

**Kentucky Department for Local Government
Office of Federal Grants
Language Access Plan (LAP)
for persons with Limited English Proficiency (LEP)
January 2014**

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

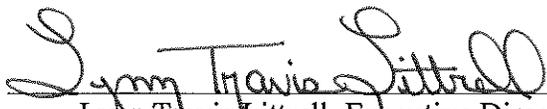
The Kentucky Department for Local Government Office of Federal Grant LAP is available to the public on our website at www.dlg.ky.gov. This information is available in a form accessible to persons with disabilities, and others, upon written request to: Office of Federal Grants, Department for Local Government,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

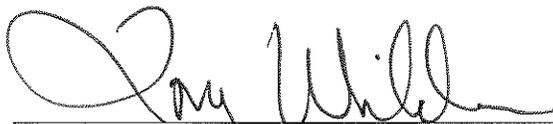
At any time, citizens may submit complaints related to the DLG LAP by writing the Office of Federal Grants, Department for Local Government, 1024 Capital Center Drive, Suite 340, Frankfort, Kentucky, 40601.

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



Lynn Travis Littrell, Executive Director
Office of Federal Grants
Kentucky Department for Local Government

1-1-14
Date



Tony Wilder, Commissioner
Kentucky Department for Local Government

1-1-14
Date

Appendix A

2011 American Community Survey, 1-Year Estimates – Kentucky – 11/14/2013

Subject	Total Population	Percent of Population	Speaks English Less Than “Very Well”	Speaks English Less Than “Very Well”
Speaks only English	3,885,279	95.1%	(# Population)	(% Population)
Speaks a language other than English	199,559	4.9%	84,369	2.1%
Spanish or Spanish Creole	102,950	2.5%	48,572	2.5%
Other Indo-European languages	50,550	1.2%	14,966	1.2%
Asian and Pacific Island languages	32,075	0.8%	15,521	0.4%
Other languages	13,984	0.3%	5,310	0.1%

Appendix B

2007-2011 American Community Survey 5-Year Estimates

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	17,507	199 1.1%	263 1.5%	36 0.2%	82 0.5%
Allen	18,542	366 2.0%	389 2.1%	56 0.3%	0 0.0%
Anderson	19,927	393 2.0%	199 1.0%	42 0.2%	0 0.0%
Ballard	7,759	95 1.2%	54 0.7%	21 0.3%	0 0.0%
Barren	39,253	758 1.9%	628 1.6%	90 0.2%	0 0.0%
Bath	10,773	172 1.6%	65 0.6%	2 0.0%	0 0.0%
Bell	27,041	254 0.9%	54 0.2%	10 0.0%	0 0.0%
Boone	108,287	2,690 2.5%	1,516 1.4%	1,650 1.5%	663 0.6%
<i>Bourbon</i>	18,753	<i>1,038</i> <i>5.5%</i>	75 0.4%	61 0.3%	0 0.0%
Boyd	46,469	590 1.3%	325 0.7%	77 0.2%	53 0.1%
Boyle	26,754	819 3.1%	241 0.9%	153 0.6%	78 0.3%
Bracken	7,890	173 2.2%	32 0.4%	0 0.0%	0 0.0%

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	13,217	126 1.0%	26 0.2%	19 0.1%	19 0.1%
Breckinridge	18,802	194 1.0%	263 1.4%	15 0.1%	0 0.0%
Bullitt	68,984	730 1.1%	207 0.3%	277 0.4%	35 0.1%
Butler	11,965	204 1.7%	12 0.1%	0 0.0%	15 0.1%
Caldwell	12,135	168 1.4%	12 0.1%	44 0.4%	0 0.0%
Calloway	35,095	760 2.2%	386 1.1%	759 2.2%	82 0.2%
Campbell	84,046	1,340 1.6%	840 1.0%	304 0.4%	337 0.4%
Carlisle	4,772	49 1.0%	10 0.2%	0 0.0%	0 0.0%
Carroll	10,070	623 6.2%	131 1.3%	31 0.3%	0 0.0%
Carter	26,074	97 0.4%	52 0.2%	15 0.1%	4 0.0%
Casey	14,842	254 1.7%	327 2.2%	0 0.0%	0 0.0%
Christian	66,353	2,456 3.7%	1,592 2.4%	570 0.9%	154 0.2%
Clark	33,251	827 2.5%	133 0.4%	96 0.3%	10 0.0%
Clay	20,644	334 1.6%	21 0.1%	54 0.3%	31 0.2%
Clinton	9,562	83 0.9%	57 0.6%	0 0.0%	0 0.0%
Crittenden	8,717	140 1.6%	567 6.5%	12 0.1%	0 0.0%
Cumberland	6,479	47 0.7%	84 1.3%	0 0.0%	0 0.0%
Daviess	89,494	1,658 1.9%	626 0.7%	165 0.2%	154 0.2%
Edmonson	11,421	185 1.6%	69 0.6%	18 0.2%	14 0.1%
Elliott	7,160	172 2.4%	50 0.7%	0 0.0%	8 0.1%
Estill	13,851	212 1.5%	42 0.3%	16 0.1%	0 0.0%
Fayette	273,590	16,307 6.0%	6,566 2.4%	6,067 2.2%	1,460 0.5%

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
Fleming	13,472	123 0.9%	498 3.7%	0 0.0%	0 0.0%
Floyd	37,177	142 0.4%	112 0.3%	35 0.1%	9 0.0%
Franklin	46,182	1,548 3.4%	185 0.4%	440 1.0%	47 0.1%
Fulton	6,436	191 3.0%	64 1.0%	4 0.1%	0 0.0%
Gallatin	7,936	322 4.1%	63 0.8%	0 0.0%	13 0.2%
Garrard	15,905	220 1.4%	64 0.4%	8 0.1%	0 0.0%
Grant	22,823	496 2.2%	160 0.7%	47 0.2%	0 0.0%
Graves	34,607	1,730 5.0%	519 1.5%	15 0.0%	127 0.4%
Grayson	23,977	149 0.6%	48 0.2%	0 0.0%	0 0.0%
Green	10,689	75 0.7%	64 0.6%	18 0.2%	0 0.0%
Greenup	34,847	237 0.7%	244 0.7%	87 0.2%	44 0.1%
Hancock	8,001	121 1.5%	8 0.1%	0 0.0%	0 0.0%
Hardin	95,327	2,282 2.4%	2002 2.1%	1,559 1.6%	107 0.1%
Harlan	27,580	301 1.1%	138 0.5%	0 0.0%	2 0.0%
Harrison	17,706	273 1.5%	159 0.9%	0 0.0%	39 0.2%
Hart	17,103	228 1.3%	855 5.0%	17 0.1%	38 0.2%
Henderson	43,033	682 1.6%	430 1.0%	24 0.1%	54 0.1%
Henry	14,555	376 2.6%	58 0.4%	8 0.1%	0 0.0%
Hickman	4,653	36 0.8%	0 0.0%	2 0.0%	0 0.0%
Hopkins	43,872	758 1.7%	263 0.6%	183 0.4%	53 0.1%
Jackson	12,707	31 0.2%	0 0.0%	23 0.2%	0 0.0%
Jefferson	687,589	24,369 3.5%	13,064 1.9%	10,813 1.6%	4,978 0.7%

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
Jessamine	44,597	979 2.2%	446 1.0%	212 0.5%	259 0.6%
Johnson	21,863	87 0.4%	0 0.0%	78 0.4%	0 0.0%
Kenton	147,477	3,515 2.4%	1,475 1.0%	725 0.5%	424 0.3%
Knott	15,535	69 0.4%	93 0.6%	31 0.2%	0 0.0%
Knox	29,648	143 0.5%	59 0.2%	53 0.2%	75 0.3%
Larue	13,413	380 2.8%	94 0.7%	0 0.0%	33 0.2%
Laurel	54,648	595 1.1%	383 0.7%	78 0.1%	0 0.0%
Lawrence	14,770	238 1.6%	0 0.0%	48 0.3%	0 0.0%
Lee	7,497	76 1.0%	30 0.4%	3 0.0%	1 0.0%
Leslie	10,685	28 0.3%	0 0.0%	0 0.0%	0 0.0%
Letcher	22,929	156 0.7%	46 0.2%	39 0.2%	0 0.0%
Lewis	13,070	151 1.2%	235 1.8%	23 0.2%	0 0.0%
Lincoln	23,112	88 0.4%	92 0.4%	14 0.1%	0 0.0%
Livingston	8,997	90 1.0%	18 0.2%	31 0.3%	0 0.0%
Logan	25,077	512 2.0%	326 1.3%	1 0.0%	111 0.4%
Lyon	8,040	106 1.3%	145 1.8%	0 0.0%	4 0.0%
McCracken	61,562	1,232 2.0%	431 0.7%	248 0.4%	61 0.1%
McCreary	17,050	273 1.6%	51 0.3%	33 0.2%	16 0.1%
McLean	9,026	81 0.9%	9 0.1%	0 0.0%	0 0.0%
Madison	77,358	1,534 2.0%	542 0.7%	476 0.6%	53 0.1%
Magoffin	12,485	68 0.5%	12 0.1%	0 0.0%	0 0.0%
Marion	18,456	434 2.4%	74 0.4%	122 0.7%	10 0.1%

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
Marshall	29,705	207 0.7%	178 0.6%	22 0.1%	0 0.0%
Martin	12,229	305 2.5%	0 0.0%	8 0.1%	43 0.4%
Mason	16,228	313 1.9%	308 1.9%	3 0.0%	0 0.0%
Meade	26,883	474 1.8%	188 0.7%	121 0.5%	43 0.2%
Menifee	6,122	77 1.3%	6 0.1%	25 0.4%	0 0.0%
Mercer	19,860	168 0.8%	79 0.4%	26 0.1%	0 0.0%
Metcalfe	9,484	91 1.0%	38 0.4%	36 0.4%	0 0.0%
Monroe	10,427	228 2.2%	42 0.4%	0 0.0%	0 0.0%
Montgomery	24,450	375 1.5%	98 0.4%	14 0.1%	0 0.0%
Morgan	13,259	263 2.0%	93 0.7%	0 0.0%	0 0.0%
Muhlenberg	29,722	347 1.2%	119 0.4%	33 0.1%	8 0.0%
Nelson	40,002	732 1.8%	240 0.6%	147 0.4%	6 0.0%
Nicholas	6,664	56 0.8%	187 2.8%	14 0.2%	20 0.3%
Ohio	22,216	263 1.2%	111 0.5%	23 0.1%	17 0.1%
Oldham	56,255	1,813 3.2%	731 1.3%	286 0.5%	190 0.3%
Owen	10,215	157 1.5%	10 0.1%	11 0.1%	0 0.0%
Owsley	4,538	2 0.0%	0 0.0%	0 0.0%	2 0.0%
Pendleton	13,904	53 0.4%	111 0.8%	0 0.0%	0 0.0%
Perry	27,056	87 0.3%	216 0.8%	20 0.1%	8 0.0%
Pike	61,319	538 0.9%	245 0.4%	141 0.2%	0 0.0%
Powell	11,858	75 0.6%	47 0.4%	10 0.1%	0 0.0%
Pulaski	58,908	747 1.3%	295 0.5%	128 0.2%	4 0.0%

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
Robertson	2,028	0 0.0%	0 0.0%	0 0.0%	0 0.0%
Rockcastle	16,137	44 0.3%	16 0.1%	4 0.0%	0 0.0%
Rowan	21,868	379 1.7%	175 0.8%	160 0.7%	79 0.4%
Russell	16,534	211 1.3%	66 0.4%	0 0.0%	0 0.0%
Scott	42,678	1,139 2.7%	384 0.9%	288 0.7%	0 0.0%
Shelby	38,831	2,610 6.7%	194 0.5%	173 0.4%	119 0.3%
Simpson	16,253	102 0.6%	341 2.1%	44 0.3%	0 0.0%
Spencer	15,811	88 0.6%	47 0.3%	14 0.1%	20 0.1%
Taylor	22,936	260 1.1%	711 3.1%	158 0.7%	9 0.0%
Todd	11,351	266 2.3%	658 5.8%	8 0.1%	0 0.0%
Trigg	13,434	38 0.3%	376 2.8%	0 0.0%	10 0.1%
Trimble	8,324	205 2.5%	50 0.6%	9 0.1%	25 0.3%
Union	14,103	233 1.7%	113 0.8%	56 0.4%	45 0.3%
Warren	104,696	4,211 4.0%	3,036 2.9%	2,101 2.0%	515 0.5%
Washington	11,022	341 3.1%	22 0.2%	19 0.2%	48 0.4%
Wayne	19,633	385 2.0%	20 0.1%	0 0.0%	0 0.0%
Webster	12,848	470 3.7%	116 0.9%	13 0.1%	14 0.1%
Whitley	33,713	253 0.8%	270 0.8%	37 0.1%	14 0.0%
Wolfe	6,825	8 0.1%	0 0.0%	10 0.1%	0 0.0%
Woodford	23,231	1,327 5.7%	558 2.4%	51 0.2%	0 0.0%

Appendix C

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

- Catholic Charities - Louisville, KY 502-636-9263
- The International Center – Bowling Green, KY 270-781-8336
- Language Service Associates - eMARS
- www.languageline.com 1-877-886-3885

Additional local translators and interpreters can be found at Kentucky's Finance and Administration Cabinet's Office of Procurement Services (OPS) at www.eprocurement.ky.gov/translators.

Written translation of HUD documents can be found at:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep

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