

# **SAMPLE**

Select type of report (Four-Factor Analysis or Four-Factor Analysis and Language Access Plan)

**FOUR-FACTOR ANALYSIS**

**And**

**LANGUAGE ACCESS PLAN**

**FOR LIMITED ENGLISH PROFICIENCY  
PERSONS**

**COMMUNITY DEVELOPMENT  
BLOCK GRANT PROGRAM**

**COMMUNITY NAME**

**Purpose:** In compliance with Executive Order 13166, **Community Name** has developed the following Language Access Plan (LAP) for Limited English Proficiency (LEP) persons.



**History:** Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination. Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

**Community Name Four-Factor Analysis:** The following Four-Factor Analysis will serve as the guide for determining which language assistance measures the **Community Name** will undertake to guarantee access to the **Community Name** Community Development Block Grant (CDBG) programs by LEP persons. The table below sets forth "safe harbors" for written translations.

**Size of Language Group and Recommended Provision of Written Language Assistance**

1,000 or more in the eligible population in the market area or among current beneficiaries	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> 50 or less in number	Translated written notice of right to receive free oral interpretation of documents.
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required.

1. Number or proportion of LEP persons served or encountered in the eligible service population (served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).

Select the paragraph(s) below that best describe your methodology. Delete the other paragraph(s). These paragraphs may be modified or replaced with narrative that more accurately reflects the community's methodology. Replace the shaded areas with information about your community.

*Currently, the U.S. Census does not provide data regarding Limited English Proficiency below the County Level. Therefore, for determining the LEP population, Community Name utilized the following method(s) to determine the LEP population in Community Name.*

*Individuals conducting income surveys in the project area were asked to determine if any LEP households were located in the potential project area. According to surveyors, there were number of LEP households households located in the proposed project area. This does/does not represent a threshold population of LEP residents.*



*Local elected officials, clergy, medical personnel, and school administrators were polled by telephone/questionnaire to request input regarding their knowledge of LEP households within the community and/or proposed project area(s). Based on the results of the telephone poll/questionnaires, there are an estimated number of LEP households households located in Community Name. This does/does not represent a LEP threshold population.*

*County Name utilized Census 2000 Special Tabulation 194 and Table 4, Table 4, Language Spoken at Home and Ability to Speak English for Population 5 Years and Over. Based on this data, County Name does/does not meet the 1,000 or 5% LEP persons threshold for any languages or Language(s) identified.*

2. The frequency with which the LEP persons come into contact with the program.  
*Select the paragraph(s) below that best describe your methodology. Delete the other paragraph(s). These paragraphs may be modified or replaced with narrative that more accurately reflects the community's methodology.*

*The proposed project does include acquisition, relocation, housing rehabilitation, and/or water/sewer hookups. Therefore, residents are likely to have considerable direct contact with the program and its staff.*

*The proposed project is an infrastructure project that does not provide direct assistance to individuals. As a result, LEP persons rarely come into contact with the CDBG program. However, all citizen participation activities are open to the general public.*

3. The nature and importance of the program, activity, or service provided by the program.  
*Select the paragraph(s) below that best describe your methodology. Delete the other paragraph(s). These paragraphs may be modified or replaced with narrative that more accurately reflects the community's methodology. Replace the shaded areas with information about your community.*

*The proposed project does provide direct assistance to project area beneficiaries related to housing/hookups/acquisition; therefore, the nature of the activity or service is of significant importance to the proposed project area(s) residents.*

*The proposed project does not provide direct assistance to individuals. As a result, LEP persons rarely come into contact with the CDBG program. However, all citizen participation activities are open to the general public.*

4. The resources available and costs to the recipient.  
*Currently, internet sites can be utilized to translate some written materials. Additionally, local volunteers have been identified to provide oral translation services at public*



*meetings and during conversations with LEP residents during the implementation of the proposed project. Furthermore, many of the common forms used in the implementation of a CDBG project are available in multiple languages on the HUD and DOL websites. Additionally, translation activities are an eligible CDBG administrative expense. Therefore, limited LAP measures are reasonable given the resources available to Community Name.*

Once the Four-Factor Analysis has been completed, the community must determine if a LAP is required. If the community determines that a LAP is **not** required, then the certification below should be signed and dated by the chief elected official and the Four-Factor Analysis should be kept in the Fair Housing and Equal Opportunity CDBG program file.

If the Four-Factor Analysis identifies a LEP threshold population and/or if the nature of the program activities is such that a LAP is triggered, please delete the certification below and complete the LAP section at the end of this sample document.

**Certification:** Based on the above Four-Factor Analysis, the **Community Name** is not required to develop a LAP. However, the **Community Name** will make all reasonable attempts to accommodate language access needs of residents requesting oral translation during citizen participation activities.

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Chief Elected Official Signature

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Date



**Language Access Plan:** As a result of the preceding Four-Factor Analysis, **Community Name** has identified the following types of language assistance to be provided on an as needed basis by **Community Name** throughout the implementation of the CDBG program:

Select the paragraphs below that best describe your planned activities. Delete the other paragraph(s). These paragraphs may be modified or replaced with narrative that more accurately reflects the community's planned activities. Replace the shaded areas with information about your community.

- *All CDBG citizen participation documents, project-related resolutions, public notices, and amendments will be published in **LEP language identified** on bulletin boards at the **City Hall/County Courthouse** and in public places throughout the proposed project area(s) and/or the community.*
  
- *Additionally, all published citizen participation advertisements will include a statement in **LEP language identified** indicating other program materials are available in **LEP language identified** upon request.*
  
- *All citizen participation notices will include a statement that translators will be available at public meetings upon prior request.*
  
- *If needed, a translator may be retained to provide oral translation in the field during the implementation of the project activities (**generally for housing rehabilitation, hookups, acquisition, and relocation projects only**).*
  
- *If other populations of LEP persons are identified in the future, **Community Name** will consider additional measures to serve the language access needs of those persons.*

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Chief Elected Official Signature

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Date Adopted

