

## LANGUAGE ACCESS PLAN

### ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

#### Overview

Language for Limited English Proficiency Persons (LEP) can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the housing program. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from publically assisted programs and activities may violate the prohibition under Title VI against discrimination on the basis of national origin.

The Stockbridge Housing Authority will take steps to communicate with people who need services or information in a language other than English. These persons will be referred to as Persons with Limited English Proficiency (LEP).

LEP is defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English. For the purposes of this language access plan, LEP persons are applicants and residents, and parents and family members of applicants and residents of our State Aided Public Housing program.

The purpose of this plan is to ensure that the SHA can provide individuals with LEP meaningful access to our housing programs and activities. However, in preparation for writing this plan and in order to identify the specific needs of our program with the goal of providing meaningful access to our housing programs for LEP applicants and residents, we are using the four-factor analysis provided in the Department of Housing and Urban Development's Guidance Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.

In accordance with this four-factor analysis, SHA's assessment balanced the following:

- 1) The number or proportion of LEP persons served or encountered in the eligible service population. (As instructed in the guidance for the purpose of determining those LEP persons "served or encountered", we included those persons who would be served or encountered if the persons received adequate outreach and we provided sufficient language services);
- 2) The frequency with which LEP persons come into contact with our agency;
- 3) The nature and importance of the program, activity or service provided by the agency; and
- 4) The resources available and costs to each program. Please note that to the extent possible, we have tried to reduce the costs by identifying the resources available within our agency/community and making them available to each person.

We recognize that regardless of how few LEP persons we serve, we are obligated to provide oral interpretation services in some form. We also understand that the extent of our obligation to provide both oral and written translation is dependent on the four-factor analysis we have conducted. We have chosen to follow the Safe Harbor rule, contained in HUD's final guidance, to assist us in determining when to provide translation of vital documents. The Safe Harbor rule for written translation of vital documents is based on the number and percentages of the market area-eligible population or current beneficiaries and applicants that are LEP.



## **Our Area**

Based on information from the 2017 ethnic composition of the population of Berkshire County, MA is composed of 114k White Alone Residents (89%). 5.64k Hispanic or Latino residents (4.27%), 3.28k Black or African American alone residents (2.57%), 2.62 k Two or More Races residents (2.05%). 2.09k Asian alone residents (1.63%) 323 some other race alone residents (0.253%). 253 American Indian & Alaska Native Alone residents (0.198%) and 42 Native Hawaiian & Other Pacific Islander Alone Residents (0.0329%).

The most common foreign languages spoken in Berkshire County, MA are Spanish or Spanish Creole (3908 speakers), French (Incl. Patois, Cajun (712 speakers), and Italian (559 speakers).

## **LEP Language Group(s):**

LEP populations of our program to be reviewed annually and the census data of our region every five (5) years to determine the language groups served in the Berkshires.

The SHA has 51 units of Chapter 667 Housing and 8 units of Chapter 689 Housing.

We will determine the LEP populations to be served based on the following:

- Census data;
- A review of current residents' language needs;
- Documented applicant verbal and written requests for translation needs,
- Logged phone requests to the SHA main office for program or other information,
- Conversations with social service agencies in the geographic area where our program is administered.

SHA will provide written translation, upon request, of vital documents into the language of each frequently encountered LEP group who are currently residing or who we have identified as applicants or individuals seeking information on the Housing Programs, as determined by HUD's Safe Harbor Rule. These languages are Spanish and French.

## **Language Identification Cards**

In order to be able to provide language assistance we need to identify who needs the assistance. All applicants (regardless of race or national origin) will be asked if they need language assistance. All sites will use the language identification cards to invite LEP persons who apply and who currently live at the development to identify their own language needs.

## **Oral Interpretation**

The SHA will offer competent interpretation services free of charge, upon request, to the LEP person. We recognize that HUD's Safe Harbor Rule isn't applicable to oral communication. The SHA has an obligation to provide oral language assistance regardless of the number or percentage of persons who comprise a specific language group at our development or in the service area. The degree to which we will provide oral language assistance will depend on the nature and importance of the activity:

## **SHA Policy**

The SHA will utilize an interpreter or interpretation services for telephone and scheduled meetings. It may be necessary for the Housing Authority to schedule telephone conferences and meetings in order for those individuals needing services to receive competent oral interpretation.

We will provide language assistance to LEP individuals for important, critical junctures, such as assistance with the application, the application interview, recertification, health and safety related issues, fair housing related matters (including any discussions regarding the need for reasonable

accommodation), conflict resolution between residents, lease violation notification and related meetings, and relocation and displacement issues if requested.

Where LEP persons desire, they will be permitted to use, at their own expense, an interpreter of their choosing, in place of or as a supplement to the free language services offered by the SHA. The interpreter may be a family member or friend.

### **Written Translation**

Translation is the replacement of a written text from one language into an equivalent written text in another language.

#### **SHA Policy**

In order to comply with written-translation obligations, the SHA will take the following steps:

The SHA will provide written translations of vital documents for each eligible LEP language group upon request. The LEP language group has the right to receive competent oral interpretation of those written materials, free of cost. The SHA has chosen to follow the Safe Harbor Rule for the language groups they serve.

#### **DHCD Translated Documents for CHAMP (Common Housing Application for Massachusetts Public Housing) Centralized Waiting List.**

DHCD (Department of Housing and Community Development) has translated several documents relating to the complete application process. All applicants will be provided these documents if requested and/or directed to the waiting list portal in order to access the information required in the desired language. These documents are translated in eight (8) languages; English, Spanish, Haitian/Creole, Khmer, Portuguese, Russian, Vietnamese and Chinese.

#### **The Safe Harbor Rule:**

HUD would expect translation of vital documents to be provided when the eligible LEP population in the market area or current beneficiaries exceeds 1,000 persons or if it exceeds 5% of the eligible population or beneficiaries along with more than 50 people. In cases where more than 5% of the eligible population speaks a specific language, but fewer than 50 persons are affected, there should be a translated written notice of the person's right to oral interpretation.

### **Program Accessibility for Persons with Hearing or Vision Impairments.**

Regulations require the SHA to ensure that persons with disabilities related to hearing and vision have reasonable access to the SHA's programs and services.

At the initial point of contact with each applicant the SHA shall inform all applicants of alternative forms of communication that can be used other than plain language.

#### **SHA Policy**

To meet the needs of persons with hearing impairments, the Housing Authority will reach out to the following agencies; MA Commission for the Deaf and Hard of Hearing and MA Commission for the Blind for guidance and direction to resources for interpretation services.

Contact Information for both programs;



**Massachusetts Commission for the Deaf and Hard of Hearing Executive Office**

600 Washington St.  
Boston, MA 01222  
Voice 617-740-1600  
TTY: 617-740-1700  
Toll Free Voice: 800-882-1155  
Toll Free TTY: 800-530-7570

**MASS Commission for the Blind**

Main Office  
600 Washington St.  
Boston, MA 01222  
Voice: 617-727-5550  
Toll Free: 800-392-640  
MCBINFO@State.MA.US

**Implementation Plan**

If language assistance services are appropriate the SHA shall determine whether it is necessary to develop a written implementation plan to address the identified needs of the LEP population it services.

If the SHA determines that it is not necessary to develop a written implementation plan, the absence of a written plan does not obviate the underlying in obligation to ensure meaningful access by LEP persons to the SHA's Housing program and services.

**SHA Policy**

If it is determined that the SHA serves very few LEP persons, and the SHA has very limited resources, the SHA will consider alternative ways to articulate in a reasonable manner a plan for providing meaningful access.

All applicants and residents are entitled to the notice of the right to free language assistance. This will be posted on the HA's web-site and the phrase will be included with DHCD's suggested translation notice header on all vital correspondence.

The Housing Authority has compiled a listing of their resources for obtaining language services should an applicant or resident and/or their families need assistance with translation. All employees have been given a copy of this policy and a listing of the resources in the event services are requested.

All requests of the Authority for services will be approved and scheduled by the SHA, prior to services being rendered.

**Adopted by the Board of Commissioners on 4/16/2020**