



Four-Factor Analysis for Limited English Proficiency

Grantees are required to take reasonable steps to ensure meaningful access to HUD assisted programs and resources by people with Limited English Proficiency (LEP). This "reasonableness" standard is intended to be flexible and fact dependent. It is also intended to balance the need to ensure meaningful access by LEP persons to critical services while not imposing undue financial burdens on local governments or small nonprofit organizations.

Grantees are required to conduct an assessment, that considers the following four factors to determine whether a Language Access Plan (LAP) is required and what elements should be included.

FOUR FACTORS

- Factor #1: The number or proportion of LEP persons served or encountered in the eligible service population ("served or encountered" includes those persons who would be served or encountered by the grantee if the persons received adequate education and outreach and the grantee provided sufficient language services)
- Factor #2: The frequency with which LEP persons come into contact with the program
- Factor #3: The nature and importance of the program, activity, or service provided by the program
- Factor #4: The resources available and costs to the recipient.

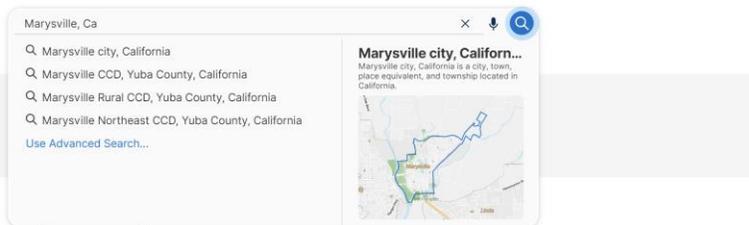
FACTOR #1

To conduct the Factor #1 review, you must access Census data:

1. Go to <https://data.census.gov/> type the name of your jurisdiction and wait for the name to pop up in bold and click on the name. See below for example:

Explore Census Data

Learn about America's People, Places, and Economy



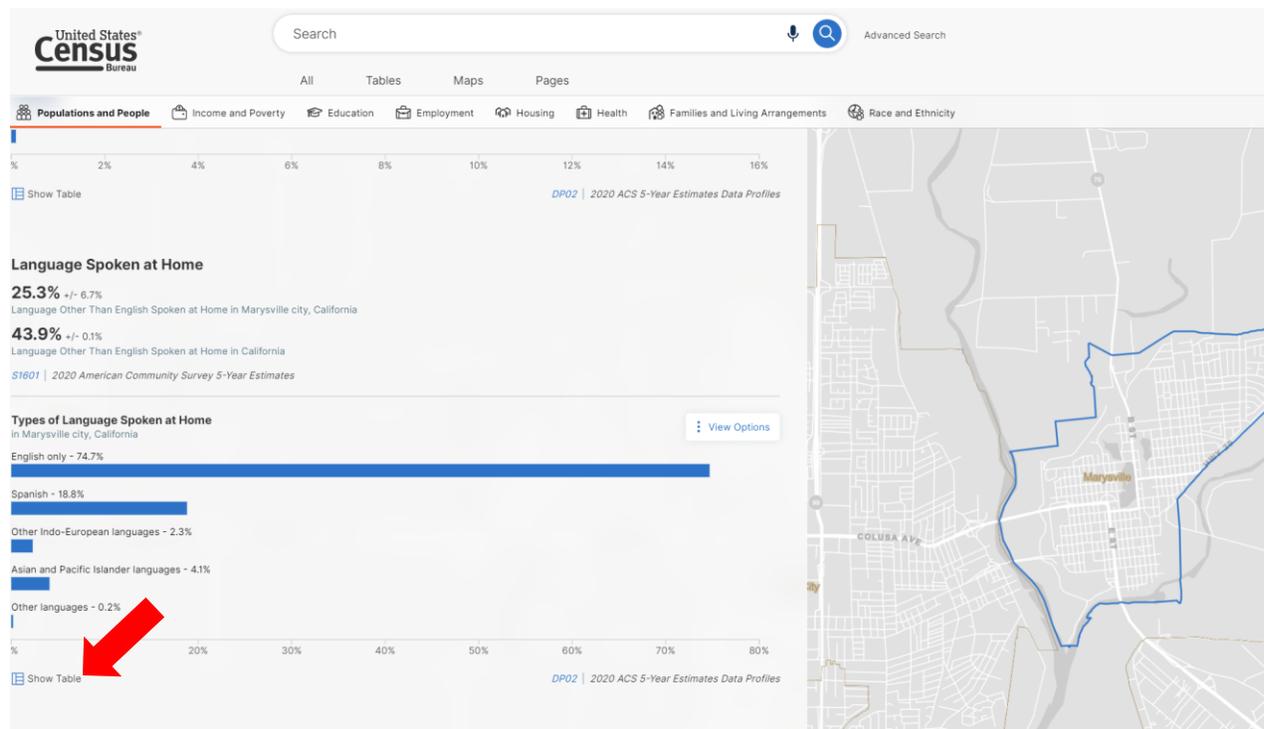
Click on View Profile:



This should take you to a profile that looks like this:



2. Scroll down to the section that reads “Language Spoken at Home” then click on the link to “Show Table”.



Once in the DP02 table, to the left, under the label column, you will see section headers. Scroll down to the “Language Spoken at Home” section.

2748 Results

DP02 | SELECTED SOCIAL CHARACTERISTICS IN THE UNITED STATES

2020: ACS 5-Year Estimates Data Profiles

Label	Estimate	Margin of Error	Percent	Percent Margin of Error
Foreign-born population, excluding population born at sea	1,431	+387	1.431	0.0
Europe	117	+93	8.2%	+6.5
Asia	318	+160	22.2%	+9.0
Africa	9	+17	0.6%	+1.1
Oceania	0	+21	0.0%	+2.8
Latin America	958	+299	66.9%	+10.0
Northern America	29	+44	2.0%	+3.2
LANGUAGE SPOKEN AT HOME				
Population 5 years and over	11,623	+216	11,623	0.0
English only	8,677	+779	74.7%	+6.7
Language other than English	2,946	+784	25.3%	+6.7
Speak English less than "very well"	916	+376	7.9%	+3.2
Spanish	2,183	+755	18.8%	+6.4
Speak English less than "very well"	817	+348	7.0%	+3.0
Other Indo-European languages	267	+150	2.3%	+1.3
Speak English less than "very well"	62	+45	0.5%	+0.4
Asian and Pacific Islander languages	471	+251	4.1%	+2.2
Speak English less than "very well"	21	+35	0.2%	+0.3
Other languages	25	+33	0.2%	+0.3
Speak English less than "very well"	16	+29	0.1%	+0.2
ANCESTRY				



For any language group with a population that speaks English less than “very well” (considered LEP) that is 5% or more of your jurisdiction’s total population or has 1,000 people, a Language Assistance Plan (LAP) will be required.

If the grantee determines it does meet the threshold of the lesser of 1,000 people or 5% LEP persons of one or more languages, then the grantee will be required to complete an LAP. The Grantee will use Factors #2 through #4 to inform the elements of the LAP. If the Grantee determines that it does not meet the minimum threshold for any individual language they must proceed with Factors #2 through #4 to determine if an LAP will be required.

▼ LANGUAGE SPOKEN AT HOME					
▼ Population 5 years and over	11,397	±182	11,397	(X)	
English only	9,221	±523	80.9%	±4.4	
▼ Language other than English	2,176	±502	19.1%	±4.4	
Speak English less than “very well”	717	±301	6.3%	±2.6	
▼ Spanish	1,834	±467	16.1%	±4.1	
Speak English less than “very well”	643	±287	5.6%		←
▼ Other Indo-European languages	211	±121	1.9%	±1.1	
Speak English less than “very well”	36	±28	0.3%	±0.2	←
▼ Asian and Pacific Islander languages	95	±114	0.8%	±1.0	
Speak English less than “very well”	10	±24	0.1%	±0.2	←
▼ Other languages	36	±37	0.3%	±0.3	
Speak English less than “very well”	28	±34	0.2%	±0.3	←

FACTOR #2

If the project offers direct assistance to beneficiaries related to housing and other services, the nature of the activity or service may be significant to the proposed project area residents. Additionally, all public participation activities must be open to the public. Grantees must assess the frequency of resident contact based on their chosen activities.

If the grantee determines that the program or activities provide direct assistance to residents who have LEP, then the residents are likely to have considerable direct contact, and the grantee will move on to developing the LAP and does not need to go through Factors #3 and #4.

FACTOR #3

Determine whether the project will provide critical improvements such as a new community service center or public facility to serve low- and moderate-income people with a significant number of LEP persons or a primary focus on LEP persons. The benefits of such projects have an important impact on LEP residents. If the project is found to have such importance, the grantee will move on to developing the LAP and does not need to go through Factor #4.

FACTOR #4

There are many resources available to grantees to assist LEP persons. Those resources include translation websites, translated documents available from HUD and DOL, and the eligible use of administrative funds from the CDBG program. Grantees should be able to provide language access at a reasonable cost. Grantees should not use cost reasons as the only factor to determine the need for language assistance.



If the grantee determines that none of the factors apply to it and its program, then it does not need to develop an LAP. Grantees should still make reasonable attempts to accommodate language access needs of residents requesting oral translation during public participation and for other materials.

Grantees can also consider training staff and using HUD's "I Speak" cards in their office for LEP persons who walk in. HUD's "I Speak" cards and some translated materials are available at this website: https://www.hud.gov/program_offices/fair_housing_equal_opp/17lep

LANGUAGE ACCESS PLANS

If the grantee must prepare a Language Access Plan (LAP), use the Sample LAP provided in a separate attachment. Additionally, HUD has established certain "safe harbor" guidelines for written materials. That guidance is:

Size of Language Group	Recommended Provision of Written Language Assistance
1,000 or more in the eligible population in the market area or among current beneficiaries	Translate vital documents.
More than 5% of the eligible population or beneficiaries and more than 50 in number	Translate vital documents.
More than 5% of the eligible population or beneficiaries and 50 or less in number	Translate written notice of right to receive free oral interpretation of documents.
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required.