to be updated for consistency with updated English-language documents.

C. Staff Training and Coordination

The LHA will provide training on LEP awareness and required assistance actions under the Language Access Plan for employees. This will include:

Training: The LHA will make reasonable efforts to avail its staff and employees of any available trainings on Language Access. LHA employees and staff who regularly interact with LHA clients will be encouraged to complete periodic refresher trainings on Language Access.

LEP Coordinator: The LHA has designated the **Executive Director** as the LEP Coordinator, responsible for ongoing updating of LEP analysis, addressing staff and public questions and issue related to LEP matters, and providing ongoing LEP training.

D. Providing Notice to LEP Individuals

To ensure that LEP individuals are aware of the language services available to them, the LHA will post LEP notices in multiple languages in the LHA's common areas, on the LHA's website, and will make LEP notices available upon request.

E. Monitoring and updating the Language Access Plan

The LAP will be reviewed and updated periodically as needed. The review will assess:

- Whether there have been any significant changes in the composition or language needs of the LEP-population in **Berkshire** County and/or based on LHA data;
- A review to determine if additional vital documents require translation;
- A review of any issues or problems related to serving LEP individuals which may have emerged; and
- Identification of any recommended actions to provide more responsive and effective language services.

			Williamstown	Housing Authority
on: 2/	16/20	22		

Attachment A: LHA's Four Factor Self-Assessment Analysis Regarding LEP Individuals

Attachment B: Language Assistance Protocols Attachment C: Important Document Notice Attachment D: Legal Notice Translation

Attachment A: LHA's Four-Factor Self-Assessment Analysis Regarding Limited English Proficiency (LEP) Individuals

1. Assessing the number and proportion of LEP individuals served or encountered in the eligible service population.

Data estimates are based on the following data sources:

(a). Census data at the County level (for estimating potential LEP applicants encountered by the LHA):

See data graph (attached) compiled by the Department of Housing and Community Development of citizens of Berkshire County aged 5 years and over for which English is spoken "less than very well."

Spanish	1.24%	Chinese	.15%
French	.06%	Korean	.02%
Italian	20%	Cambodian	.07%
Portuguese	.16%	Vietnamese	.04%
German	.05%	Arabic	.04%
Russian	.11%	Hebrew	.01%
Polish	.04%		

(b). Municipal Data [For use only where the % of LEP population speaking the language in the City/Town is greater than the percentage for the County]:

See data graph (attached) compiled by **the Department of Housing and Community Development** of citizens of **Williamstown** aged 5 years and over for which English is spoken "less than very well."

German	.09%	Chinese	.31%
Russia	.15%	Korean	.12%

(c). Applicant data (e.g., data on CHAMP application languages for estimating applicant LEP population served):

Spanish 5%

(d). Tenant data (e.g., data on primary languages and communication preferences by language for estimating tenant LEP population served): 2% Spanish. This family also speaks fluent English

Based on the above data sources, the following languages are priority languages for translation, in descending order of priority for translation [Spanish must be included]:

Spanish

- 2. Assessing the frequency with which LEP individuals come into contact with the program, activity, or service. It is extremely rare for the LHA to have an LEP individual needing assistance for our programs. In the past the LHA has had 1 family needing assistance.
- 3. Assessing the nature and importance of the program, activity, or service provided by the program. It is very important for the LHA to have services needed for an LEP Individual needing assistance. The LHA will provide any service that is needed.
- 4. Assessing the resources (e.g., translation services, bilingual staff, community resources, etc.) available to the LHA and costs.

The LHA will utilize I Speak Flashcards to determine what language the Individual speaks. The LHA will utilize LanguageLine Solutions for telephone services as needed and local high school Spanish teachers, Williams College staff and local church organizations.





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CENSUS DATA

Census Name: Williamstown town, Berkshire County, Massachusetts

Total Percent of Total Percent of Languages spoken at **Total Number** Total Number Population Population home among (age 5+) (age 5+) individuals age 5+ with limited English proficiency: 1,540 Spanish 61 0.83 1.24 0.00 0.06 French 0 77 Creole 0 0.00 0 0.00 0 253 0.20 Italian 0.00 0 200 0.16 Portugese 0.00 7 0.09 65 0.05 German Yiddish 0 0.00 0.00 0 Greek 0 0.00 0 0.00 Russian 11 0.15 143 0.11 0.04 Polish 0 0.00 45 0.00 0 0.00 Croatian 0 Armenian 0.00 0.00 0 0 0.00 Persian 0 0.00 0 Gujarati 0 0.00 0 0.00

Hindi	0	0.00	0	0.00
Urdu	0	0.00	0	0.00
Oldu	U	0.00	U	0.00
Chinese	23	0.31	191	0.15
Japanese	0	0.00	4	0.00
Korean	9	0.12	29	0.02
Cambodian	0	0.00	83	0.07
Hmong	0	0.00	0	0.00
Thai	0	0.00	0	0.00
Laotian	0	0.00	0	0.00
Vietnamese	0	0.00	53	0.04
Tagalog	0	0.00	45	0.04
Hungarian	0	0.00	0	0.00
Arabic	0	0.00	56	0.04
Hebrew	0	0.00	17	0.01

Source: American Community Survey (U.S. Census Bureau), 2014-2019.

Note: Data on languages spoken at home are among individuals aged 5 years or older who have limited proficiency in English. "Total Number" represents the total number of people aged 5 years or older who speak a given language and who also have limited proficiency in English in a city/town or county. "Percent of Total Population" represents the number of people aged 5 years or older who speak a given language and who also have limited proficiency in English, divided by the total population aged 5 years or older (regardless of English proficiency) in a city/town or county. The U.S. Census Bureau defines "limited English proficiency" as those who report speaking English less than "very well".

Attachment B: Language Assistance Protocols

Identifying Need for Language Assistance:

Persons with LEP will often be able to convey, including through third parties, their need for language assistance, although in some instances one or more of the following steps may be necessary to identify the language and the nature of the assistance sought.

- 1) Utilize "I-Speak cards" where walk-ins occur to identify what language the person reads or speaks. I-Speak cards are available at the following website: https://www.lep.gov/sites/lep/files/media/document/2020-02/crcl-i-speak-booklet.pdf. And also available at the LHA office.
- 2) Consult available *LHA staff* who can provide initial support in identifying languages and assistance needed by persons with LEP that come into direct contact with the LHA in person, by telephone, or in writing.
- 3) Utilize LHA's over-the-phone telephonic services account with LanguageLine Solutions.
- 4) The LHA will utilize members of the community as needed, that are willing to help. This includes area high school Spanish teachers, Williams College staff and area church organizations.

<u>Note</u>: Persons with LEP must not be turned away or told that they must secure their own interpreter or translator. Language assistance through interpreter or translator services as appropriate must be sought as soon as possible and timing related rights must be preserved while such services are being sought.

Protocols and Procedures for Providing Oral Language Assistance (Interpretation):

Select appropriate method for providing interpretation on a case-by-case basis depending on the nature and importance of the communication, including whether in-person interpretation is necessary for providing meaningful access to programs and services. The following are interpreter resources for consideration:

- a. LHA staff at this time no staff member speaks another language.
- b. Community/other resources The LHA will contact local people at Williams College, high schools in the area and local church organizations to come into the office to meet with individuals needing interpretation services.

- c. Currently, LanguageLine Solutions, will be used for over-the-phone interpretation. Useful tips for using interpreter services and further protocols for telephonic interpretation are provided below.
- d. *In-Person Assistance*: In limited instances where in-person assistance is necessary to ensure meaningful access and use of bilingual LHA staff is determined to be insufficient or inappropriate (e.g., due to a conflict of interest), the LHA may provide qualified in-person interpretation services at no cost to the LEP individual either through local community organizations, such as local churches, high schools or colleges or through a vendor, such as LanguageLine Solutions. The LHA will contact said people to meet with individuals needing interpretation services.

Protocols for Using Over-the-Phone Interpretation:

LanguageLine Solutions will be used at this time.

Additional Protocols for Administrative Staff

- 1) Utilize staff resources or the service to:
 - a. Determine the LEP caller's question or issue.
 - b. Obtain the LEP caller's name, contact information, and best times when he or she can be reached.
 - c. Inform the LEP caller that the appropriate staff person will contact the caller.
- After the call ends, let the appropriate staff person that would handle the caller's type of question/issue know that the caller requires follow-up with language interpretation and specify for the staff person the information corresponding to paragraph (1) (a)-(c) above as well as whether the issue appears to be time sensitive.
- 3) Assist the staff person to utilize staff resources or over-the-phone interpretation to follow-up with the LEP caller.

<u>Note</u>: the following are useful tips for utilizing over-the-phone interpreter services:

• Explain to the interpreter the purpose of the communication (i.e., assistance filling out a housing application). It is also helpful, particularly for more complex situations, to give the interpreter a brief overview and description of the information to be conveyed.

- Provide brief explanations of technical terms of art that may come up during the communication, such as eligibility, income limits, recertification, lease violation, etc.
- Speak as if talking directly with the person with LEP and not with the interpreter.
 It may be helpful to check in with the interpreter to make sure he/she is understanding what you are saying. If in person, face the person with LEP and look at him/her and not the interpreter.
- Speak in short sentences and enunciate words.
- Express one idea at a time and allow the information to be interpreted prior to continuing.
- Avoid using acronyms, such as HUD, DHCD, etc.
- Inform the interpreter when you are no longer in need of his/her services.

Protocols and Procedures for Providing Written Language Assistance (Translation):

- 1) Translation of vital documents:
 - a. LHA staff at this time no staff member can translate vital documents.
 - b. Community/other resources (e.g., non-profit assistance or inter-agency partnerships)- The LHA will reach out to individuals in the community that can help with written translation. This includes local high school Spanish teachers, staff at Williams College and local church organizations.
- To the extent important documents have yet to be translated, free language assistance terminology translated in other languages must be inserted with the document (see "Attachment C").
 - 4) For legally binding documents, such as a lease, the translation must be accompanied by a statement in the language of the translated document indicating that the translated document is for informational purposes only and that the English version is considered the legally binding document (see "Attachment D").

This is an important document. Please contact the Williamstown Housing Authority at 413-458-8282 for free language assistance.

Το παρόν έγγραφο είναι σημαντικό. Παρακαλώ εποικωνήστε με τηνστο τηλέφωνογια δωρεάν γλωσσική βοήθεια. (Greek)
Jest to ważny dokument. Proszę skontaktować się z pod numeremaby uzyskać bezpłatną pomoc językową. (Polish)
이것은 중요 문서입니다. 무료 언어 지원을 위해서는 에연락하십시오. (Korean)
これは重要な文書です。無料の言語サービスについては、 の のまでご連絡くださ い。 (Japanese)
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เอกสารนี้มีความสำคัญ โปรดติดต่อซ่ซ่ สำหรับบริการช่วยเหลือด้านภาษาได้ฟรี (Thai)
این سند مهمی است. لطفا جهت دریافت خدمات رایگان زبان بااز طریق
تماس حاصل فر مایید.
ار مایید. [Phone #]

This is an important document, Please contact [AGENCY NAME] at [PHONE #] for free language assistance.

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	dokument. Proszę skontaktować by uzyskać bezpłatną pomoc językową.		pod numerem
이것은 중요 둔 연락하십시오. (Korean)	서입니다. 무료 언어 지원을 위해	서는	পা
これは重要な文書 い。 (Japanese)	です。無料の言語サービスについては、	o	までご連絡くださ
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[Phone #] (Farsi)	[Agency Name]		

Attachment D: Legal Notice Translation

This document is for informational purposes only. The English version of this document is considered the legally binding document.

Este documento es con el propósito de información solamente. La versión en Inglés de este documento es la que se considera válida legalmente. (Spanish)

Este documento é para fins informativos. Somente a versão em inglês deste documento é considerada um documento legalmente obrigatório. (Portuguese)

Dokiman sila a se pou enfòmasyon sèlman. Se vèsyon angle dokiman sila a nou konsidere antanke dokiman ki angaje devan lalwa. (Haitian Creole)

本檔僅供資訊瞭解之用。只有本檔的英文版本被看成具有法律效率的檔。 (Chinese, Traditional)

本文件仅供信息了解之用。只有本文件的英文版本被看成具有法律效率的文件。 (Chinese, Simplified)

Этот документ приведен только со справочно-информационными целями. Английский вариант этого документа является юридически обязательным к исполнению. (Russian)

ឯកសារនេះគឺសម្រាប់ជូនជាព័ត៌មមានតែប៉ុណ្ណោះ។ ឯកសារនេះជាភាសាអង់គ្លេសត្រូវបានចាត់ទុកជា ឯកសារចងភ្ជាប់កាតពុកិច្ចតាមផ្លូវច្បាប់។ (Mon-Khmer, Cambodian)

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Այս փաստաթուղթը տեղեկատվական նպատակների համար է միայն։ Այս փաստաթղթի անգլերեն տարբերակն է համարվում իրավաբանորեն պարտավորեցնող փաստաթուղթ։ (Armenian)

ື້ນແມ່ນເອກະສານໃຊ້ເພື່ອໃຊ້ໃນຈຸດປະສົງຂອງການໃຫ້ເຂົ້າໃຈຂໍ້ມູນເທົ່ານັ້ນ. ເອກະສານນື້ທີ່ໃຊ້ເປັນສະບັບຖືກຕ້ອງຕາມ ກົດໝາຍຈະແມ່ນສະບັບພາສາອັງກິດເທົ່ານັ້ນ. (Lao)

Ovaj dokument služi samo u informativne svrhe. Verzija ovog dokumenta na engleskom jeziku se smatra zakonski obavezujućim dokumentom. (Serbo-Croatian)

ی دستاویز صرف معلوماتی مقاصد کیلئے ہے۔ اس دستاویز کا انگریزی ورژن قانونی طور پر پابند کرنے والا دستاویز ہے۔ (Urdu)

આ દસ્તાવેજ માત્ર માહિતીના હેતુઓ માટે જ છે. આ દસ્તાવેજનું અંગ્રેજી સંસ્કરણ કાનૂની રીતે બાધ્ય દસ્તાવેજ ગણવામાં આવશે. (Gujarati)

เอกสารนี้สำหรับใช้เป็นข้อมูลเท่านั้น ฉบับภาษาอังกฤษของเอกสารนี้ถือเป็นเอกสารที่มีภาระผูกพันตามกฎหมาย (Thai)

این سند صرفا جهت اطلاع می باشد. تنها نسخه انگلیسی آن از لحاظ قانونی یک سند تعهدآور است.

(Farsi)