

**Kentucky Department for Local Government
Office of Federal Grants
Language Access Plan (LAP)
for persons with Limited English Proficiency (LEP)
June 2017**

The Kentucky Department for Local Government (DLG), Office of Federal Grants, has established this policy as means to take reasonable steps in ensuring meaningful access to agency services, programs and activities for persons who have limited English proficiency. This plan applies to the federally-funded programs provided through DLG's Office of Federal Grants.

Overview

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 require that recipients of federal funds take responsible steps to ensure meaningful access by persons with Limited English Proficiency (LEP persons). The Kentucky Department for Local Government (DLG) is a recipient of federal funds through the U.S. Department of Housing and Urban Development (HUD) for a portion of its programs and, thus, is obligated to reduce language barriers that can preclude meaningful access by LEP persons to DLG programs.

Definitions

For the purposes of this plan:

- a. *Grantee* means the Commonwealth of Kentucky.
- b. *Recipient* means the entity designated as a recipient of federal funds through DLG's Office of Federal Grants programs. This means any entity that receives any federal HUD assistance, directly from DLG or from another Recipient. This includes, but is not limited to, any unit of local government, public housing authority, community housing development organization, public or private nonprofit agency, developer, private agency or institution, mortgagor, limited dividend sponsor, builder, property manager, resident management corporation, resident counsel or cooperative association. Recipient also includes any successor, assignee or transferees of any such entity, but does not include any ultimate beneficiary under the respective federal grant program.
- c. *LEP* means Limited English Proficiency. Persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English, and may be entitled to language assistance with respect to a particular type of service, benefit or encounter.
- d. *LAP* means Language Access Plan.

Four-Factor Analysis

There are four (4) flexible, fact-dependent factors to be considered in developing language materials and a Limited English Proficiency plan. The following four-factor analysis will serve as the guide for determining which language assistance measures the Commonwealth will undertake to guarantee access to DLG's federally funded programs by LEP persons. Additionally all future recipients of federal assistance are required to use the same four-factor analysis prior to the release of funds.

1. The number or portion of LEP persons eligible to be served or likely encountered through its federally funded programs.
 - a. For determining the LEP population, DLG utilized the U.S. Census Bureau Language Use data (ACS-DP02) for Language Spoken at Home and English-Speaking Ability by State (See Appendix A).
2. The frequency with which LEP individuals come in contact with the designated federal programs.
 - a. DLG does not provide direct assistance to individuals. All DLG Office of Federal Grants funds are awarded to units of local government or nonprofit agencies. As a result, LEP persons rarely come into contact with the respective federal grant program at the state level. However, during periods of public comment, some citizen participation may be directed to the Commonwealth.
3. The nature and importance of the program, activity or service provided by the federal programs.
 - a. DLG does not provide direct assistance to individuals. All DLG Office of Federal Grants funds are awarded to units of local government or nonprofit agencies. As a result, LEP persons rarely come into contact with the respective federal grant program at the state level. However, during periods of public comment, some citizen participation may be directed to the Commonwealth.
4. The resources available to the recipient and the cost. There are two types of assistance service – oral (interpretation) and written (translation).
 - a. Given the resources currently available to DLG, the LAP measures appear reasonable.

Types of Language Assistance to be Provided by the Commonwealth

As stated previously, although LEP persons rarely come into contact with DLG Office of Federal Grants programs at the state level, some citizen participation matters are directed to the Commonwealth, particularly during periods of public comment. Therefore, DLG has determined it will make available, upon request, translations of its federal grants action plans and amendments. If there is a consistent need for translations, by populations of LEP Kentuckians, DLG will consider additional appropriate measures to serve the language access needs of those persons.

Requirements for Recipients

Recipients of federal funds awarded or drawn through DLG are required to ensure that meaningful access to services is assured for their LEP clients. Recipients must provide language assistance services that result in timely, accurate, and effective communication at no cost to LEP clients and/or their beneficiaries. Such language assistance services are to be provided in accordance with the guidelines set forth in the U.S. Department for Health and Human Services “Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.” DLG is available to assist Recipients in identifying and developing appropriate language assistance measures.

If an application is funded, the local government or nonprofit agency will be required to conduct a four-factor analysis, develop a LAP, if necessary, and provide a description of outreach efforts during the Letter of Conditional Commitment stage. Particular attention will be given to plan details for projects including acquisition and/or relocation, housing rehabilitation, and/or water/sewer hookups.

In order to determine if language assistance is required by recipients of federal funds through DLG, all Recipients are required to follow the measures outlined below.

1. Conduct the four-factor analysis prior to advertising for application public hearing.
2. If the four-factor analysis reveals there are 1,000 or more LEP persons, or 5 percent or more LEP persons in the eligible population in the jurisdiction or among current beneficiaries, the applicant will provide appropriate language assistance by: 1) translating all vital documents; 2) posting notices of application public hearings in areas frequented by LEP persons of the threshold population(s) in the language(s) spoken; and 3) providing translation services at public hearings, if requested to do so by LEP persons.

3. If the four-factor analysis reveals there are less than 50 LEP persons but 5 percent or more LEP persons in the eligible population in the jurisdiction or among current beneficiaries, the applicant will provide appropriate language assistance by: 1) posting notices of application public hearings in areas frequented by LEP persons of the threshold population(s) in the language(s) spoken; and 3) providing translation services at public hearings, if requested to do so by LEP persons.
4. If the four-factor analysis reveals there are less than 50 LEP persons and less than 5 percent LEP persons in the eligible population in the jurisdiction or among current beneficiaries, the applicant will provide appropriate language assistance by: 1) providing translation services at public hearings, if requested to do so by LEP persons.

If a LAP is required, the Recipient's LAP will include certifications that LAP has been developed, adopted, and will be implemented for all CDBG-funded projects. The Recipient's LAP will include an identification of all LEP populations exceeding 1,000 or five percent of total jurisdiction population, whichever is less, the identification of materials to be made available to LEP persons, the means by which the materials will be made available to LEP persons, and the identification of any other translation services which may be necessary. Recipients will be monitored for implementation of their LAPs.

Monitoring, Evaluation and Updating

All agencies receiving federal funds through the Kentucky CDBG program will report annually to the Office of Federal Grants on services provided to LEP persons. Agencies will review their respective plans each year to evaluate their effectiveness and to make any needed changes. DLG's Office of Federal Grants will assist agencies in finding appropriate translation resources, and disseminate translated HUD notices, brochures, posters and other documents.

DLG will monitor the delivery of any required language assistance on an ongoing basis. It will review the LAP, evaluate the effectiveness of its implementation, and update the LAP, on an annual basis, in order to ensure continued responsiveness to community needs.

The LAP evaluation will consist of:

- Revision of the LAP, as necessary, by monitoring changes in demographics and services provided, updating available resources and tools, modifying methods of implementation and addressing any issues of concerns.
- Analysis of language assistance usage, including the amount of language service requests, surveying the languages most frequently encountered, identifying the primary modes of communication, and costs associated with services rendered.

- Assessment of response to requests by LEP individuals and Recipients regarding the delivery of language assistance services.

Availability and Access

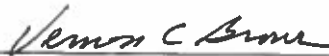
The Kentucky Department for Local Government Office of Federal Grant LAP is available to the public on our website at www.dlg.ky.gov. This information is available in a form accessible to persons with disabilities, and others, upon written request to: Office of Federal Grants, Department for Local Government, 1024 Capital Center Drive, Suite 340, Frankfort, Kentucky, 40601.

Citizens, public agencies and other interested parties will have reasonable and timely access to information and records relating to the LAP. All public records under KRS Statute 61.870-884 will be made accessible to interested individuals and groups during normal working hours.

Complaints

At any time, citizens may submit complaints related to the DLG LAP by writing the Office of Federal Grants, Department for Local Government, 1024 Capital Center Drive, Suite 340, Frankfort, Kentucky, 40601.

The Commonwealth will provide a written response to every written citizen complaint that relates to the DLG LAP within 15 working days.



Vernon C. Brown, Executive Director
Office of Federal Grants
Kentucky Department for Local Government



Date



Sandra K. Dunahoo, Commissioner
Kentucky Department for Local Government



Date

Appendix A

American Community Survey, 5-Year Estimates (2011-2015) – Kentucky – September 2016

Subject	Population	Percent of Population	Speaks English Less Than “Very Well”	Speaks English Less Than “Very Well”
Total Population	4,120,902	100.0%	(# Population)	(% Population)
Speaks only English	3,910,830	94.9%	(# Population)	(% Population)
Speaks a language other than English	210,072	5.1%	87,159	2.1%
Spanish or Spanish Creole	105,529	2.6%	47,701	1.2%
Other Indo-European languages	53,015	1.3%	15,644	0.4%
Asian and Pacific Island languages	33,965	0.8%	16,178	0.4%
Other languages	17,563	0.4%	7,636	0.2%

Appendix B

2011-2015 American Community Survey 5-Year Estimates (September 2016)

S1601: Language Spoken at Home

Supporting documentation on code lists, subject definitions, data accuracy and statistical testing is found on the American Community Survey (ACS) website, Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates and response rates) can be found on the ACS website in the Methodology section.

Although the ACS produces population, demographic and housing unit estimates, it is the U.S. Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

County	Total Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Other Indo-European languages	Asian and Pacific Island languages	Other Languages
Adair	17,889	160 0.89%	16 0.09%	5 0.03%	6 0.03%
Allen	19,124	164 0.86%	299 1.56%	0 0.00%	0 0.00%
Anderson	20,400	33 0.16%	17 0.08%	15 0.07%	0 0.00%
Ballard	7,835	4 0.05%	0 0.00%	2 0.03%	0 0.00%
Barren	40,294	252 0.63%	200 0.50%	74 0.18%	0 0.00%
Bath	11,217	44 0.39%	19 0.17%	6 0.05%	0 0.00%
Bell	26,277	60 0.23%	92 0.35%	16 0.06%	0 0.00%
Boone	115,625	1,382 1.20%	598 0.52%	1,102 0.95%	323 0.28%
Bourbon	18,869	739 3.92%	33 0.17%	42 0.22%	0 0.00%
Boyd	46,169	144 0.31%	66 0.14%	9 0.02%	0 0.00%
Boyle	27,836	320 1.15%	9 0.03%	83 0.30%	25 0.09%
Bracken	7,873	20 0.25%	3 0.04%	0 0.00%	0 0.00%

County	Total Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Other Indo-European languages	Asian and Pacific Island languages	Other Languages
Breathitt	12,828	21 0.16%	6 0.05%	0 0.00%	0 0.00%
Breckinridge	18,904	195 1.03%	249 1.32%	9 0.05%	0 0.00%
Bullitt	72,760	170 0.23%	43 0.06%	105 0.14%	17 0.02%
Butler	12,017	222 1.85%	71 0.59%	0 0.00%	0 0.00%
Caldwell	12,074	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Calloway	36,139	349 0.97%	147 0.41%	430 1.19%	130 0.36%
Campbell	85,852	537 0.63%	95 0.11%	73 0.09%	372 0.43%
Carlisle	4,678	17 0.36%	0 0.00%	0 0.00%	0 0.00%
Carroll	9,936	340 3.42%	25 0.25%	0 0.00%	5 0.05%
Carter	25,668	46 0.18%	49 0.19%	0 0.00%	34 0.13%
Casey	14,958	81 0.54%	118 0.79%	20 0.13%	0 0.00%
Christian	66,966	711 1.06%	420 0.63%	234 0.35%	0 0.00%
Clark	33,547	449 1.34%	46 0.14%	10 0.03%	0 0.00%
Clay	19,909	113 0.57%	4 0.02%	0 0.00%	5 0.03%
Clinton	9,506	41 0.43%	0 0.00%	23 0.24%	0 0.00%
Crittenden	8,714	29 0.33%	235 2.70%	0 0.00%	0 0.00%
Cumberland	6,426	6 0.09%	0 0.00%	0 0.00%	0 0.00%
Daviess	91,654	705 0.77%	287 0.31%	348 0.38%	16 0.02%
Edmonson	11,514	31 0.27%	31 0.27%	30 0.26%	0 0.00%
Elliott	7,386	30 0.41%	0 0.00%	0 0.00%	0 0.00%
Estill	13,639	2 0.01%	0 0.00%	11 0.08%	0 0.00%
Fayette	288,709	8,970 3.11%	1,560 0.54%	3,923 1.36%	1,203 0.42%
Fleming	13,595	126 0.93%	216 1.59%	0 0.00%	0 0.00%

County	Total Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Other Indo-European languages	Asian and Pacific Island languages	Other Languages
Floyd	36,156	68 0.19%	53 0.15%	24 0.07%	0 0.00%
Franklin	47,282	764 1.62%	118 0.25%	88 0.19%	37 0.08%
Fulton	6,011	16 0.27%	0 0.00%	4 0.07%	0 0.00%
Gallatin	7,978	230 2.88%	0 0.00%	4 0.05%	0 0.00%
Garrard	16,060	123 0.77%	38 0.24%	6 0.04%	0 0.00%
Grant	22,931	309 1.35%	52 0.23%	0 0.00%	0 0.00%
Graves	34,934	825 2.36%	182 0.52%	22 0.06%	35 0.10%
Grayson	24,289	132 0.54%	45 0.19%	28 0.12%	0 0.00%
Green	10,574	31 0.29%	8 0.08%	16 0.15%	0 0.00%
Greenup	34,491	71 0.21%	26 0.08%	0 0.00%	0 0.00%
Hancock	8,122	52 0.64%	19 0.23%	0 0.00%	0 0.00%
Hardin	99,958	822 0.82%	593 0.59%	665 0.67%	12 0.01%
Harlan	26,524	98 0.37%	26 0.10%	11 0.04%	2 0.01%
Harrison	17,566	210 1.20%	100 0.57%	0 0.00%	0 0.00%
Hart	17,299	54 0.31%	301 1.74%	25 0.14%	12 0.07%
Henderson	43,458	409 0.94%	30 0.07%	14 0.03%	0 0.00%
Henry	14,566	120 0.82%	12 0.08%	0 0.00%	8 0.05%
Hickman	4,531	0 0.00%	2 0.04%	6 0.13%	0 0.00%
Hopkins	43,667	151 0.35%	0 0.00%	56 0.13%	25 0.06%
Jackson	12,566	26 0.21%	0 0.00%	0 0.00%	0 0.00%
Jefferson	706,605	13,002 1.84%	4,963 0.70%	4,388 0.62%	3,665 0.52%
Jessamine	46,846	571 1.22%	166 0.35%	155 0.33%	28 0.06%
Johnson	21,960	19 0.09%	2 0.01%	0 0.00%	0 0.00%

County	Total Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Other Indo-European languages	Asian and Pacific Island languages	Other Languages
Kenton	151,426	1,594 1.05%	256 0.17%	581 0.38%	75 0.05%
Knott	15,084	49 0.32%	10 0.07%	7 0.05%	1 0.01%
Knox	29,825	94 0.32%	1 0.00%	0 0.00%	0 0.00%
Larue	13,410	100 0.75%	17 0.13%	0 0.00%	0 0.00%
Laurel	55,934	317 0.57%	58 0.10%	107 0.19%	0 0.00%
Lawrence	14,820	6 0.04%	7 0.05%	57 0.38%	30 0.20%
Lee	6,788	28 0.41%	0 0.00%	4 0.06%	0 0.00%
Leslie	10,320	7 0.07%	0 0.00%	0 0.00%	0 0.00%
Letcher	22,289	69 0.31%	33 0.15%	50 0.22%	0 0.00%
Lewis	12,960	41 0.32%	13 0.10%	0 0.00%	0 0.00%
Lincoln	22,884	38 0.17%	85 0.37%	0 0.00%	0 0.00%
Livingston	8,848	24 0.27%	33 0.37%	11 0.12%	0 0.00%
Logan	25,213	105 0.42%	97 0.38%	4 0.02%	75 0.30%
Lyon	8,122	30 0.37%	28 0.34%	23 0.28%	0 0.00%
McCracken	61,538	179 0.29%	134 0.22%	182 0.30%	59 0.10%
McCreary	16,774	114 0.68%	165 0.98%	13 0.08%	79 0.47%
McLean	8,940	32 0.36%	0 0.00%	26 0.29%	0 0.00%
Madison	80,969	524 0.65%	110 0.14%	222 0.27%	105 0.13%
Magoffin	12,232	29 0.24%	0 0.00%	0 0.00%	0 0.00%
Marion	18,442	156 0.85%	61 0.33%	58 0.31%	0 0.00%
Marshall	29,543	34 0.12%	0 0.00%	36 0.12%	0 0.00%
Martin	11,926	103 0.86%	0 0.00%	0 0.00%	2 0.02%
Mason	16,168	14 0.09%	18 0.11%	0 0.00%	0 0.00%

County	Total Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Other Indo-European languages	Asian and Pacific Island languages	Other Languages
Meade	27,239	180 0.66%	20 0.07%	73 0.27%	0 0.00%
Menifee	6,015	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Mercer	20,061	202 1.01%	0 0.00%	0 0.00%	0 0.00%
Metcalfe	9,345	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Monroe	10,148	132 1.30%	5 0.05%	0 0.00%	0 0.00%
Montgomery	25,440	235 0.92%	9 0.04%	0 0.00%	0 0.00%
Morgan	12,790	7 0.05%	15 0.12%	10 0.08%	0 0.00%
Muhlenberg	29,730	44 0.15%	18 0.06%	28 0.09%	0 0.00%
Nelson	41,174	269 0.65%	131 0.32%	28 0.07%	0 0.00%
Nicholas	6,632	0 0.00%	64 0.97%	0 0.00%	0 0.00%
Ohio	22,523	214 0.95%	0 0.00%	15 0.07%	0 0.00%
Oldham	60,079	750 1.25%	106 0.18%	99 0.16%	57 0.09%
Owen	10,157	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Owsley	4,357	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Pendleton	13,735	0 0.00%	0 0.00%	0 0.00%	5 0.04%
Perry	26,267	70 0.27%	52 0.20%	0 0.00%	0 0.00%
Pike	59,778	115 0.19%	17 0.03%	182 0.30%	0 0.00%
Powell	11,626	60 0.52%	0 0.00%	20 0.17%	0 0.00%
Pulaski	59,955	161 0.27%	103 0.17%	102 0.17%	0 0.00%
Robertson	2,082	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Rockcastle	15,987	2 0.01%	0 0.00%	0 0.00%	2 0.01%
Rowan	22,264	67 0.30%	12 0.05%	44 0.20%	26 0.12%
Russell	16,535	181 1.09%	45 0.27%	1 0.01%	0 0.00%

County	Total Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Other Indo-European languages	Asian and Pacific Island languages	Other Languages
Scott	46,740	795 1.70%	70 0.15%	136 0.29%	0 0.00%
Shelby	41,288	1,671 4.05%	9 0.02%	185 0.45%	0 0.00%
Simpson	16,537	40 0.24%	21 0.13%	0 0.00%	1 0.01%
Spencer	16,635	68 0.41%	26 0.16%	6 0.04%	0 0.00%
Taylor	23,408	48 0.21%	107 0.46%	78 0.33%	5 0.02%
Todd	11,594	71 0.61%	317 2.73%	7 0.06%	5 0.04%
Trigg	13,557	51 0.38%	315 2.32%	34 0.25%	0 0.00%
Trimble	8,305	44 0.53%	4 0.05%	0 0.00%	0 0.00%
Union	14,304	33 0.23%	43 0.30%	8 0.06%	45 0.31%
Warren	111,368	2,518 2.26%	1,504 1.35%	1,547 1.39%	1,136 1.02%
Washington	11,256	119 1.06%	45 0.40%	14 0.12%	0 0.00%
Wayne	19,459	253 1.30%	0 0.00%	0 0.00%	0 0.00%
Webster	12,463	232 1.86%	39 0.31%	0 0.00%	0 0.00%
Whitley	33,304	50 0.15%	37 0.11%	32 0.10%	0 0.00%
Wolfe	6,805	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Woodford	24,044	832 3.46%	30 0.12%	36 0.15%	1 0.00%

Appendix C

List of Formal Interpreters (for any language if necessary and cost is not prohibitive):

- Catholic Charities of Louisville
 - (502) 637-9786
 - <https://cclou.org/programs-services/interpreter-translation-services/>

- The International Center of Kentucky
 - Bowling Green – (270) 781-8336
 - Owensboro – (270) 683-3423
 - <http://icofky.org/>

- Central Kentucky Interpreter Referral
 - Lexington/Central Counties – (859) 806-1600
 - Richmond/Eastern Counties – (859) 236-9248
 - Danville/Southern Counties – (859) 236-9888
 - <http://www.ckira.org/>

- Language Line Solutions
 - (800) 752-6096
 - <http://www.language.com/>

Further information on Language Assistance Plans from HUD can be found at:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq

Appendix D

Examples of Vital Documents:

- Citizen Participation Notices
- Survey Instruments
- Housing-Related Documents
 - Lead-Based Paint Notification
 - Application
 - Lease
 - Note
 - Mortgage
- Drug-Free Certification