

**Cuyahoga Metropolitan Housing Authority**  
**LANGUAGE ASSISTANCE PLAN**

**I. INTRODUCTION**

**A. Federal LEP Guidelines**

The Cuyahoga Metropolitan Housing Authority, “hereinafter CMHA”, will implement this Language Assistance Plan (LAP) for Limited English Proficient (LEP) persons consistent with the federal guidelines issued by the U.S. Department of Housing and Urban Development (HUD)<sup>1</sup>. The purpose of the Plan is to ensure that those with limited proficiency in the English language can effectively participate in and benefit from CMHA’s housing programs. LEP persons are defined as individuals who do not speak English as their primary language and have a limited ability to read, write, speak, or understand English.

CMHA will use the four-factor analysis to determine the level of access needed for LEP persons who speak a particular language. The four factors are: 1) the number proportion of LEP persons eligible to be served or likely to be encountered by the public housing or housing choice voucher programs; 2) the frequency with which LEP persons come into contact with these programs; 3) the nature and importance of these programs, activity, or service provided by these programs to people’s lives; and 4) the resources available to CMHA and costs. Balancing the four factors will result in meaningful access by LEP persons to critical services while not imposing undue burdens on CMHA.

**B. Applicability**

The LAP will be applicable for all CMHA subsidized housing programs.

**C. Population**

CMHA’s public housing program largely serves residents of the City of Cleveland, however the agency as a whole provides housing opportunities for all of Cuyahoga County. Although many language groups are present within CMHA’s service area, HUD provides safe harbor guidance regarding the requirement for written translation obligations. These safe harbors recommend that if there are 1,000 or more individuals’ eligible to be served within the recipients service area that primarily speak a language other than English, translated vital documents should be made available in the individual’s primary language.

**II. LEP ANALYSIS**

**A. Methodology for Determining Eligible Population**

The most recent and applicable U.S. Census Bureau data was chosen and applied to CMHA’s service area to determine the portion of the population within Cuyahoga County that does not speak English as their primary language as well as meets CMHA services eligibility requirements.

Focusing on the population over the age of 5, the 2008-2012 American Community Survey 5-Year Estimates tabulates all foreign languages spoken in a specified location and categorizes the population that speaks these languages by the individual’s ability to speak English “very well” or less than “very well”. Shown in Table 1 (*see page 2*) under the column heading, Ages 5+, are the number of people within each foreign language group that speak English less than “very well” or primarily speak a foreign language. Also, shown in Table 1 is the estimated Poverty Rate for both the City of Cleveland and Cuyahoga County in the year 2012. This percentage was applied to each language group in the column previously described, Ages 5+. The result of applying the percentage of the overall population in poverty in both Cleveland and Cuyahoga County to the portion of each of these locations respective populations that primarily speak a foreign language has been determined to be the estimated number of people that are eligible for the services that CMHA provides. Pairing this data with the recommendations provided by HUD for remaining in compliance with CMHA’s Title VI LEP obligations, only the Spanish language makes up a large enough number of individuals to warrant that vital documents be translated. Since the number of eligible individuals speaking Spanish (Cleveland estimate: 3,484; Cuyahoga County estimate: 2,593) meets HUD’s defined minimum of 1,000 eligible persons within an agency’s service area, Spanish

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<sup>1</sup> See Final Guidance to Federal Financial assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficiency Persons, issued by the U.S. Department of Housing and Urban Development, in 72 Fed. Reg. 2732 (Jan. 22, 2007).

therefore will be the primary focus of CMHA's efforts to accommodate eligible residents who have a limited ability to speak English.

Population Speaking a Foreign Language at Home & English Less Than Very Well						
	City of Cleveland		Cuyahoga County		Total	
	Ages 5+	Eligible Population	Eligible Population	Poverty Rate		
	371,388	127,015	213,048		1,203,660	
<b>Total</b>						
Spanish	10,186	3,484	2,593		14,651	Spanish
Chinese	1,638	560	838		4,734	Chinese
Arabic	750	257	656		3,709	Other Slavic Languages
Other Indo-European Languages	491	168	581		3,280	Other Indo-European Languages
Other Slavic Languages	410	140	555		3,138	Arabic
Polish	353	121	537		3,033	Russian
Serbo-Croatian	312	107	376		2,125	Serbo-Croatian
Vietnamese	288	98	309		1,744	Italian
Mon-Khmer, Cambodian	284	97	281		1,590	Polish
Russian	261	89	216		1,219	German
African Languages	215	74	190		1,071	Other Indic Languages
Italian	191	65	178		1,008	Other Asian Languages
Hungarian	190	65	173		980	Vietnamese
Korean	177	61	144		811	Hungarian
French	166	57	125		708	French
German	159	54	122		691	Korean
Japanese	157	54	107		607	African Languages
Other Asian Languages	122	42	99		559	Tagalog
Other Pacific Island Languages	103	35	98		556	Japanese
Other Indic Languages	79	27	93	17.7%	525	Greek
Hindi	71	24	90		509	Hindi
Urdu	69	24	69		391	Mon-Khmer, Cambodian
Tagalog	61	21	66		373	Gujarati
Laotian	55	19	50		280	Other Pacific Island Languages
Other West Germanic Languages	38	13	48		270	Urdu
Greek	21	7	44		246	Perisan
Armenian	15	5	43		242	Hebrew
Other Native Northern American Languages	14	5	24		137	Thai
Gujarati	13	4	22		126	Armenian
Portuguese	11	4	18		104	Laotian
Thai	11	4	12		68	Yiddish
Scandinavian Languages	8	3	11		63	Other West Germanic Languages
Other & Unspecified Languages	8	3	10		58	Portuguese
Hebrew	7	2	4		20	Other & Unspecified Languages
Perisan	5	2	2		14	Other Native Northern American Languages
Yiddish	5	2	2		11	Scandinavian Languages
Hmong	0	0	0		0	Hmong
Navajo	0	0	0		0	Navajo

Source: U.S. Census 2008-2012 American Community Survey 5-year Estimates

### III. LANGUAGE ASSISTANCE IMPLEMENTATION

#### A. Language Assistance Measures

When CMHA identifies a tenant/participant/applicant, herein after referred to as “client,” who requires LEP services, CMHA will document the client’s file to include this information. CMHA will also provide training for staff members to utilize this file information, so that all later encounters with the client include the appropriate modifications.

Whenever possible, CMHA will use a translated vital document rather than an English-language version for an LEP person. When a full translation is not required by the four-factor analysis, a tagline will be included on the English-language version of vital documents, informing the LEP person of the right to a free interpretation or translation. CMHA will also assume the responsibility of providing an interpreter (in-house or external) for all LEP-identified persons at all scheduled and/or compulsory contacts. Such activities include eligibility interviews, orientation sessions, all hearings, and recertification appointments.

CMHA provides language assistance to LEP persons in the form of:

- Bilingual staff
- Interpreting services
- Translating services
- Written notices to LEP applicants and residents
- Tag lines, indicating the availability of language assistance on vital documents
- Use of language identification or “I Speak” cards
- Availability of an automated Spanish telephone option
- Signs or posters places in common areas and offices informing the public of LEP services
- Referrals to community liaisons proficient in the language of the LEP persons

CMHA reserves the right to modify these services to effectively meet the residents’ needs.

#### B. Vital Documents

A vital document is one that is critical for ensuring meaningful access to CMHA’s major activities and programs by clients generally and LEP persons specifically. Examples of vital CMHA documents include, but are not limited to the following:

- Consent and complaint forms;
- Intake forms with the potential for important consequences;
- Written notices of rights, denial, loss, or decreases in benefits or services, and other hearings;
- Notices of eviction;
- Notices advising LEP persons of free language assistance;
- Notices of public hearings;
- Leases and tenant rules; and/or
- Applications.

Vital documents will include a tagline, in Spanish, that informs clients and prospective clients of their right upon request to a free translation of the document. The tagline will be prominently featured on the first page of the document. All translated documents will bear a tagline, in Spanish and in English, stating that they serve only informational purposes and are not legally binding. Only English-language documents will be legally binding.<sup>2</sup>

#### C. Translation

CMHA hires and utilizes bilingual staff as interpreters. The ability to speak more than one language is and will continue to be an important factor in making staff hiring decisions.

CMHA contracts with a professional translating and interpreting service. This ensures that interpreting services are available when bilingual staff members are not on duty, or when an LEP individual requires service in a language other than what staff interpreters are able to provide.

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<sup>2</sup> HUD-translated sample documents already bear this tagline, and are available at: <http://www.hud.gov/offices/fneo/lep.xml>.

Documents translated by HUD, and available on its web site, will be utilized as needed. Professional translators may also be contracted, to ensure that accurate and clearly understandable information is disseminated to the public (for example, when a waiting list lottery is being conducted).

CMHA provides interpreters free of charge to clients requiring LEP assistance. However, clients are permitted to use, at their own expense, an interpreter of their own choosing (including a family member) in place of or as a supplement to the free services offered by CMHA. Utilizing a family member or friend as an interpreter may violate the individual's right to privacy, and therefore, the decision is left up to the LEP individual.

Language identification or "I speak" cards will be utilized at the reception desk to encourage LEP individuals to self-identify.

Landlords, participants and applicants may receive automated information 24/7 in English and Spanish via CMHA's Interactive Voice Response (IVR) telephone system.

Correspondence received in languages other than English will be referred to management for translation and response. Management will provide assistance in procuring outside resources, if requested.

In-person contacts with clients speaking a language other than English will be referred to one of the bilingual staff for assistance. If the client speaks a language other than Spanish, a request will be made by the staff person to management to utilize the contracted interpreting service.

#### **D. Training**

CMHA will provide training to staff on limited English proficiency, including its definition, sensitivity to limited English proficient families, effectively serving limited English proficient families, what the regulations require with regard to limited English proficiency, and what CMHA's policies and procedures require.

CMHA staff will receive a copy of the Language Assistance Plan, and each department that comes into contact with clients will be trained in implementing the plan. Staff training will include:

- An overview of CMHA's LEP access policies and protocol
- How to use the I-Speak card to identify which language a LEP person speaks
- How to access language services through bilingual staff, remote interpretation services, and local interpreters and translators
- How to work with an interpreter
- How to respond to written communication from LEP persons
- The location of translated documents
- Cultural sensitivity

#### **E. Administration**

CMHA's Language Assistance Plan will be made available via the website at [www.cmha.net](http://www.cmha.net) under the "About Us – Agency Documents" tab. The document will be available in English, however translated copies will be made available upon request.

At least one position in CMHA management will be designated as the Language Access Coordinator. This position will be responsible for implementing the Language Assistance Plan. The Language Access Coordinator's responsibilities include conducting all necessary staff training, securing interpretation and translation services, and serving as the primary contact for all LAP related questions, complaints, and initiatives.

Monitoring and implementation of the plan will be executed by the Managers and Supervisors in their respective departments.

CMHA has access to an important local resource, The Spanish American Committee, which is located in the Ohio City neighborhood of Cleveland. CMHA may seek assistance and advice from the Spanish American Committee, when required, in providing services that meet the need of Hispanic families who are limited English proficient.

## V. LEP GLOSSARY<sup>3</sup>

**Bilingualism:** Bilingualism requires more than proficiency in a second language; it is defined as full fluency in two languages. Being bilingual does not necessarily mean that a person has the ability to interpret or to translate.

**Executive Order 13166:** Signed by President Clinton in 2000, this order directs federal agencies to develop their own LEP access plans in order to comply with Title VI of the Civil Rights Act, which protects against discrimination based on national origin. The order further directs agencies to ensure that recipients of federal funding take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

**Four factor analysis:** In order to determine which LEP access services are required of a recipient of federal funding, an individualized assessment that balances the following four considerations is to be applied to the various contacts a recipient has with the public:

- 1) Number or proportion of LEP persons encountered in the eligible service area
- 2) Frequency with which LEP individuals come in contact with the program
- 3) Nature and importance of the program, activity, or service provided by the program
- 4) Resources available to the recipient and costs to the recipient

**Interpretation:** Interpretation is the immediate communication of meaning from one language (the source language) into another (target language). Being bilingual does not necessarily mean a person has the ability to interpret. An interpreter conveys meaning orally.

**Limited English Proficient:** Persons who, as a result of national origin, do not speak English as their primary language and who have a limited ability to read, write, speak or understand English can be limited English proficient, and may be entitled to language assistance with respect to a particular type of service, benefit, or encounter. A bilingual person is not necessarily LEP, nor is a person born in a different country.

**Meaningful access:** An otherwise-eligible LEP person should have access to critical government benefits and services. These benefits and services should not be inaccessible to LEP persons, who often constitute a large percent of those eligible for government assistance, due only to their difficulties comprehending or communicating in English.

**Reasonable effort:** A recipient of federal funding is required to make a reasonable effort in providing meaningful access to its services for LEP persons, without placing an undue burden on the organization. What this requirement constitutes is determined by conducting a four-factor analysis.

**Translation:** Translation is the replacement of a written text from one language (source language) into an equivalent written text in the target language. The permanent nature of written translations imposes additional responsibility on a recipient of federal funds to ensure that the quality and accuracy permit meaningful access to LEP persons. A translator conveys meaning from written text to written text.

**Vital documents:** Whether or not a document (or information it solicits) is considered “vital” depends upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner. Outreach materials are also vital if they create awareness of rights or services that are critical to a LEP person’s meaningful access. For documents that would be unreasonable to translate, vital information may include the provision of information in appropriate languages other than English regarding where a LEP person may obtain an interpretation or translation of the document.

**www.LEP.gov:** The Federal Interagency Working Group on LEP issues maintains a website that gathers relevant government and non-government documents and resources concerning LEP access, including state and regional translation and interpretation groups.

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<sup>3</sup> Definitions are drawn from HUD Final Guidance, *supra* note 1, and from LEP Frequently Asked Questions, [www.LEP.gov](http://www.LEP.gov).