

**Kentucky Department for Local Government
Office of Federal Grants
Language Access Plan (LAP)
for persons with Limited English Proficiency (LEP)
June 2018**

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-S1601) 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

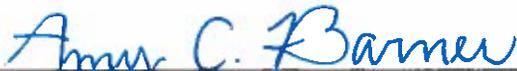
The Kentucky Department for Local Government Office of Federal Grant LAP is available to the public on our website at www.kydlgweb.ky.gov. This information is available in a form accessible to persons with disabilities, and others, upon written request to: Office of Federal Grants, Department for Local 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 anyone interested 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.



Amy C. Barnes, Executive Director
Office of State and Federal Grants
Kentucky Department for Local Government



Date



Sandra K. Dunahoo, Commissioner
Kentucky Department for Local Government



Date

Appendix A

Kentucky – American Community Survey 2016 5-Year Estimates (S1602)

Subject	Population	Percent of Population	Speaks English Less Than “Very Well”	Speaks English Less Than “Very Well”
Total Population	4,137,464	100.0%	(# Population)	(% Population)
Speaks only English	3,923,603	94.83%	(# Population)	(% Population)
Speaks a Language Other than English	213,761	5.17%	89,138	2.15%
Spanish or Spanish Creole	106,467	2.57%	43,888	1.06%
Other Indo-European languages	54,007	1.31%	18,099	0.44%
Asian and Pacific Island languages	34,215	0.83%	15,858	0.38%
Other Languages	19,172	0.46%	11,293	0.27%

Appendix B

2016 American Community Survey 5-Year Estimates

S1602: 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 Name	County Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Indo-European	Asian and Pacific Islands	Other Languages
Adair	18,203	114 0.63%	15 0.08%	4 0.02%	5 0.03%
Allen	19,186	44 0.23%	318 1.66%	0 0.00%	0 0.00%
Anderson	20,545	47 0.23%	18 0.09%	0 0.00%	0 0.00%
Ballard	7,790	16 0.21%	0 0.00%	5 0.06%	0 0.00%
Barren	40,541	127 0.31%	226 0.56%	86 0.21%	0 0.00%
Bath	11,325	57 0.50%	29 0.26%	6 0.05%	0 0.00%
Bell	26,029	60 0.23%	91 0.35%	18 0.07%	0 0.00%
Boone	117,019	386 0.33%	482 0.41%	1,144 0.98%	236 0.20%
Bourbon	18,796	116 0.62%	35 0.19%	55 0.29%	0 0.00%
Boyd	45,899	57 0.12%	57 0.12%	8 0.02%	0 0.00%
Boyle	28,072	106 0.38%	26 0.09%	75 0.27%	21 0.07%

County Name	County Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Indo-European	Asian and Pacific Islands	Other Languages
Bracken	7,877	18 0.23%	0 0.00%	0 0.00%	0 0.00%
Breathitt	12,664	24 0.19%	0 0.00%	0 0.00%	0 0.00%
Breckinridge	18,886	54 0.29%	112 0.59%	0 0.00%	0 0.00%
Bullitt	73,579	175 0.24%	132 0.18%	118 0.16%	23 0.03%
Butler	12,063	120 0.99%	83 0.69%	0 0.00%	0 0.00%
Caldwell	12,030	18 0.15%	0 0.00%	0 0.00%	0 0.00%
Calloway	36,215	113 0.31%	103 0.28%	148 0.41%	202 0.56%
Campbell	86,082	133 0.15%	101 0.12%	40 0.05%	168 0.20%
Carlisle	4,636	19 0.41%	5 0.11%	0 0.00%	0 0.00%
Carroll	9,911	68 0.69%	18 0.18%	17 0.17%	6 0.06%
Carter	25,613	48 0.19%	29 0.11%	0 0.00%	36 0.14%
Casey	14,961	56 0.37%	100 0.67%	14 0.09%	0 0.00%
Christian	66,918	155 0.23%	399 0.60%	246 0.37%	0 0.00%
Clark	33,603	136 0.40%	48 0.14%	66 0.20%	0 0.00%
Clay	19,889	60 0.30%	3 0.02%	0 0.00%	4 0.02%
Clinton	9,453	37 0.39%	0 0.00%	23 0.24%	0 0.00%
Crittenden	8,698	19 0.22%	329 3.78%	0 0.00%	0 0.00%
Cumberland	6,381	13 0.20%	0 0.00%	0 0.00%	0 0.00%
Daviess	92,063	301 0.33%	125 0.14%	449 0.49%	98 0.11%
Edmonson	11,546	30 0.26%	17 0.15%	41 0.36%	0 0.00%
Elliott	7,316	20 0.27%	0 0.00%	0 0.00%	0 0.00%

County Name	County Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Indo-European	Asian and Pacific Islands	Other Languages
Estill	13,564	18 0.13%	0 0.00%	0 0.00%	0 0.00%
Fayette	291,868	580 0.20%	1,892 0.65%	3,840 1.32%	1,644 0.56%
Fleming	13,589	79 0.58%	167 1.23%	0 0.00%	0 0.00%
Floyd	35,716	42 0.12%	53 0.15%	13 0.04%	0 0.00%
Franklin	47,214	234 0.50%	208 0.44%	42 0.09%	26 0.06%
Fulton	5,931	8 0.13%	0 0.00%	12 0.20%	0 0.00%
Gallatin	7,914	80 1.01%	0 0.00%	4 0.05%	0 0.00%
Garrard	16,120	74 0.46%	22 0.14%	10 0.06%	0 0.00%
Grant	22,953	79 0.34%	53 0.23%	0 0.00%	0 0.00%
Graves	34,828	208 0.60%	134 0.38%	40 0.11%	37 0.11%
Grayson	24,504	90 0.37%	32 0.13%	26 0.11%	0 0.00%
Green	10,512	54 0.51%	9 0.09%	12 0.11%	0 0.00%
Greenup	34,292	47 0.14%	16 0.05%	0 0.00%	0 0.00%
Hancock	8,168	35 0.43%	17 0.21%	0 0.00%	0 0.00%
Hardin	100,135	207 0.21%	634 0.63%	508 0.51%	14 0.01%
Harlan	26,181	32 0.12%	13 0.05%	11 0.04%	0 0.00%
Harrison	17,597	97 0.55%	83 0.47%	0 0.00%	0 0.00%
Hart	17,292	43 0.25%	372 2.15%	13 0.08%	5 0.03%
Henderson	43,460	109 0.25%	32 0.07%	23 0.05%	0 0.00%
Henry	14,639	47 0.32%	14 0.10%	0 0.00%	12 0.08%
Hickman	4,490	11 0.24%	1 0.02%	13 0.29%	0 0.00%

County Name	County Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Indo-European	Asian and Pacific Islands	Other Languages
Hopkins	43,516	71 0.16%	0 0.00%	63 0.14%	25 0.06%
Jackson	12,562	42 0.33%	0 0.00%	0 0.00%	0 0.00%
Jefferson	710,713	1,082 0.15%	5,354 0.75%	4,443 0.63%	4,738 0.67%
Jessamine	47,559	278 0.58%	275 0.58%	192 0.40%	77 0.16%
Johnson	21,847	24 0.11%	2 0.01%	0 0.00%	0 0.00%
Kenton	152,354	345 0.23%	288 0.19%	675 0.44%	94 0.06%
Knott	15,007	45 0.30%	9 0.06%	7 0.05%	5 0.03%
Knox	29,817	51 0.17%	28 0.09%	58 0.19%	0 0.00%
Larue	13,388	71 0.53%	17 0.13%	0 0.00%	0 0.00%
Laurel	56,303	85 0.15%	29 0.05%	115 0.20%	0 0.00%
Lawrence	14,821	11 0.07%	10 0.07%	39 0.26%	35 0.24%
Lee	6,535	16 0.24%	0 0.00%	5 0.08%	0 0.00%
Leslie	10,217	10 0.10%	0 0.00%	8 0.08%	0 0.00%
Letcher	21,994	26 0.12%	18 0.08%	20 0.09%	0 0.00%
Lewis	12,933	46 0.36%	11 0.09%	0 0.00%	0 0.00%
Lincoln	22,818	17 0.07%	71 0.31%	2 0.01%	0 0.00%
Livingston	8,825	34 0.39%	32 0.36%	0 0.00%	0 0.00%
Logan	25,108	55 0.22%	86 0.34%	8 0.03%	0 0.00%
Lyon	8,042	68 0.85%	14 0.17%	26 0.32%	8 0.10%
McCracken	61,364	125 0.20%	129 0.21%	177 0.29%	51 0.08%
McCreary	16,749	71 0.42%	25 0.15%	0 0.00%	41 0.24%

County Name	County Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Indo-European	Asian and Pacific Islands	Other Languages
McLean	8,950	26 0.29%	0 0.00%	31 0.35%	0 0.00%
Madison	82,329	178 0.22%	132 0.16%	190 0.23%	125 0.15%
Magoffin	12,102	7 0.06%	0 0.00%	0 0.00%	0 0.00%
Marion	18,280	113 0.62%	22 0.12%	73 0.40%	0 0.00%
Marshall	29,588	34 0.11%	0 0.00%	35 0.12%	0 0.00%
Martin	11,810	66 0.56%	9 0.08%	0 0.00%	3 0.03%
Mason	16,159	123 0.76%	18 0.11%	57 0.35%	0 0.00%
Meade	27,149	55 0.20%	20 0.07%	50 0.18%	0 0.00%
Menifee	6,031	16 0.27%	0 0.00%	0 0.00%	0 0.00%
Mercer	20,130	54 0.27%	0 0.00%	0 0.00%	0 0.00%
Metcalfe	9,375	8 0.09%	31 0.33%	0 0.00%	0 0.00%
Monroe	10,049	43 0.43%	6 0.06%	0 0.00%	0 0.00%
Montgomery	25,593	136 0.53%	11 0.04%	0 0.00%	0 0.00%
Morgan	12,735	14 0.11%	0 0.00%	20 0.16%	0 0.00%
Muhlenberg	29,650	37 0.12%	2 0.01%	36 0.12%	0 0.00%
Nelson	41,813	99 0.24%	44 0.11%	20 0.05%	0 0.00%
Nicholas	6,636	16 0.24%	94 1.42%	0 0.00%	0 0.00%
Ohio	22,720	249 1.10%	0 0.00%	45 0.20%	0 0.00%
Oldham	60,716	194 0.32%	109 0.18%	66 0.11%	49 0.08%
Owen	10,119	23 0.23%	0 0.00%	0 0.00%	0 0.00%
Owsley	4,240	11 0.26%	0 0.00%	0 0.00%	0 0.00%

County Name	County Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Indo-European	Asian and Pacific Islands	Other Languages
Pendleton	13,726	18 0.13%	0 0.00%	3 0.02%	9 0.07%
Perry	26,071	77 0.30%	72 0.28%	0 0.00%	0 0.00%
Pike	59,243	46 0.08%	20 0.03%	98 0.17%	0 0.00%
Powell	11,618	34 0.29%	0 0.00%	0 0.00%	0 0.00%
Pulaski	60,095	114 0.19%	78 0.13%	96 0.16%	0 0.00%
Robertson	2,072	11 0.53%	2 0.10%	0 0.00%	0 0.00%
Rockcastle	15,965	2 0.01%	0 0.00%	0 0.00%	1 0.01%
Rowan	22,983	237 1.03%	14 0.06%	38 0.17%	0 0.00%
Russell	16,596	178 1.07%	71 0.43%	7 0.04%	0 0.00%
Scott	47,950	166 0.35%	73 0.15%	179 0.37%	0 0.00%
Shelby	41,992	231 0.55%	8 0.02%	194 0.46%	9 0.02%
Simpson	16,697	60 0.36%	70 0.42%	0 0.00%	2 0.01%
Spencer	16,829	18 0.11%	21 0.12%	5 0.03%	0 0.00%
Taylor	23,742	27 0.11%	82 0.35%	70 0.29%	0 0.00%
Todd	11,517	95 0.82%	233 2.02%	6 0.05%	5 0.04%
Trigg	13,579	66 0.49%	210 1.55%	40 0.29%	0 0.00%
Trimble	8,255	34 0.41%	6 0.07%	0 0.00%	0 0.00%
Union	14,202	31 0.22%	31 0.22%	8 0.06%	49 0.35%
Warren	113,375	332 0.29%	1,493 1.32%	1,688 1.49%	1,220 1.08%
Washington	11,323	50 0.44%	39 0.34%	17 0.15%	0 0.00%

County Name	County Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Indo-European	Asian and Pacific Islands	Other Languages
Wayne	19,381	69 0.36%	0 0.00%	0 0.00%	0 0.00%
Webster	12,529	76 0.61%	30 0.24%	2 0.02%	0 0.00%
Whitley	33,330	51 0.15%	20 0.06%	29 0.09%	0 0.00%
Wolfe	6,781	16 0.24%	0 0.00%	0 0.00%	0 0.00%
Woodford	24,211	142 0.59%	40 0.17%	38 0.16%	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
 - languages@archlou.org
 - <https://cclou.org/language-services/>

- The International Center of Kentucky
 - Bowling Green – (270) 781-8336
 - <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-line.com/>

Further information on Language Assistance Plans from HUD can be found at:
https://www.hud.gov/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