



LANGUAGE ACCESS PLAN

**For Persons with
Limited English Proficiency**

Department for Local Government

June 2020



Department for Local Government

Dennis Keene, Commissioner

100 Airport Road, 3rd Floor

Frankfort, Kentucky 40601

(502) 573-2382

kydlgweb.ky.gov

The Kentucky Department for Local Government (DLG) 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.

The Kentucky Infrastructure Authority (KIA), which also provides some federal funds to local government entities, is administratively attached to DLG, and hereby adopts DLG's Language Access Plan in its entirety. All references to "DLG" in this plan shall be interpreted to include KIA and its staff.

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). DLG is a recipient of federal funds through various federal agencies, 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 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:
 - a. Translating all vital documents;
 - b. Posting notices of application public hearings in areas frequented by LEP persons of the threshold population(s) in the language(s) spoken; and

- c. 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 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, 100 Airport Road, 3rd Floor, 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, 100 Airport Road, 3rd Floor, Frankfort, Kentucky, 40601.

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

Appendix A

Kentucky – American Community Survey 2018 5-Year Estimates (C16001)

Subject	Population	Percent of Population	Speaks English Less Than “Very Well”	Speaks English Less Than “Very Well”
Total Population	4,165,764	100.0%	(# Population)	(% Population)
Speaks only English	3,937,646	94.52%	(# Population)	(% Population)
Speaks a Language Other than English	220,387	5.29%	91,813	2.20%
Spanish, Spanish Creole	111,393	2.67%	49,483	1.19%
French, Haitian, Cajun	8,159	0.20%	2,442	0.06%
German, other West Germanic	19,945	0.48%	4,731	0.11%
Russian, Polish, other Slavic	10,493	0.25%	4,343	0.10%
Other Indo-European	19,712	0.47%	6,265	0.15%
Korean	3,404	0.08%	1,497	0.04%
Chinese (incl. Mandarin, Cantonese)	7,076	0.17%	3,714	0.09%
Vietnamese	5,093	0.12%	3,033	0.07%
Tagalog (incl. Filipino)	4,570	0.11%	1,381	0.03%
Other Asian and Pacific Island	16,622	0.40%	7,829	0.19%
Arabic	8,096	0.19%	3,234	0.08%
Other and Unspecified Languages	13,555	0.33%	6,590	0.16%

Appendix B

2018 American Community Survey 5-Year Estimates

C16001: 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.

Locality	Total Population	Speaks English ONLY	Spanish		Indo-European		Asian/Pacific Islands		Other	
			Speaks	Limited English	Speaks	Limited English	Speaks	Limited English	Speaks	Limited English
Kentucky	4,165,764	3,937,646	111,393	49,483	58,309	17,781	36,765	17,454	21,651	9,824
Adair	18,233	17,891	229	33	49	7	28	19	36	9
Allen	19,412	18,423	149	101	812	216	28	6	0	0
Anderson	20,822	20,407	232	55	127	53	56	18	0	0
Ballard	7,666	7,391	61	0	180	0	34	7	0	0
Barren	40,901	39,141	917	116	688	197	155	66	0	0
Bath	11,457	10,960	228	52	218	132	51	4	0	0
Bell	25,520	25,271	123	64	126	81	0	0	0	0
Boone	120,473	111,550	3,569	1,757	2,347	843	1,792	716	1,215	435
Bourbon	18,917	17,622	1,126	722	80	16	89	89	0	0
Boyd	45,299	44,545	403	108	230	49	89	52	32	0
Boyle	28,385	27,385	534	255	76	26	219	108	171	93
Bracken	7,757	7,570	152	33	28	0	7	0	0	0
Breathitt	12,296	12,171	98	15	6	0	6	0	15	0
Breckinridge	18,916	18,225	216	89	452	96	23	10	0	0
Bullitt	75,259	73,529	1,054	305	411	144	176	81	89	73
Butler	11,988	11,390	319	229	190	122	8	0	81	53
Caldwell	12,032	11,916	29	0	84	29	3	0	0	0
Calloway	36,785	34,885	698	288	221	58	483	208	498	276
Campbell	86,865	83,711	1,522	308	957	67	482	160	193	72
Carlisle	4,557	4,489	27	5	23	6	18	0	0	0
Carroll	9,938	9,386	446	202	69	10	37	20	0	0
Carter	25,633	25,427	123	36	57	0	5	5	21	17
Casey	14,858	14,308	244	93	300	148	2	0	4	4
Christian	65,436	59,528	3,219	679	1,741	406	675	314	273	41
Clark	33,686	32,645	795	582	183	52	63	56	0	0
Clay	19,393	19,016	332	99	19	0	0	0	26	5
Clinton	9,515	9,225	208	88	69	21	13	13	0	0
Crittenden	8,596	8,018	102	22	476	289	0	0	0	0
Cumberland	6,293	6,127	44	0	122	0	0	0	0	0
Daviess	93,192	89,290	2,297	1,067	694	145	702	514	209	84
Edmonson	11,574	11,376	44	0	91	10	35	35	28	0
Elliott	7,171	7,031	53	6	45	23	0	0	42	9
Estill	13,563	13,513	45	2	0	0	0	0	5	0
Fayette	299,060	260,354	18,821	8,883	7,819	2,071	7,466	3,942	4,600	2,097
Fleming	13,459	12,829	144	64	452	141	11	0	23	0
Floyd	34,700	34,403	78	23	44	36	115	22	60	27
Franklin	47,512	44,835	1,259	621	686	199	384	101	348	52
Fulton	5,801	5,688	22	17	47	20	9	4	35	11
Gallatin	8,173	7,818	339	198	0	0	13	6	3	3
Garrard	16,365	16,020	294	57	41	0	10	10	0	0
Grant	23,087	22,490	517	23	70	34	1	0	9	0

Locality	Total Population	Speaks English ONLY		Spanish		Indo-European		Asian/Pacific Islands		Other	
		Speaks	English ONLY	Speaks	Limited English	Speaks	Limited English	Speaks	Limited English	Speaks	Limited English
Graves	34,785	32,757	3.03%	1,561	1,055	252	33	107	64	108	48
Grayson	24,566	24,100	0.56%	251	137	198	40	17	0	0	0
Green	10,417	10,198	0.32%	95	33	83	0	41	32	0	0
Greenup	33,860	33,459	0.17%	227	58	83	5	68	0	23	0
Hancock	8,150	7,848	0.88%	129	72	121	4	52	12	0	0
Hardin	100,838	94,126	0.79%	3,077	794	1,958	340	1,496	728	181	15
Harlan	25,380	24,865	0.26%	244	65	137	25	116	49	18	0
Harrison	17,661	17,180	0.18%	218	32	245	64	18	15	0	0
Hart	17,341	15,992	0.15%	89	26	1,173	376	63	38	24	0
Henderson	43,343	42,352	0.69%	668	297	190	24	118	52	15	14
Henry	14,885	14,463	0.89%	300	133	95	10	8	5	19	19
Hickman	4,342	4,283	0.23%	14	10	7	0	15	15	23	0
Hopkins	42,949	42,189	0.14%	449	58	123	0	155	41	33	0
Jackson	12,532	12,427	0.30%	66	38	20	0	19	0	0	0
Jefferson	718,284	651,997	2.15%	29,262	15,462	16,804	6,439	10,838	4,616	9,383	4,799
Jessamine	48,985	46,234	1.59%	1,202	780	919	380	396	232	234	100
Johnson	21,479	21,007	0.09%	133	19	150	0	189	138	0	0
Kenton	153,559	146,928	1.18%	3,651	1,806	1,617	446	1,113	490	250	71
Knot	14,674	14,534	0.30%	81	44	40	2	5	5	14	6
Knox	29,465	29,229	0.08%	47	23	118	46	70	43	1	0
Larue	13,417	12,948	1.19%	361	160	90	0	18	0	0	0
Laurel	56,543	56,045	0.11%	336	62	99	21	42	20	21	0
Lawrence	14,772	14,496	0.07%	56	10	29	16	98	54	93	47
Lee	6,395	6,306	0.00%	64	0	17	7	8	8	0	0
Leslie	9,862	9,791	0.00%	20	0	37	0	14	4	0	0
Letcher	21,347	21,065	0.41%	185	87	71	15	26	22	0	0
Lewis	12,739	12,484	0.06%	100	8	130	14	25	14	0	0
Lincoln	22,832	22,201	0.41%	179	94	445	206	3	3	4	0
Livingston	8,699	8,536	0.13%	130	11	33	26	0	0	0	0
Logan	25,134	24,496	0.51%	322	127	262	17	52	35	2	0
Lyon	7,914	7,613	0.67%	178	53	71	15	9	8	43	17
McCracken	61,252	59,470	0.48%	946	293	388	154	342	143	106	76
McCreary	16,579	16,000	0.89%	334	147	182	14	21	21	42	18
McLean	8,801	8,723	0.28%	72	25	0	0	6	0	0	0
Madison	84,564	80,872	0.57%	1,844	484	733	172	661	180	454	190
Magoffin	11,894	11,886	0.00%	4	0	4	0	0	0	0	0
Marion	18,089	17,565	1.01%	395	182	80	39	49	16	0	0
Marshall	29,527	29,090	0.17%	269	50	32	0	136	100	0	0
Martin	11,333	11,066	0.33%	203	37	55	10	0	0	9	0
Mason	16,113	15,305	1.26%	414	203	246	20	148	84	0	0
Meade	26,873	26,180	0.27%	382	73	190	13	121	24	0	0
Menifee	6,050	6,017	0.00%	22	0	3	0	8	0	0	0

Locality	Total Population	Speaks English ONLY	Spanish		Indo-European		Asian/Pacific Islands		Other	
			Speaks	Limited English	Speaks	Limited English	Speaks	Limited English	Speaks	Limited English
Mercer	20,260	19,396	529	215	248	8	78	10	9	0
Metcalfe	9,386	9,148	66	6	140	34	32	26	0	0
Monroe	9,989	9,558	318	112	102	16	0	0	11	0
Montgomery	25,952	25,494	356	146	91	15	11	0	0	0
Morgan	12,657	12,342	121	0	86	0	87	17	21	0
Muhlenberg	29,451	28,615	565	87	120	1	148	57	3	0
Nelson	42,491	41,688	517	205	100	2	169	51	17	0
Nicholas	6,641	6,310	57	0	274	93	0	0	0	0
Ohio	22,678	22,212	407	257	9	7	48	40	2	0
Oldham	62,125	59,456	1,474	529	718	88	377	29	100	47
Owen	10,205	10,090	65	14	26	0	24	21	0	0
Owsley	4,195	4,164	31	0	0	0	0	0	0	0
Pendleton	13,682	13,386	220	8	55	0	8	8	13	13
Perry	25,192	24,563	245	70	67	17	317	164	0	0
Pike	57,190	56,489	161	28	336	75	194	85	10	0
Powell	11,529	11,393	68	60	20	0	20	10	28	0
Pulaski	60,505	58,940	934	154	285	67	346	215	0	0
Robertson	2,042	2,015	3	0	24	1	0	0	0	0
Rockcastle	15,931	15,774	114	22	25	0	0	0	18	0
Rowan	23,180	21,929	601	210	340	11	158	71	152	0
Russell	16,689	16,169	332	241	124	72	50	20	14	0
Scott	49,987	47,618	1,670	907	326	82	340	133	33	2
Shelby	43,633	39,429	3,424	1,728	543	18	206	104	31	25
Simpson	16,859	16,469	146	91	122	74	111	105	11	0
Spencer	17,262	16,866	267	118	101	0	28	0	0	0
Taylor	23,727	23,269	179	44	165	84	102	69	12	4
Todd	11,463	10,185	353	272	925	239	0	0	0	0
Trigg	13,518	12,629	381	39	498	156	10	0	0	0
Trimble	8,179	7,993	178	64	2	0	6	0	0	0
Union	14,025	13,667	141	51	105	50	39	8	73	49
Warren	118,345	104,390	4,723	2,274	3,672	1,561	3,628	2,223	1,932	902
Washington	11,330	10,770	376	172	167	82	17	17	0	0
Wayne	19,509	19,144	190	53	148	25	27	0	0	0
Webster	12,390	11,627	598	230	161	52	4	4	0	0
Whitley	33,398	32,746	287	36	217	107	104	5	44	0
Wolfe	6,782	6,687	81	0	0	0	14	11	0	0
Woodford	24,618	22,904	1,523	695	107	4	83	54	1	1

Appendix C

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

- Catholic Charities of Louisville
 - Main Office
 - 2911 S Fourth St., Louisville
 - (502) 637-9786
 - Migration and Refugee Services
 - 2220 W. Market St., Louisville
 - (502) 636-9263
 - Sister Visitor Center
 - 2235 W. Market St., Louisville
 - (502) 776-0155
 - languages@archlou.org
 - <https://cclou.org/language-services/>
- The International Center of Kentucky
 - Bowling Green – (270) 781-8336
 - Owensboro – (270) 683-3423
 - icofky@outlook.com
 - <http://icofky.org/>
- Central Kentucky Interpreter Referral
 - Lexington, Richmond, and Eastern Counties – (859) 236-9248
 - Danville, and All Other Counties – (859) 236-9888
 - easytoreserve@ckira.org
 - <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