

SECTION 8 ADMINISTRATIVE PLAN

APPENDIX F

**LANGUAGE ASSISTANCE PLAN FOR LIMITED ENGLISH
PROFICIENCY**

**IDAHO HOUSING AND FINANCE ASSOCIATION
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I. Introduction and Background

A. Policy Statement

It is the policy of Idaho Housing and Finance Association (IHFA) to maintain a sensibly designed system to provide staff and Limited English Proficiency (LEP) individuals with access to interpreter services during all hours of operation. This Language Assistance Plan (LAP) outlines guidelines and procedures for the use of language services and the establishment of the plan.

B. Who is Limited English Proficient (LEP)

LEP individuals do not speak English as their primary language and have a limited ability to read, write, speak, or understand English. Examples of LEP individuals include but are not limited to:

- Persons who are seeking housing assistance from IHFA or are current participants
- Persons who are attempting to file a housing discrimination complaint with Fair Housing
- Persons who are seeking supportive services to become first-time homebuyers
- Persons seeking housing related social services, training, or any other assistance from HUD financial recipients
- Parents and family members of the above

C. Background

Under Title VI of the Civil Rights Act, recipients of federal financial assistance are prohibited from discrimination on the basis of race, color, and national origin. The protected class “national origin” extends to LEP individuals.

D. Framework for deciding when Language Services are needed

The U.S. Department of Justice (DOJ) set forth a four-factor analysis for agencies to review when determining steps to take to communicate effectively with LEP individuals in its guidance. The four-factor analysis includes:

- The number or proportion of LEP persons eligible to be served
- The frequency with which LEP persons come into contact with the program
- The nature and importance of the program, activity, or service provided by the program to people’s lives
- The resources available to IHFA and costs

E. Application of the Four Factors

Factor 1 – The number or proportion of LEP persons served: IHFA is the Public Housing Agency for 34 counties in the state of Idaho. According to the 2006 American Community Survey conducted by the U.S. Census Bureau, in the counties where 5% or more of its population spoke a Language other than English at home, Spanish was spoken. This survey included Hispanics, Native Americans, Blacks, Asian, Hawaiian/Pacific Islanders, and persons reporting 2 or more nationalities.

IHFA has a waiting list with 9,895 applicants (includes all household members). The number or proportion of possible LEP persons was 1471, with 9% being of Hispanic origin.

The number of participants in IHFA's Section 8 program is 6,167 (includes all family members). The number or proportion of possible LEP persons was 658, with 7% being of Hispanic origin.

Factor 2 – The frequency with which LEP persons come in contact with the program: IHFA staff interaction with LEP persons varies by Branch office. The predominate contact with LEP individuals occurs in the Idaho Falls and Twin Falls offices.

Factor 3 – The Nature and Importance of the Program, Activity, or Service provided by the Program: Housing is the cornerstone of one's existence and housing for low-income families becomes even more important as we are the safeguard for many whose only other option might be homelessness.

Factor 4 – Resources available including costs: IHFA has four Spanish speaking staff in the Boise office. Of those 4, only 1 speaks, reads, and writes in Spanish. There are currently 2 Spanish speaking staff in the Branch offices, 1 in the Idaho Falls office and 1 in the Twin Falls office. In addition, IHFA has contracted with The Language Line to provide translation and interpretive services for those individuals who do not speak English or Spanish. IHFA Branch and Boise offices utilize a language identification card which allows LEP individuals to indicate the language they speak. Once they have identified their language, staff simply conference or three way call with a Language Line Interpreter.

II. Procedures

A. LEP Assessment and Primary Language Identification

Staff members should determine as soon as practical whether applicants/participants, or a family member involved in making decisions regarding an individual's housing, is an LEP person and if so, the primary language spoken by that person. Under ordinary circumstances, this determination should take place during the initial application process. When that is not possible, assessment should take place during the next phase of the application process, at the formal application, at issuance of voucher, or at an annual or interim reexamination. To ensure translation services are available whenever staff have contact with participants, Housing Inspectors will carry the "Language Line Language Identification Card, and instructions for using the Language Line in their vehicles. IHFA will rely on the person's own assessment of his or her English proficiency in determining the need for an interpreter. Staff members should not feel uncomfortable about initiating inquires about a person's language proficiency. The "Language Line Language Identification Card" should be used to help identify a person's language. A copy is attached to this policy as Exhibit A.

B. Recording of LEP information

The primary language of each LEP individual shall be determined and recorded in their files. In order to alert other staff to a LEP individual's primary language and the need for using a Language Line interpreter, volunteer or bilingual staff member, a notation will be made on the individual's file that accompanies him or her during application and program participation.

C. Informed Right to IHFA provided interpreter

When a LEP individual or a family member involved in making decisions regarding an applicant/participant's housing needs is first assessed as being a LEP person, the staff member will inform the person of his or her right to have a language interpreter at no cost to the applicant/participant or family member or companion. Language Identification Pamphlets will be provided indicating language services and Language Line Plaquards and Posters will be displayed in the lobby of each IHFA branch office and in the Boise office.

D. Notification to the General Public through general postings, local media and Service Organizations

IHFA will post notices in the language of LEP groups identified in the 4-factor analysis – currently Spanish, to indicate the availability of interpretation and translation services related to IHFA programs. IHFA uses placards, posters, and the Language Line Identification Cards in the lobbies of each of its branch and Boise offices. IHFA provides program outreach pamphlets and videos in Spanish.

E. Use of Family Members or Applicant/Participant provided Interpreters.

Staff members should be alert to situations in which use of a family member or friend to interpret might invade that LEP individual's privacy or impede communication of information and should be avoided. Family members and friends are not always acceptable as qualified interpreters. **The use of minors as interpreters should be avoided.** The Language Line is readily available so the use of translation/interpreter services should not create an undue hardship for the LEP individual.

F. Circumstances requiring Interpreter Services

Interpreter services should be provided in all circumstances where necessary for effective communication in connection with housing assistance offered by IHFA to a LEP individual and/or in order for the individuals to receive the full benefit of IHFA services. Examples of circumstances in which interpreters should generally be used include, but are not limited to the following:

1. Determination of an applicant/participant's eligibility or description of service needed
2. Provision of applicant/participant's rights, informed consent or release of information
3. Explanation of powers of attorney (or their availability)

4. Explanation of process or rent determinations
5. Explanation of expected resident behaviors and subsequent disciplinary actions
6. Provisions of fair housing policies and reasonable accommodation requests; provisions of grievances procedures
7. Provisions resolving billing or resolving issues that may arise
8. Explanation of Housing Quality Standards and inspection processes or findings
9. All other instructions

In regard to item 6, when requested in advance by a LEP individual, IHFA staff shall either provide language translation services during such meeting with fair housing representatives or during programs or services, in the primary language(s) of the requesting LEP person(s) or facilitate the use of the LEP person provided interpreter.

G. Prompt call for Interpreters

Upon completion of the assessment of the individual's English language proficiency and the determination that the individual qualifies as a LEP person, staff members should schedule (if the individual is not in the office) or promptly call for an interpreter who may be either an identified bilingual staff member or through Language Line Services.

In the event of an urgent or emergency situation where the applicant/participant's need for services might be compromised by waiting for an interpreter to come on-line or use of a telephonic interpreter service is not appropriate or available, staff should render any necessary and appropriate assistance, and should use their best efforts to provide the most effective communication possible until such time as a language interpreter arrives or is on the phone.

H. Forms and notices

IHFA will make forms and notices available in Spanish. For a list of the forms available, see Exhibit B.

IHFA periodically evaluates the forms necessary for LEP persons and will continue to have new forms translated in Spanish as needed. The Briefing packet is also available in Braille.

I. Updating the LAP

IHFA will annually obtain information from the U.S. Census Bureau, its waiting list, and its list of participants in its housing programs, regarding LEP persons and the need for language services. Based on the information received from these sources, the LAP will be adjusted accordingly.