

**City of Encinitas
Housing Division
Limited English Proficiency (LEP) Plan**

I. General Plan Statement

The City of Encinitas Housing Division created and adopted this plan to provide meaningful access to its programs and activities to individuals with Limited English Proficiency (LEP). In accordance with federal guidelines, the Encinitas Housing Division will ensure reasonable efforts are made to provide for language assistance to LEP individuals, including applicants, recipients, and/or individuals eligible for HUD funded programs including, the Section 8 Program, Tenant-Based Rental Assistance, Residential Rehabilitation Program, and other programs offered by sub-recipients.

II. Purpose and Authority

Executive Order 13166, issued August 11, 2000 mandates the reduction of language barriers which may be in violation of Title VI. These federal regulations require that the recipient (EHD) take appropriate steps to ensure that grantees have an effective way of communicating with beneficiaries, and members of the public who are limited English proficiency.

III. Meaningful Access: Four Factor Analysis

Meaningful access is free language assistance in accordance with the federal guidelines. The Encinitas Housing Division will periodically assess and update the following four-factor analysis, including but not limited to:

1. Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the Encinitas Housing Division.
2. Factor 2: The frequency with which LEP persons using a particular language come into contact with the Encinitas Housing Division.
3. Factor 3: The nature and importance of the Encinitas Housing Division program, activity or service to the LEP persons' life.
4. Factor 4: The Encinitas Housing Division's resources and the cost of providing meaningful access. Reasonable steps may cease to be reasonable where the costs imposed substantially exceed the benefits.

Refer to Appendix A to view Four-Factor Analysis.

IV. Language Assistance

- a. Individuals who do not speak English as their primary language, and have limited reading, speaking or understanding of English may be an LEP person and may be

entitled to language assistance with respect to Encinitas Housing Division programs and activities.

- b. Language assistance may include interpretation, which means oral or spoken transfer of information from one language to another; and/or translation, which means the written transfer of information from one language to another. The EHD will determine which method of language assistance is needed and reasonable.
- c. Encinitas Housing Division staff will take reasonable steps to provide the opportunity for meaningful access to LEP persons. If an individual is a need of language assistance and the EHD has determined that the individual has Limited English Proficiency and language assistance is needed to provide meaningful access, the EHD will make reasonable efforts to provide free language assistance.

1. Written Translation

- a. The Encinitas Housing Division will weigh the costs and benefits of translating for potential LEP groups, considering the expense of translating the documents, the barrier to meaningful translation or interpretation of technical housing information, the likelihood of frequent changes in documents, the existence of multiple dialects within a single language group, the apparent literacy rate in an LEP group and other relevant factors. The EHD will undertake this examination when an eligible LEP group constitutes five percent of an eligible client group (for instance, five percent of households living in EHD's public housing).
- b. When the EHD determines that translation is necessary and appropriate, EHD will translate the public housing leases and selected mailings and documents of vital importance.
- c. As opportunities arise, the EHD may collaborate with other housing authorities to share the costs of translating common documents, which may include language groups which do not (yet) reach the threshold level in the EHD's client population.
- d. HUD should provide prototype translations of standard housing documents in multiple languages in a timely manner. HUD should provide this service to local housing authorities and hundreds or thousands of other HUD grantees whose limited resources impact their LEP efforts.
- e. The EHD will consider utilizing technological aid such as Internet-based translation services, which may provide helpful, although perhaps not authoritative, translations of written materials.

2. Formal Interpreters

- a. When necessary to provide meaningful access for LEP persons, the Encinitas Housing Division will provide qualified interpreters, including EHD staff, if available.
- b. At important stages that require one-on-one contact, written translation and verbal interpretations services may be provided, consistent with the four-factor analysis.
- c. The Encinitas Housing Division may require an interpreter to confirm the following:
 - i. The interpreter understood the subject matter communicated and rendered a competent interpretation
 - ii. The interpreter will not disclose non-public information without written authorization from the LEP person.
- d. Formal interpreters may be used for the following:
 - i. Formal hearing for denial of admission to public housing;
 - ii. Informal settlement conferences and formal hearing for termination of public housing;
 - iii. Hearings or conferences concerning denial or termination of Housing Choice Voucher (Section 8) participation.
- e. An EHD staff member may not be subordinate to the person making the decision.
- f. Bi-lingual EHD employees, when available, can provide limited assistance to EHD staff and LEP clients as part of their regular job duties.

3. Informal Interpreters

- a. Informal interpreters may include family members, friends, legal guardians, service representatives or advocates of the LEP person. EHD staff will demonstrate whether it is appropriate to rely on informal interpreters, depending upon the circumstances and subject matter of communication. However, in many cases, informal interpreters, especially children, are not competent to provide accurate interpretations. There also may be issues with confidentiality, or conflict of interest.
- b. An LEP person may use an informal interpreter of his or her own choosing and at their expense, either in place of or as a supplement to the free language assistance offered by the EHD. When possible, the EHD should accommodate an LEP person's request to use an informal interpreter in place of a formal interpreter.

- c. If an LEP person prefers an informal interpreter, after the EHD has offered free interpretation services, the informal interpreter may interpret. In these cases, the LEP person and interpreter should sign a waiver of free interpretation services.
- d. If an LEP person client wishes to use their own informal interpreter, the EHD reserves the right to also have a formal interpreter present.

5. *Outside Resources*

- a. Outside resources may include community volunteers, EHD residents or family members of LEP persons.
- b. Outside resources may be used for interpretation services at public or informal settings or meetings if a timely request was made.

VI. Ongoing Training and Monitoring

- a. The EHD will review and revise this LEP plan periodically. The review will include:
 - i. Reports from the EHD's computer business systems on the number of EHD clients who are LEP, to the extent that the software and staff data entry can provide such information. Such reports may be supplemented by staff observations.
 - ii. Reports from the EHD's computer business system and other sources listing the languages used by LEP persons.
 - iii. A determination as to whether five percent from the EHD client group speak a specific language which triggers consideration of document translation needs.
 - iv. Analysis of staff requests for contract interpreters, number of request, language requests, costs, etc.
 - v. The Housing Advisory Committee may be asked to review this LEP plan periodically as part of updating the Agency Plan.

VII. LEP Plan Distribution and Training

This LEP plan will be:

- a. Distributed to all EHD staff.
- b. Available at the EHD office at 505 South Vulcan Avenue, Encinitas, CA 92024.
- c. Posted on the City of Encinitas Website
- d. Explained in orientation and training sessions for supervisors and other staff who needs to communicate with LEP persons.
- e. At Sub-recipient trainings for CDBG programs.

APPENDIX A: Four-Factor Analysis

The following four-factor analysis is encouraged by HUD to examine the population of Limited English Proficiency persons within a given service area (City of Encinitas) in order to determine the need for language assistance.

The data used to conduct this analysis came from the U.S. Census 2008-2010 American Community Survey 3-year estimates. Local data was also gathered using a survey taken by Encinitas Housing Division staff as well as CDBG sub-recipients.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the Encinitas Housing Division.

Table 1: LEP Persons in Eligible Service Area and Region

Jurisdiction	Population 5 years and older	Percentage who speak a language other than English	Percentage of Persons who speak English “less than well”
Encinitas	56,039	19.5%	40.8%
County of San Diego	2,859,347	36.8%	43.5%

Source: U.S. Census 2008-2010 American Community Survey 3-yr Estimates

Table 1 revealed that approximately 20 percent of the Encinitas population speaks a language other than English. This number was significantly less than that County of San Diego at nearly 37 percent. Of the 20 percent of Encinitas residents who speak a language other than English, a little over 40 percent speak English “less than well.”

Table 2: Languages Spoken at Home in Eligible Service Area and Region

Jurisdiction	Spanish or Spanish Creole Language	Other Indo-European Language	Asian/Pacific Island Language	Other Language
Encinitas	12%	5.1%	2.1%	0.2%
County of San Diego	24.6%	3.1%	7.8%	1.4%

Source: U.S. Census 2008-2010 American Community Survey 3-yr Estimate

Table 2 provides more specific information about the types of language spoken by Encinitas residents. Of the nearly 20 percent of the population that speaks a language other than English, 12 percent speak Spanish, compared with the County, which nearly 25 percent, speak Spanish. Just over 5 percent speak an Indo-European language, and 2 percent speak an Asian language.

Table 3: Percentage of LEP Persons by Languages Spoken

Jurisdiction	Language	Percentage that speak English “less than well”
Encinitas	Spanish or Spanish Creole Language	48.0%
	Other Indo-European Language	25.5%
	Asian/Pacific Island Language	38.8%
	Other Language	29.7%
County of San Diego	Spanish or Spanish Creole Language	44.8%
	Other Indo-European Language	29.1%
	Asian/Pacific Island Language	45.6%
	Other Language	40.7%

Source: U.S Census 2008-2010 American Community Survey 3-yr Estimates

Table 4: Poverty Status of Persons Who Speak a Language Other Than English

Jurisdiction	Percentage below poverty level	Percentage of people who speak a language other than English below poverty level
Encinitas	9.4%	14%
County of San Diego	12.9%	18.2%

Source: U.S. Census 2008-2010 American Community Survey 3-yr Estimates

Factor 2: The frequency with which LEP persons using a particular language come into contact with the Encinitas Housing Division.

A survey was conducted to gather program specific data regarding LEP persons. This survey was completed by Encinitas Housing Division Staff and partner service providers. The results of the survey revealed that contact with LEP persons occurred about once per month (36 percent). The only language spoken by LEP persons whom have contacted EHD staff and/or service providers was Spanish.

Factor 3: The nature of importance of the Encinitas Housing Division program, activity, or service to the LEP persons’ life.

The LEP survey revealed that 72 percent of contact made between LEP persons and EHD staff and partner service providers was of an urgent or somewhat urgent matter, requiring a prompt, but not immediate response. Additionally, the survey showed that there was never an instance where an LEP person, in any language, was unable to receive information by EHD staff and partner service providers due to language barriers.

Factor 4: The Encinitas Housing Division's resources and the cost of providing meaningful access. Reasonable steps may cease to be reasonable where the costs imposed substantially exceed the benefit.

The LEP survey revealed that all partner service providers and EHD staff currently use bi-lingual staff to provide meaningful access to LEP persons. Additionally, 63 percent provide translation of documents, and 45 percent off telephonic services for LEP persons.

APPENDIX B: Limited English Proficiency Questionnaire

Name: _____

Agency or Department/Title: _____

Date: _____

1. During the past six months have you encountered an LEP individual or family seeking assistance or information about a service or program?

Always (daily) <input type="checkbox"/>	Frequently (about once per week) <input type="checkbox"/>	Sometimes (about once per month) <input type="checkbox"/>	Not at all <input type="checkbox"/>
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2. Of the LEP persons encountered, which languages did you need to provide information/services for?

Spanish <input type="checkbox"/>	Chinese <input type="checkbox"/>	Russian <input type="checkbox"/>	Vietnamese <input type="checkbox"/>	Portuguese <input type="checkbox"/>	Other <input type="checkbox"/>
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If other, please explain which languages:

3. Which procedures do you utilize for assisting an LEP individual or family? Please select all that apply.

Bilingual Staff <input type="checkbox"/>	Volunteer Interpreters <input type="checkbox"/>	Written Documents <input type="checkbox"/>	Telephonic Services <input type="checkbox"/>	Video Services <input type="checkbox"/>	Other <input type="checkbox"/>	None <input type="checkbox"/>
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If other, please explain:

4. Which methods have you been contacted by LEP individuals or families? Please select all that apply.

Telephone <input type="checkbox"/>	In-Person <input type="checkbox"/>	E-mail <input type="checkbox"/>	Mail <input type="checkbox"/>	Other <input type="checkbox"/>	None <input type="checkbox"/>
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If other, please explain:

5. During the past six months, has there been a time when an LEP individual or group required assistance for a program or service in a language other than English, and translation was unavailable? If yes, please explain.

