



HOUSING AUTHORITY OF  
THE CITY OF ALAMEDA

LANGUAGE ACCESS PLAN  
(LAP)  
FOR

LIMITED ENGLISH  
PROFICIENT (LEP) PERSONS

**December 1, 2020**



# HOUSING AUTHORITY OF THE CITY OF ALAMEDA LANGUAGE ACCESS PLAN (LAP) FOR LIMITED ENGLISH PROFICIENT (LEP) PERSONS

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## INTRODUCTION AND FEDERAL REQUIREMENTS

The Language Access Plan (LAP) describes the Housing Authority of the City of Alameda's efforts to ensure meaningful access to federally funded programs and activities by Alameda residents who are Limited English Proficient (LEP).

Section 601 of Title VI of the Civil Rights Act of 1964 provides that no person shall "on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The U.S. Department of Housing and Urban Development (HUD) regulation, 24 CFR Part 1, "Nondiscrimination in Federally Assisted Programs of the Department of Housing and Urban Development - Effectuation of Title VI of the Civil Rights Act of 1964," requires all recipients of federal financial assistance from HUD to provide meaningful access to their programs and activities by Limited English Proficient (LEP) persons.

HUD's "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons," 1/22/07, requires that federally assisted recipients:

- Conduct a "four factor analysis"
- Develop a language access plan if necessary
- Provide appropriate language assistance

### MEANINGFUL ACCESS: THE "FOUR-FACTOR" ANALYSIS

Pursuant to Executive Order 13166 and the meaningful access requirement of the Title VI regulations, HUD's LEP Guidance sets forth a four-factor analysis for recipients to determine the extent of its obligation to provide LEP services:

- (1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;
- (2) The frequency with which LEP persons 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; and
- (4) The resources available to the grantee/recipient and costs.

The intent of HUD's Guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small business, small local governments, or small nonprofits. The AHA will periodically assess and update the following four-factor analysis:



Factor 1: Persons of Limited English Proficiency in Alameda: the number or proportion of LEP persons served or eligible to be served or likely to be encountered by the program

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 LEP, and may be entitled to language assistance with respect to a particular type of service, benefit or encounter. The AHA seeks to communicate with LEP persons who may be seeking information about the AHA’s programs (Property Operations and Housing Choice Voucher/Project-Based Voucher/Mod Rehab/Shelter Plus Care), applicants, tenants, and participants of programs, family members of applicants and participants, property owners/landlords, and contractors.

Guidance provided by HUD states that written translations of vital documents should be provided for each eligible LEP language group that constitutes either at least 1,000 persons or 5 percent of the population of persons eligible to be served or likely to be affected or encountered. In order to evaluate Factor 1 of the analysis, estimates from the 2010 U.S. Census data that has been released was examined. The Language Spoken At Home By Ability to Speak English for the Population 5 Years and Over (Table B16001 from census.gov) was used to analyze the languages where written translations of vital documents are required.

As stated above, the AHA must provide written translations of LEP language groups where there are at least 1,000 persons or 5 percent of the population of persons eligible to be served falls within the language group. According to the data for the City of Alameda, 34% of the population speaks a language other than English at home. Five percent of the population is more than 1,000 persons, so languages with more than 1,000 individuals who Speak English less than “very well” are required to have a written translation of vital documents. These languages are: Spanish or Spanish Creole, Chinese, Vietnamese and Tagalog.

Table 1: City of Alameda Languages of LEP Individuals American Community Survey Year: 2015 5-Year Estimate

Language	Total Persons/Speakers	Number Who Speak English less than “very well”	Percent of Alameda City Population
Spanish or Spanish Creole	4,411	1,248	1.7%
Chinese	7,708	5,004	6.9%
Vietnamese	1,710	1,047	1.5%
Tagalog	3,485	1,548	2.1%

Most of the federally funded services and programs at the AHA are targeted to low- and moderate- income persons; however, the U.S. Census LEP data is not cross-tabbed with household income to evaluate the potential eligibility of LEP persons for HUD programs.



## Factor 2: Frequency of contact with the program

The AHA tries to hire in-house staff that can translate for Cantonese, Vietnamese, Tagalog, and Spanish. The AHA also contracts with a third-party agency to provide any interpretation needed that cannot be met with in-house resources. A report provided by the AHA's third-party interpretation services contractor, from September 2015 to September 14, 2020, verified the AHA used the services for 24 languages. Data for written translations was not readily available, but would be mostly of the languages provided in the previous Language Access Plan (LAP).

Table 2: September 2015- September 2020 Usage of Telephonic Interpretation Services

Language	Number of Calls	Number of Minutes	Percent of Total Calls
Cantonese	653	10,119	52.4%
Vietnamese	140	2,017	11.2%
Spanish	124	928	9.9%
Mandarin	92	1,333	7.4%
Chinese	43	490	3.5%
Korean	33	313	2.7%
Dari	24	481	1.9%
Farsi	22	249	1.8%
Ilocano	17	317	1.4%
Arabic	16	373	1.3%
Tagalog	13	174	1.0%

The software system for the AHA captures first language and English as a second language information for participants in the programs operated by the Housing Program Department. See Tables 3. According to the computer records of the AHA, 1,143 individuals in the Housing Choice Voucher program (Table 3) speak a first language that is not English. Of those 71 have been identified as LEP and an additional 344 are possible LEP individuals as the individual is not indicated as speaking English as a second language. This is not a count of LEP households, but rather, a count of LEP individuals.

The top five languages identified in the system are Vietnamese, Chinese/Cantonese, Arabic, Afghani/Pashto and Farsi/Dari,. Vietnamese and Chinese have already been identified as requiring written translation. There is approximately 100 individuals whose primary language is each of the next three. This is approximately 3% of the individuals assisted by the AHA in this program. Each of these three languages has 6 or fewer individuals who have been identified as



LEP (0.2% or less of the AHA's assisted participants), which is less than 5 percent of the number of individuals assisted by AHA in this program, so these languages will not be added to the languages for which AHA will provide written translations. The AHA may on occasion provide translations in these three languages as deemed appropriate, but will not translate all written documents into these three languages.

Due to a computer system change for the households living in units managed by the AHA, primary language cannot be extracted from the system at the time of this update; however, this functionality will be returned to the system before 2021. Also, most units have been outsourced to a third-party management company for which AHA provides translation services. Until the third-party management company publishes a Language Access Plan for the specific properties being managed for the AHA, the property management company must comply with AHA's Language Access Plan.



Table 3: Software System Showing HCV Participants and First Language Other Than English

<b>Language</b>	<b>First Language Individuals</b>	<b>LEP Individuals</b>
Vietnamese	316	12
Chinese,Cantonese	257	41
Arabic	108	2
Afghani,Pashto	105	6
Farsi,Dari	100	4
Spanish	75	1
Eritrean,Tigrinya	71	2
Tagalog,Cebuano,Pampango	28	0
Cambodian/Hmong	18	1
Tagalog,Cebuano,Filipino	17	0
Korean	13	1
Thai/Lao	9	1
Bosnian	8	0
Russian	6	0
ASL	2	0
Guttrati,Hindi,Urdu	2	0
Japanese	2	0
Polish	1	0
Amharic	1	0
Tagalog,Cebuano,Filipino,Pampa	1	0
Hindi,Urdu	1	0
Eritrean,Tigrinu	1	0
Berber	1	0
<b>Total</b>	<b>1143</b>	<b>71</b>



### Factor 3: Importance of service, information, program or activity

Housing is a basic human need, the lack of which can have serious or life-threatening implications for any individual. The AHA manages or provides, via housing subsidy, safe, decent and sanitary housing to low and moderately low-income individuals and households. The AHA, in partnership with the entire community, advocates and provides quality, affordable safe housing; encourages self-sufficiency; and strengthens community inclusiveness and diversity in housing.

The AHA's website expresses its philosophy that the AHA shall continue to be recognized for creatively seeking ways to expand the availability of affordable housing throughout Alameda; for caring professional staff; and excellent service provided fairly to all. Maintaining an environment for caring staff to provide excellent service involves effective communication with persons of Limited English Proficiency.

To participate successfully in the HCV program, applicants and tenants must be able to participate in compulsory activities such as the voucher briefing, the yearly re-exam and inspection, and attendance at informal reviews or hearings when a family is denied assistance or is proposed for termination from the program. Being able to understand the AHA's information is vital for obtaining a voucher, finding and moving into housing, remaining in the home, and remaining in the program through compliance with program requirements and regulations.

To participate successfully in the AHA's Property Operations program, applicants and tenants must be able to complete the application, understand the occupancy policies, lease or rental agreement and house rules so that they can enjoy residing in their home according to those rules, and understand written notices about the program and their continued participation in the program.

### Factor 4: Costs versus Resources and Benefits

The AHA has identified multilingual employees available to assist with oral interpretation at the administrative offices in a cost-effective manner. The listing of multilingual employees is saved in a centrally accessible location. When interviewing new staff, the AHA does take into account other languages spoken by the candidates. The AHA has a contract with a 3<sup>rd</sup> party vendor, an on-call telephone interpretation system, with access to over 200 languages. The service is cost effective because there is no monthly fee or minimum use charge. This 3<sup>rd</sup> party contract includes preparation of written translations at a moderate fee per page. The AHA Board has approved annual funding requests to cover the costs of on-call and written translation services.

The AHA maintains good relationships with social service agencies and community-based organizations that can assist with informal translations in a variety of languages; however, the majority of the interpretations and translations are performed by the 3<sup>rd</sup>-party vendor. AHA will use HUD-translated documents when available. All online systems launched by AHA have translation buttons provided by the vendor and translation capability is included in the request for proposals for online system. Some translations are provided by the vendor word-for-word while others rely on software systems to perform the translations automatically.

It is a priority to use limited funding to maximize access to as many vital documents as possible within the near term. An analysis of vital documents for translation in Appendix B identifies those documents that have already been translated by HUD or others, those documents for which the most vital information can be provided in a summary, rather than a translation of the entire



document, and those documents where interpretation of the document will be available in multiple languages.

## THE LANGUAGE ACCESS PLAN (LAP)

The AHA has prepared this LAP to address the identified needs of the LEP populations served, or potentially served, by its programs. In compliance with federal guidelines, the AHA will make reasonable efforts to provide free language assistance for LEP clients in all of its programs so as to ensure that these persons have meaningful access to programs and enjoyment of those programs.

The AHA is committed to providing access to LEP persons through this Plan and will utilize bilingual staff, on-call telephone interpretation services, downloadable translated documents from websites, and other sources as necessary, to meet the public's LEP needs. Implementation of the LAP will likely continue to evolve over time in response to changing populations and new technology resources.

## LANGUAGE ACCESS MEASURES

Language access includes interpretation and/or translation. The AHA will determine when interpretation and/or translation are needed and are reasonable. Staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English including using the software system to record language preferences as available. If a client asks for language assistance, and the AHA determines that the client is an LEP person, the AHA will make reasonable efforts to provide free language assistance. The AHA has the discretion to determine whether language access is needed, and if so, the type of language assistance necessary to provide meaningful access. The AHA will use language fields in its computer system to determine if a specific vital document needs to be translated and to determine if flyers informing individuals of available interpretation should be included with client notices.

### Oral Interpretation

Oral interpretation can be provided by formal or informal interpreters. The AHA is committed to accuracy in interpretation services provided to LEP individuals.

**Formal Interpreters:** When necessary, the AHA will provide qualified interpreters, including bilingual staff and contract vendors.

At important stages that require one-on-one contact, written translation and verbal interpretation services will be provided consistent with the four-factor analysis detailed above.

The AHA may require a formal interpreter to certify to the following:

- i. The interpreter understood the matter communicated and rendered a competent interpretation.
- ii. The interpreter will not disclose non-public data without written authorization from the client.

**Informal Interpreters:** Informal interpreters may include family members, friends, legal guardians, service representatives or advocates of the LEP client. Staff will determine whether it is appropriate to rely on informal interpreters, depending upon the circumstances and subject matter of the communication. In some circumstances, however, informal interpreters, especially



minors, are not competent to provide quality and accurate interpretations. There may be issues of confidentiality, competency, or conflict of interest.

An LEP person may use an informal interpreter of his/her own choosing and at his/her expense, either in place of or as a supplement to the free language assistance offered by the AHA. If possible, the AHA should accommodate an LEP client's request to use an informal interpreter in place of a formal interpreter. If an LEP client prefers an informal interpreter, after the AHA has offered free interpreter services, the informal interpreter may interpret. In these cases, the client and interpreter could sign a waiver of free interpreter services or other documentation of the offer of formal interpreter services, the refusal, and accommodation of the client's wishes. If an LEP client wants to use his/her own informal interpreter, the AHA reserves the right also to have a formal interpreter present.

**Procedures for Oral Language Services:** A telephone caller who identifies his/her language may be assisted by a bilingual AHA staff member who speaks the identified language. If a bilingual staff member is not available, the use of a 3<sup>rd</sup> party on-call telephone interpretation service will be utilized in a three-way call.

Housing Authority staff utilizes the "I Speak" cards (Appendix A) to identify the language spoken by walk-in LEP clients. A bilingual staff member or on-call telephone interpretation service will assist the walk-in client.

**Use of On-call Telephone Interpretation Services:** Telephone interpretation services provided by competent bonded interpreters are available in more than 200 languages, accessible within seconds at any time of day by phone. Staff will use the AHA's contracted on-call interpretation service when bilingual staff is not available, when the language is not one commonly encountered, or when staff is not sure what language the client speaks, at no cost to the client.

The following is the procedure for use of the service. Create a three-way conference call. When an interpreter is on the phone and the language is identified, state your name, identify the AHA, and a brief description of what is needed from the LEP client. When the interpreter says "Go ahead, please," the call begins.

- Speak slower than your normal speed of talking.
- Speak in short sentences, expressing one idea at a time.
- Pause frequently to allow the interpreter to interpret small segments of information at a time; the interpreter is a few words behind the speaker.
- Give the interpreter time to finish before speaking again.
- Check for client understanding; provide opportunities for clarification.
- When checking for understanding, ask the LEP client "What do you understand?" rather than "Do you understand?"
- Ask the interpreter if, in his/her opinion, the client seems to have grasped the information that you are conveying; you may have to repeat or clarify certain information by saying it in a different way.
- When the conversation is completed, thank both the client and the interpreter and say "interpreter, end of call" and the call ends.

## Written Translation of Vital Documents

HUD has defined “vital documents” to be those forms or documents that are critical for ensuring meaningful access, or awareness of rights or services, of federally funded services or benefits. AHA staff have reviewed forms and policy documents and identified those which would be classified “vital” for both the Property Operations program and HCV program, in Appendix B. A phased strategic approach to translation is suggested within fiscal constraints by incorporating those forms or brochures which have been translated by HUD and EPA, and identifying those where a summary rather than the entire document may be sufficient. Generally, most vital documents will be translated from English into simplified Chinese written language (which can be read by Mandarin and Cantonese speakers from China and Taiwan), Spanish, Vietnamese, and Tagalog.

HUD Guidance notes that “vital information may include, for instance, the provision of information in appropriate languages other than English regarding where an LEP person might obtain an interpretation or translation of the document.” A reasonable alternative to preparing written translations of all AHA documents is providing oral interpretation of the document. In the Analysis of Vital Documents in Appendix B, staff have evaluated whether to translate the document in its entirety, translate a summary or highlights, use a translation available from others, or attach a cover sheet to the form offering oral translation. Based on the analysis in Factors 1 and 2, Chinese, Spanish, Vietnamese, and Tagalog translations should be available for all clients of vital documents. A notice that free interpretation services are available and giving instructions for obtaining a free verbal interpretation from the AHA are translated into Chinese, Spanish, Tagalog, Vietnamese, Amharic, Farsi Arabic, Korean, and Tigrinya. This notice will continue to be used by the AHA to include with mailings as identified in Appendix B.

The U.S. Department of Housing and Urban Development website contains some downloadable program forms and documents in up to 14 languages that can be utilized by AHA staff as appropriate. The AHA will utilize resources made available by HUD and other public agencies in providing translated documents and information to LEP individuals.

As opportunities arise, the AHA may work with other agencies and organizations to share the costs of translating common documents, which may include language groups which do not yet reach the threshold level in the AHA's client population.

The AHA will use bilingual staff, community volunteers, or outside vendors to translate documents, depending on availability and financial resources.

**Legal considerations of translated leases and documents:** HUD recommends that when leases are translated into languages other than English, the AHA should only ask the tenant to sign the English lease. The translated document would be provided to the tenant but marked “For information only.” HUD was asked “Are leases, rental agreements and other housing documents of a legal nature enforceable in U.S. Courts when they are in languages other than English?” and responded: “Generally, the English language document prevails. The HUD translated documents may carry the disclaimer, 'This document is a translation of a HUD-issued legal document. HUD provides this translation to you merely as a convenience to assist in your understanding of your rights and obligations. The English language version of this document is the official, legal, controlling document. This translated document is not an official document.'”

## Assisting Clients Who Cannot Read

Staff will assist LEP clients who cannot read their preferred language to the same extent as staff would assist English-speaking clients who cannot read English.

## Outreach

The AHA website has the “Google Translate” feature, which will translate website information such as waiting list announcements and notices of public hearings.

The AHA maintains a list of social service agencies and community-based organizations which reach LEP individuals such as the Mastick Senior Center, American Indian Child Resource Center, East Bay Vietnamese Association, ECHO Fair Housing, Homean Outreach Agency, Korean Community Center of the East Bay, Spanish Speaking Unity Council, and Oakland Chinese Community Council. AHA circulates program and waiting list information to these groups through mail and email.

## Notice of Right to Language Assistance

Multilingual signs or posters will be placed in the AHA lobby to inform the public that free interpretation services are provided. Similar notices will be placed in outreach materials published for programs and on the web site.

## LAP DISTRIBUTION AND STAFF TRAINING

The LAP will be:

- Distributed to all supervisors and staff in positions that are likely to come into contact with members of the public and program participants (tenants)
- Available in the Housing Authority office
- Posted on AHA’s website
- Explained in orientation and training sessions for supervisors and other staff who need to communicate with LEP clients
- Placed in the AHA’s Policy and Procedures Manual on the shared directory

Training of AHA staff will include:

- Discussion of the Plan and legal obligation to provide language assistance
- How to respond to LEP callers
- How to respond to written communications from LEP clients
- How to respond to in-person LEP clients
- How to use the “I speak” card
- How to operate the on-call telephone interpretation service
- Becoming familiar with staff and outside vendors available for interpretation at appointments
- Location of translated documents



## MONITORING AND UPDATING THE LAP

The AHA will review the LAP periodically, but no less than every five years, to evaluate its overall effectiveness and any changes in LEP populations or needs. Modifications to the Plan may be based on:

- U.S. Census data
- Frequency of contact analysis of LEP clients and callers by staff
- Reports from the AHA's computer business systems on the numbers of program participants who are LEP and listing the languages used by LEP clients
- Analysis of requests for interpreters and translation, as well as literacy skills of clients requesting language assistance: number of requests, languages requested, costs, etc.
- Assessment of whether existing language assistance services are meeting the needs of clients with LEP
- Review of vital documents and appropriateness of translations available
- Assessment of whether staff members understand the LAP and procedures
- Nature and importance of activities and information to LEP clients
- Availability of resources, including costs
- Whether identified sources for assistance are still available and viable

## APPROVED BY:

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*Vanessa Cooper*  
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Vanessa Cooper, Executive Director

12/1/2020

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Date

