

**Kentucky Department for Local Government  
Office of Federal Grants  
Language Access Plan (LAP)  
for persons with Limited English Proficiency (LEP)  
June 2019**

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](http://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, 3<sup>rd</sup> 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, 3<sup>rd</sup> Floor, 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.



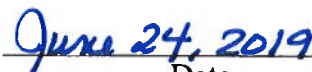
Amy C. Barnes, Executive Director  
Office of State and Federal Grants  
Kentucky Department for Local Government



Date



Sandra K. Dunahoo, Commissioner  
Kentucky Department for Local Government



Date

## **Appendix A**

Kentucky – American Community Survey 2017 5-Year Estimates (S1601)

<b>Subject</b>	<b>Population</b>	<b>Percent of Population</b>	<b>Speaks English Less Than “Very Well”</b>	<b>Speaks English Less Than “Very Well”</b>
Total Population	4,150,236	100.0%	(# Population)	(% Population)
Speaks only English	3,929,849	94.83%	(# Population)	(% Population)
Speaks a Language Other than English	220,387	5.31%	91,813	2.21%
Spanish or Spanish Creole	107,735	2.60%	48,214	1.16%
Other Indo-European languages	57,126	1.38%	17,552	0.42%
Asian and Pacific Island languages	34,902	0.84%	16,523	0.40%
Other Languages	20,624	0.50%	9,524	0.23%

## **Appendix B**

### 2017 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 Name	County Population	Language Spoken by Persons with Limited English Proficiency			
		Spanish or Spanish Creole	Indo-European	Asian and Pacific Islands	Other Languages
Adair	18,282	57	9	12	7
		0.31%	0.05%	0.07%	0.04%
Allen	19,384	193	300	0	0
		1.00%	1.55%	0.00%	0.00%
Anderson	20,650	51	50	0	4
		0.25%	0.24%	0.00%	0.02%
Ballard	7,731	0	190	1	0
		0.00%	2.46%	0.01%	0.00%
Barren	40,656	231	244	72	0
		0.57%	0.60%	0.18%	0.00%
Bath	11,370	64	52	7	0
		0.56%	0.46%	0.06%	0.00%
Bell	25,815	69	83	0	0
		0.27%	0.32%	0.00%	0.00%
Boone	119,057	1,560	802	957	263
		1.31%	0.67%	0.80%	0.22%
Bourbon	18,825	717	8	66	0
		3.81%	0.04%	0.35%	0.00%
Boyd	45,673	113	50	17	0
		0.25%	0.11%	0.04%	0.00%
Boyle	28,222	341	27	95	76
		1.21%	0.10%	0.34%	0.27%

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	7,781	26	0	0	0
		0.33%	0.00%	0.00%	0.00%
Breathitt	12,464	36	0	0	0
		0.29%	0.00%	0.00%	0.00%
Breckinridge	18,888	91	168	0	0
		0.48%	0.89%	0.00%	0.00%
Bullitt	74,476	336	142	120	29
		0.45%	0.19%	0.16%	0.04%
Butler	11,988	263	99	0	0
		2.19%	0.83%	0.00%	0.00%
Caldwell	12,084	0	0	0	0
		0.00%	0.00%	0.00%	0.00%
Calloway	36,651	327	61	221	216
		0.89%	0.17%	0.60%	0.59%
Campbell	86,457	363	102	64	76
		0.42%	0.12%	0.07%	0.09%
Carlisle	4,559	6	4	0	0
		0.13%	0.09%	0.00%	0.00%
Carroll	9,871	267	17	12	6
		2.70%	0.17%	0.12%	0.06%
Carter	25,712	37	14	4	54
		0.14%	0.05%	0.02%	0.21%
Casey	14,859	78	114	15	0
		0.52%	0.77%	0.10%	0.00%
Christian	65,617	504	243	490	26
		0.77%	0.37%	0.75%	0.04%
Clark	33,558	425	39	57	0
		1.27%	0.12%	0.17%	0.00%
Clay	19,610	134	0	0	5
		0.68%	0.00%	0.00%	0.03%
Clinton	9,571	94	18	12	0
		0.98%	0.19%	0.13%	0.00%
Crittenden	8,644	43	302	0	0
		0.50%	3.49%	0.00%	0.00%
Cumberland	6,332	0	0	0	0
		0.00%	0.00%	0.00%	0.00%
Daviess	92,556	1,015	130	505	90
		1.10%	0.14%	0.55%	0.10%
Edmonson	11,527	0	11	35	0
		0.00%	0.10%	0.30%	0.00%
Elliott	7,181	14	13	0	14
		0.19%	0.18%	0.00%	0.19%



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	13,611	2	0	0	0
		0.01%	0.00%	0.00%	0.00%
Fayette	295,480	8,772	2,207	3,801	1,953
		2.97%	0.75%	1.29%	0.66%
Fleming	13,477	48	125	0	0
		0.36%	0.93%	0.00%	0.00%
Floyd	35,094	27	59	15	0
		0.08%	0.17%	0.04%	0.00%
Franklin	47,508	658	233	29	20
		1.39%	0.49%	0.06%	0.04%
Fulton	5,881	21	11	5	0
		0.36%	0.19%	0.09%	0.00%
Gallatin	8,105	219	0	12	4
		2.70%	0.00%	0.15%	0.05%
Garrard	16,276	79	13	8	0
		0.49%	0.08%	0.05%	0.00%
Grant	23,026	203	50	0	0
		0.88%	0.22%	0.00%	0.00%
Graves	34,742	1,069	32	53	24
		3.08%	0.09%	0.15%	0.07%
Grayson	24,516	45	30	0	0
		0.18%	0.12%	0.00%	0.00%
Green	10,481	55	9	11	0
		0.52%	0.09%	0.10%	0.00%
Greenup	34,068	88	5	0	0
		0.26%	0.01%	0.00%	0.00%
Hancock	8,143	71	4	4	0
		0.87%	0.05%	0.05%	0.00%
Hardin	100,362	801	472	643	14
		0.80%	0.47%	0.64%	0.01%
Harlan	25,744	78	10	13	0
		0.30%	0.04%	0.05%	0.00%
Harrison	17,617	166	71	7	0
		0.94%	0.40%	0.04%	0.00%
Hart	17,286	15	444	36	5
		0.09%	2.57%	0.21%	0.03%
Henderson	43,379	398	29	20	0
		0.92%	0.07%	0.05%	0.00%
Henry	14,747	135	5	4	9
		0.92%	0.03%	0.03%	0.06%
Hickman	4,410	0	1	11	0
		0.00%	0.02%	0.25%	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	43,163	91	0	33	18
		0.21%	0.00%	0.08%	0.04%
Jackson	12,545	37	0	0	0
		0.29%	0.00%	0.00%	0.00%
Jefferson	715,298	13,740	6,359	4,552	4,976
		1.92%	0.89%	0.64%	0.70%
Jessamine	48,248	572	341	183	93
		1.19%	0.71%	0.38%	0.19%
Johnson	21,655	12	0	75	0
		0.06%	0.00%	0.35%	0.00%
Kenton	152,968	1,548	410	530	96
		1.01%	0.27%	0.35%	0.06%
Knott	14,848	44	11	11	6
		0.30%	0.07%	0.07%	0.04%
Knox	29,472	76	28	46	0
		0.26%	0.10%	0.16%	0.00%
Larue	13,379	138	0	0	0
		1.03%	0.00%	0.00%	0.00%
Laurel	56,320	64	26	76	0
		0.11%	0.05%	0.13%	0.00%
Lawrence	14,828	7	0	62	32
		0.05%	0.00%	0.42%	0.22%
Lee	6,375	0	8	6	0
		0.00%	0.13%	0.09%	0.00%
Leslie	10,014	0	0	5	0
		0.00%	0.00%	0.05%	0.00%
Letcher	21,666	63	22	28	0
		0.29%	0.10%	0.13%	0.00%
Lewis	12,805	29	12	15	0
		0.23%	0.09%	0.12%	0.00%
Lincoln	22,834	50	97	2	0
		0.22%	0.42%	0.01%	0.00%
Livingston	8,807	44	37	0	0
		0.50%	0.42%	0.00%	0.00%
Logan	25,149	118	80	24	0
		0.47%	0.32%	0.10%	0.00%
Lyon	8,004	80	13	29	9
		1.00%	0.16%	0.36%	0.11%
McCracken	61,319	223	110	180	66
		0.36%	0.18%	0.29%	0.11%
McCreary	16,643	124	0	24	12
		0.75%	0.00%	0.14%	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
McLean	8,834	39	0	40	0
		0.44%	0.00%	0.45%	0.00%
Madison	83,249	536	172	175	148
		0.64%	0.21%	0.21%	0.18%
Magoffin	11,988	0	0	0	0
		0.00%	0.00%	0.00%	0.00%
Marion	18,196	194	45	15	0
		1.07%	0.25%	0.08%	0.00%
Marshall	29,506	46	0	39	0
		0.16%	0.00%	0.13%	0.00%
Martin	11,557	87	8	0	0
		0.75%	0.07%	0.00%	0.00%
Mason	16,104	89	19	62	0
		0.55%	0.12%	0.38%	0.00%
Meade	26,936	92	15	32	0
		0.34%	0.06%	0.12%	0.00%
Menifee	6,032	0	0	0	0
		0.00%	0.00%	0.00%	0.00%
Mercer	20,097	221	8	0	0
		1.10%	0.04%	0.00%	0.00%
Metcalfe	9,351	4	41	8	0
		0.04%	0.44%	0.09%	0.00%
Monroe	9,994	124	6	0	0
		1.24%	0.06%	0.00%	0.00%
Montgomery	25,754	205	10	0	0
		0.80%	0.04%	0.00%	0.00%
Morgan	12,656	0	0	3	0
		0.00%	0.00%	0.02%	0.00%
Muhlenberg	29,586	42	2	26	0
		0.14%	0.01%	0.09%	0.00%
Nelson	42,095	241	3	23	0
		0.57%	0.01%	0.05%	0.00%
Nicholas	6,609	0	92	0	0
		0.00%	1.39%	0.00%	0.00%
Ohio	22,657	369	0	34	0
		1.63%	0.00%	0.15%	0.00%
Oldham	61,439	639	101	34	55
		1.04%	0.16%	0.06%	0.09%
Owen	10,173	11	0	18	0
		0.11%	0.00%	0.18%	0.00%
Owsley	4,155	0	0	0	0
		0.00%	0.00%	0.00%	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	13,732	7	0	9	20
		0.05%	0.00%	0.07%	0.15%
Perry	25,582	93	4	130	0
		0.36%	0.02%	0.51%	0.00%
Pike	58,094	30	21	97	0
		0.05%	0.04%	0.17%	0.00%
Powell	11,549	58	0	21	0
		0.50%	0.00%	0.18%	0.00%
Pulaski	60,260	216	70	185	0
		0.36%	0.12%	0.31%	0.00%
Robertson	2,067	0	2	0	0
		0.00%	0.10%	0.00%	0.00%
Rockcastle	15,911	10	0	0	0
		0.06%	0.00%	0.00%	0.00%
Rowan	23,041	289	13	76	0
		1.25%	0.06%	0.33%	0.00%
Russell	16,627	267	68	19	0
		1.61%	0.41%	0.11%	0.00%
Scott	48,815	888	115	145	1
		1.82%	0.24%	0.30%	0.00%
Shelby	42,829	1,773	12	35	17
		4.14%	0.03%	0.08%	0.04%
Simpson	16,720	80	86	104	0
		0.48%	0.51%	0.62%	0.00%
Spencer	17,052	151	19	12	0
		0.89%	0.11%	0.07%	0.00%
Taylor	23,672	56	83	82	4
		0.24%	0.35%	0.35%	0.02%
Todd	11,454	119	174	7	0
		1.04%	1.52%	0.06%	0.00%
Trigg	13,505	57	219	0	0
		0.42%	1.62%	0.00%	0.00%
Trimble	8,235	6	2	0	0
		0.07%	0.02%	0.00%	0.00%
Union	14,104	46	14	10	51
		0.33%	0.10%	0.07%	0.36%
Warren	115,913	2,417	1,410	1,946	1,044
		2.09%	1.22%	1.68%	0.90%
Washington	11,281	149	116	15	0
		1.32%	1.03%	0.13%	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	19,453	112	0	0	0
		0.58%	0.00%	0.00%	0.00%
Webster	12,381	222	34	3	0
		1.79%	0.27%	0.02%	0.00%
Whitley	33,432	47	97	29	0
		0.14%	0.29%	0.09%	0.00%
Wolfe	6,807	0	0	11	0
		0.00%	0.00%	0.16%	0.00%
Woodford	24,405	717	5	53	1
		2.94%	0.02%	0.22%	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](mailto: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](mailto:icofky@outlook.com)
  - <http://icofky.org/>
- Central Kentucky Interpreter Referral
  - Lexington – (859) 806-1600
  - Danville – (859) 236-9888
  - [easytoreserve@ckira.org](mailto: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](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