

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

I. PLAN STATEMENT

The Harrisburg Housing Authority (HHA) has adopted this plan to provide meaningful access to its programs and activities by persons with Limited English Proficiency (LEP). In accordance with federal guidelines regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons as required by Executive Order 13166, the HHA will make reasonable efforts to provide or arrange free language assistance for its LEP clients, including applicants, recipients and/or persons eligible for or seeking public housing, Section 8/ Housing Choice Vouchers, and other HHA programs.

II. MEANINGFUL ACCESS; FOUR-FACTOR ANALYSIS

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

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

III. LANGUAGE ASSISTANCE

1. A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient (LEP) person and may be entitled to language assistance with respect to HHA programs and activities.
2. Language assistance includes interpretation, which means the oral or spoken transfer of a message from one language into another language; and/or translation, which means the written transfer of a message from one language into another language. The HHA will determine when interpretation and/or translation are needed and are reasonable. The HHA will use the "safe harbor" requirements set out in HUD's "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" as a guide to translating documents.

These safe harbors include:

- a. Providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered by the HHA.
 - b. If there are fewer than 50 persons in a language group that reaches the 5% trigger above, the HHA does not translate vital written materials but will provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.
3. HHA staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English. If a client asks for language assistance and the HHA determines that the client is an LEP person and that language assistance is necessary to provide

meaningful access, the HHA will make reasonable efforts to provide free language assistance. If reasonably possible, the HHA will provide the language assistance in the LEP client's preferred language.

The HHA has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access.

The HHA will periodically assess client needs for language assistance based on requests for interpreters and/or translation, as well as the literacy skills of clients.

4. Translation of Documents

- a. The HHA will weigh the costs and benefits of translating documents for potential LEP groups.
- b. The HHA will consider the following in making translation decisions:
 - i. The expense of translating the documents
 - ii. The barriers to meaningful translation or interpretation of technical housing information
 - iii. The likelihood of frequent changes in documents
 - iv. The existence of multiple dialects within a single language group
 - v. The apparent literacy rate in an LEP group
 - vi. Other relevant factors.
- c. The HHA will undertake this examination when an eligible LEP group constitutes 5 percent of an eligible client group (for example, 5 percent of households living in the PHA's public housing) or 1,000 persons, whichever is less.
- d. If the HHA determines that translation is necessary and appropriate, the HHA will translate the public housing lease, the HCV Section 8 HAP contract and selected mailings and documents of vital importance into that language.
- e. If possible the HHA may work with other housing authorities to share the costs of translating common documents, which may include language groups which have not yet reached the threshold level in the HHA's client population.
- f. The HHA will consider using bilingual staff and technological aids, such as Internet-based translation services, which may provide helpful, although perhaps not authoritative, translations of written materials.

5. Formal Interpreters

- a. When it is determined necessary to provide meaningful access for LEP clients, the HHA will provide qualified interpreters, including HHA 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 referenced heretofore.
- b. The HHA 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 is certified by a state or federal court, their level of experience, and participated in professional trainings and activities, demonstrating knowledge of interpreter ethics etc.
- c. Formal interpreters shall be used at the following:

- i. Formal hearing for denial of admission to public housing;
 - ii. Informal settlement conferences and formal and informal hearings for termination of public housing;
 - iii. Hearings or conferences concerning denial or termination of Housing Choice Voucher (Section 8) participation.
- d. An HHA staff interpreter may not be a subordinate to the person making the decision or to the person that recommended the adverse action against the applicant or participant.

6. Informal Interpreters

- a. Informal interpreters may include the family members, friends, legal guardians, service representatives or advocates of the LEP client. HHA staff will determine whether it is appropriate to rely on informal interpreters, depending upon the circumstances and subject matter of the communication. However in many circumstances, informal interpreters, especially children, are not competent to provide quality and accurate interpretations. Moreover, there may be issues of confidentiality, competency or conflict of interest.
- b. An LEP person may use an informal interpreter of their own choosing and at their expense, either in place of or as a supplement to the free language assistance offered by the HHA. If possible, the HHA should accommodate an LEP client's request to use an informal interpreter in place of a formal interpreter.
- c. If an LEP client prefers an informal interpreter, after the HHA has offered free interpreter services, the informal interpreter may interpret. In these cases the client and interpreter should sign a waiver of free interpreter services.
- d. If an LEP client wants to use their own informal interpreter, the HHA reserves the right to also have a formal interpreter present.

7. Outside Resources

- a. Outside resources may include community volunteers, HHA residents or Housing Choice Voucher/Section 8 participants.
- b. Outside resources may be used for interpreting services at public or informal meetings or events if a timely request has been made.
- c. The HHA will research the options for creating relationships with organizations that assist specific cultural and ethnic groups living in Harrisburg. To help their clients obtain or keep housing assistance through the HHA, these organizations may provide qualified interpreters for LEP persons.

IV. MONITORING

1. The HHA will review and revise this LEP Plan from time to time. The review will include:
2. Reports from the HHA's computer systems on the number of HHA 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.
3. Reports from the computer systems and other sources listing the languages used by LEP clients.

4. A determination as to whether 5 percent or 1,000 persons from an HHA client group speak a specific language, which triggers consideration of document translation needs as described above.
5. Analysis of staff requests for contract interpreters: number of requests, languages requested costs, etc.
6. The Resident Council will be asked to review the LEP Plan annually as part of updating the Agency Plan.

V. LEP PLAN DISTRIBUTION AND TRAINING

The LEP Plan will be:

1. Distributed to all HHA supervisors.
2. Available in HHA Management Offices and the Leasing Office/Section 8 Office.
3. Posted on HHA's website, www.harrisburghousing.org
4. Explained in orientation and training sessions for supervisors and other staff who need to communicate with LEP clients.