

**Kentucky Housing Corporation**  
**Language Access Plan (LAP)**  
**For Individuals with Limited English Proficiency (LEP)**  
**Effective January 1, 2012**  
**(Revised May 14, 2020)**

It is the policy of Kentucky Housing Corporation (KHC) to take reasonable steps in providing meaningful access to its programs and services for persons who are limited in their English proficiency. The procedures below apply to all programs and services provided through KHC offices.

**Purpose and Authority**

The purpose of this policy is to establish effective guidelines, consistent with Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d et. seq., which states: “No person in the United States 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.”

Executive Order 13166 issued August 11, 2000, Improving Access to Services for Persons with Limited English Proficiency (LEP), requires all federal funding recipients to provide language access to LEP persons.

As a recipient of federal funds, KHC cannot, based on national origin:

- Deny services, financial aid, or other benefits;
- Provide different services, financial aid or other benefits, or provide them differently from those provided to others in the program; and
- Segregate or treat individuals separately in any way in their receipt of any service, financial aid or benefit.

Based on the requirements, KHC staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients. If a client requests language assistance or other specified assistance, KHC will make reasonable efforts to provide free language assistance to the client.

**Identification of Language Group for LEP Efforts**

LEP persons do not speak English as their primary language and have limited ability to read, write, speak, or understand English. KHC utilizes a four-factor analysis test to determine whether language services must be provided. This test requires KHC to look at the totality of circumstances, including the following four factors:

1. The number or proportion of LEP persons served or encountered in the eligible service population;
2. The frequency with which LEP persons come in contact with the services, programs, or activities;
3. The nature and importance of the services, programs, or activities provided; and
4. The resources available to the agency.

According to the 2010 census, 4.4 percent of the population stated a language other than English is spoken at home and over 3 percent of Kentucky’s population is compiled of Hispanic or Latino origin. These figures, along with the frequency of contact, determined the identification of Spanish-speaking LEP persons as the most likely to be served.

### **Providing Notice of Language Assistance Services**

Notice of language assistance informs clients of their right to LEP services at no cost and provides assurance to LEP clients that they have the same safeguards of confidentiality as English proficient clients. Notice of language assistance services are administered using the following outlets:

- Post multilingual signs in all office lobbies, as appropriate, advising clients of their right to language assistance services;
- Utilize automated Spanish telephone voice mail attendant for access to services for the identified population most likely to contact KHC;
- Add a multilingual notice of availability to outreach materials and advertising, as appropriate;
- Post notice of right to language assistance services in applicable languages on KHC's Web page; and,
- Use "I Speak" language identification cards to identify the spoken language.

### **Language Assistance Services**

Oral Communication with LEP Clients: Interaction with LEP clients occurs both face-to-face and telephonically, requiring staff to be prepared to meet the language assistance needs of the client. LEP persons, who visit or phone KHC offices, will generally be accompanied by an English-speaking person. The KHC staff member will identify the spoken language, assess the needs of the client, and collaborate with the Fair Housing Coordinator (FHC) who will coordinate the request for services with the appropriate individual, or service agency, according to the documented procedure.

When possible, KHC will utilize bilingual staff as informal interpreters; these staff members are fluent in the language and program terminology. Informal interpreters are used to advise LEP persons of the availability of formal interpretation and to assist in determining the needs of the client.

If a formal interpreter is required, KHC will identify and pay for the formal interpretation services. If an LEP client wants to use an informal interpreter (i.e., friend, family member), KHC reserves the right to have a formal interpreter present to ensure accurate interpretation.

Formal interpreters are individuals, certified through a formal process, who work independently or through an agency. Interpreters listed in Appendix A will be utilized for formal interpretation.

Written Communication with LEP Clients: Interaction with LEP clients may also take place through e-mail, fax, or other written correspondence, requiring staff to be prepared to meet the language assistance needs of the client. The KHC staff member will collaborate with the FHC, who will initiate the translation or interpretation services. Bilingual staff will be utilized as much as possible for the interpretation of written correspondence from LEP clients.

If the translation of a document is requested, the FHC will evaluate the need for the translation based upon:

- The likelihood of frequent changes of the document;
- The existence of multiple dialects within the language;
- The expense for translation; and,

- Other determining factors relevant to the specific request.

Although many documents will be completely translated, KHC recognizes that some vital documents are not entirely comprised of vital information. Where appropriate, KHC shall use translated summaries to provide the vital information contained in a vital document to LEP persons. If KHC determines that it is an undue administrative and financial burden, KHC will seek other methods of communication to accommodate the need of the client.

### **Training**

All staff having the potential to interact or communicate with LEP individuals receive annual training on the procedures for implementing the LAP. Training includes the content of the LAP, identifying the spoken language of LEP persons, identifying language access needs, providing language assistance services, recording encounters with LEP persons, and cultural sensitivity. Bilingual staff members are assessed and receive regular training on proper interpreting and translation techniques, specialized terminology, and other topics as needed. The FHC monitors the training of staff to ensure that new and existing staff is up-to-date on modifications of the LAP, procedural changes, translation of additional documents, and the implementation of new programs requiring language access services.

### **Monitoring, Evaluating, and Updating the LAP**

The FHC will monitor the delivery of language assistance services on an ongoing basis. Annually, the LEP Committee will review the LAP, evaluate the effectiveness of the implementation, and revise the plan, as necessary. The LEP Committee will consist of the FHC, and representatives from Communications, Legal, as well as staff from the program areas impacted by the LAP.

### **The LAP review will include:**

- Analysis of language assistance usage: by reviewing the amount of language service requests, conducting an inventory of languages most frequently encountered, identifying the primary modes of communication and the programs affected, and costs associated with services rendered;
- Assessment of response rate to complaints, suggestions and requests by LEP individuals and employees regarding the delivery of language assistance services;
- Determination whether new documents, programs or services need to be made accessible for LEP individuals; and,
- Revision of the LAP, as necessary: by monitoring changes in demographics and services provided, updating available resources and tools, modifying methods of implementation, and addressing any issues of concern.

### **Recipient Responsibilities for Language Assistance**

Recipients of federal funds awarded or drawn through KHC are required to ensure that meaningful access to services is assured for their LEP clients. Recipients must provide language assistance services that result in timely, accurate, and effective communication at no cost to LEP clients or their beneficiaries. Such language assistance services are to be provided in accordance with the guidelines set forth in the U.S. Department for Health and Human Services "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons." The FHC is available to assist contracted vendor or recipients in identifying and developing appropriate language assistance measures.

**LAP Availability**

The LAP is available to the public on [KHC's Web site](#). This information is available to persons with disabilities, and others, can receive a hardcopy upon request in writing to: Laurent Houekpon, Multicultural Customer and Service Outreach Coordinator, Kentucky Housing Corporation, 1231 Louisville Road, Frankfort, Kentucky, 40601.

## Appendix

List of Formal Interpreters (for any language if necessary and cost is not prohibitive):

- iiWA, LLC – Lexington, KY 859-576-6080
- [Catholic Charities](#) - Louisville, KY, 502-637-9786 or 502-636-9263.
- [The International Center](#) - Bowling Green, KY, 270-781-8336.
- [Kentucky Finance and Administration Cabinet's Office of Procurement Services \(OPS\)](#) – Frankfort, KY, 502-564-4510.