



**VILLAGE OF PATCHOGUE COMMUNITY DEVELOPMENT AGENCY  
POLICY/GUIDE ON PROVIDING MEANINGFUL ACCESS TO THE  
HOUSING CHOICE VOUCHER PROGRAM  
TO LIMITED ENGLISH PROFICIENT PERSONS**

I. INTRODUCTION

It is a policy of the Village of Patchogue Community Development Agency (CDA) to take reasonable steps to ensure meaningful access to the Housing Choice Voucher program and activities by limited English proficient (LEP) persons, taking into account the proportion of LEP persons in the eligible service population, the frequency with which LEP individuals come in contact with the program, the nature and importance of the service provided by the program, and the available resources.

A. Federal and HUD Guidelines

On August 11, 2000, President William Clinton signed Executive Order 13166, entitled Improving Access to Services for Persons with Limited English Proficiency, which took effect August 16, 2000 for the Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination Against Persons with Limited English Proficiency. The Order states “each Federal Agency shall work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.” Persons with Limited English Proficiency (LEP) are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. Under the order, each federal agency is required to draft guidance specific to its recipients detailing general standards that will be applied.

In 2003, the Department of Housing and Urban Development (HUD) issued guidelines that were finalized on January 22, 2007. These guidelines apply to any recipient of HUD assistance, including, but not limited to, public housing agencies and assisted housing providers. Under the 2007 HUD Guidelines, recipients are required to make all of their programs accessible to Limited English Proficiency (LEP) persons. LEP persons within the scope of the guidelines include persons seeking housing assistance; persons seeking supportive services to become first-time homebuyers; persons seeking housing related social services, training, or any other assistance from HUD recipients; current public housing or Section 8 tenants; or parents or family members of these persons. The Guidelines set forth four factors to be balanced by recipients of Federal Funding when assessing the needs of and services to be provided to LEP persons.

## B. Compliance

Compliance with the 2007 HUD Guidelines is voluntary. However, recipients of Federal Funds, including the CDA, are required to comply with civil rights-related laws and programs and to provide meaningful access to LEP persons. Complaints filed with HUD of discrimination based on national origin due to failure to provide meaningful access will be investigated. Continued failure to provide meaningful access will result in the withdrawal of HUD funding.

## C. Definitions:

1. Limited English Proficiency person. Any person who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English. Such person or persons shall be entitled to language assistance at no cost to themselves with respect to a particular type of service, benefit, or encounter.

2. Vital document. Any document that contains information that is critical for obtaining or maintaining the services or benefits that are supported by Federal funds, or that are required by law. Such documents may include but are not limited to applications, consent forms, notices of participant rights and responsibilities, disciplinary notices, letters or notices that require a response from the participant or beneficiary, legal notices, and notices advising LEP persons of the availability of free language services.

3. Interpretation. The act of listening to spoken words in one language (the source) and orally translating it into another language (the target).

4. Translation. The replacement of a written text from one language into an equivalent written text in another language. Note: Some LEP persons cannot read in their own language and back up oral interpretation services may be needed for written documents.

5. Four-Factor Assessment. This is an assessment tool set forth by HUD to be used by the Recipient of federal funding to determine the extent of its obligation to provide LEP services. These four factors are: (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 the program to people's lives; and (4) the resources available to the grantee/recipient and costs.

## II. FOUR FACTOR ANALYSIS

A. The number or proportion of LEP persons in the Village of Patchogue eligible to be served or likely to be encountered by the program.

When reviewing demographic data to analyze language assistance needs, it is important to focus on the languages spoken by those who are not proficient in English, and not simply individuals who speak multiple languages. According to the U.S.

Census Bureau American Community Survey, 2018 ACS 5-year Estimates Data Profiles the Village of Patchogue has a total population of 12,324 persons. Of those over 5 years old there are 3,691 persons who speak a language other than English and 3,082 of those speak Spanish and 1,039 identified as speaking English “less than very well” percentages of 26.3% and 8.9% respectively. There are 152/3.4% persons categorized as speaking “Indo-European” languages less than very well and 213 total Asian and Pacific Islander Languages of which none identified as speaking English less than “very well”. The CDA Housing Choice Voucher program assists 163 households and a total of 270 persons. Of those 270 persons, 102 identified as Hispanic which accounts for 38% of the people we serve.

2. The frequency with which LEP individuals come into contact with the program.

Clearly there are Spanish speaking persons in the community who may come in contact with the CDA. Of Section 8 participants 38% identify as Hispanic, an indicator they may be Spanish speaking and may need language assistance. Based on the Section 8 Administrator’s experience 10% of total program participants speak only Spanish and 14% are bilingual.

The CDA has three full-time employees, the Executive Director, Account clerk, and Section 8 Administrator. The Section 8 Administrator speaks Spanish. If the Section 8 Administrator is not available, the Village has other full-time employees in Village Hall who are able to help with interpretation. The CDA has hired a part-time Housing Quality Standards Inspector who speaks Spanish.

3. The nature and importance of the program, activity, or service provided by the program to the LEP population.

As identified above, there is a concentration of LEP Spanish speaking individuals in the CDA’s service area and programs. All housing related programs are considered of vital importance to the participants and the public, and as such, will be given priority in providing access to LEP individuals.

Programs not-directly related to housing or to someone’s right to housing are considered non-vital. LEP assistance in accessing these programs will be on an as needed basis.

4. The resources available to the grantee/recipient and costs of providing LEP assistance.

While it is the CDA’s policy to take reasonable steps to provide meaningful access to CDA programs and activities by LEP persons, the availability of resources may limit the provision of language services in some instances. “Reasonable steps” may cease to be reasonable where the costs imposed substantially exceed the benefit. The CDA shall explore the most cost-effective means of delivering competent and accurate language services. The Section 8 Administrator is able to provide oral translation services to LEP persons requesting and/or requiring these services. The CDA shall also provide translation of vital documents to LEP persons.

Where LEP persons so desire, they can use, at their own expense, an adult interpreter of their own choosing (whether professional interpreter, family member, or friend) in place of or as a supplement to the free language services offered by the CDA. The CDA may, at its discretion, choose to provide their own interpreter in addition to the one used by the family.

The CDA shall take reasonable steps to provide written translations of vital documents that list program rules and instructions for LEP eligible languages. Whether or not a document (or information it solicits) is vital may depend upon the importance of information, encounter, or services involved, and the consequences to the LEP person if the information in question is not provided accurately or in a timely manner.

All documents that require action from an applicant or participant shall include a statement in Spanish reading "Important information about your housing! If you need assistance, please contact us immediately." The CDA shall take reasonable steps to provide oral interpretation of other documents, if needed.

The CDA will take reasonable steps to ensure competency of translators of written documents. Where legal or other vital documents are involved, the CDA shall make a reasonable effort, if funding allows, to use certified translators. The Patchogue-Medford Library can provide translation services of documents if needed free of charge.

Telephone calls: It has been and continues to be the practice of the CDA to have calls from applicant, participant, or resident with LEP to forward the call to the CDA staff who speaks the same language as the caller for assistance. If the CDA staff is not available at the time of the call, the caller will be requested to call back when an interpreter is available. An interpreter will be secured within a reasonable time frame.

On-site visitors: When an LEP applicant, participant or resident comes to the CDA office, CDA staff will make every effort to determine the language being spoken by the visitor by using the "I Speak" card used by the U.S. Census. Spanish is the primary language of the LEP persons who visit CDA offices. The Section 8 Administrator or other Village employee who speaks Spanish will assist with interpretation. If the CDA staff is not available at the time of the visit, the person will be requested to come back when an interpreter can be available. An interpreter will be secured within a reasonable time frame.

Written Communications: Correspondence received in Spanish will be translated by CDA staff. If correspondence is received in a language other than Spanish, the CDA will reach out to Long Island Language Access Coalition for assistance with finding low or no cost translation services. Responses will be translated into the same language as the letter that was received.

Training Staff: The CDA will ensure the staff knows the obligation to provide meaningful access to information and services to LEP persons. The CDA will train to ensure staff is competent on LEP policies and procedures; and staff having contact

with the public is trained to work effectively with interpreters. Training will be included as part of orientation for new employees and for all staff when policies or procedures are updated.

Staff will be provided with listing of forms available in languages other than English.

### III. PROVIDING NOTICE TO LEP PERSONS

The CDA shall provide a notice to LEP persons of the availability of free language assistance that ensures meaningful access to CDA's programs and services. Examples of notification may include:

- Posting signs in Spanish in common areas, offices, and anywhere applications are taken.
- Translating outreach documents into Spanish.
- Working with grassroots and faith-based community organizations and other stakeholders to inform LEP persons of CDA's language assistance services.

### IV. MONITORING AND UPDATING LEP PLAN

The CDA will monitor the implementation of the LEP plan on an ongoing basis to determine whether new documents, services, or activities need to be made accessible to LEP persons. In addition, the CDA will review its LEP plan annually to evaluate the following information:

- Proportion of LEP persons in the eligible service population;
- Frequency of encounters with LEP language groups;
- Nature and importance of activities to LEP persons;
- Availability of resources;
- Whether existing language assistance meets the needs of LEP persons;
- Whether staff knows and understands LEP plan and its implementation

Adopted by Village of Patchogue Community Development Agency

On: July 2, 2020