

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Introduction

This Limited English Proficiency (LEP) Plan has been prepared to address the City of Thornton's responsibilities as a recipient of Community Development Block Grant (CDBG) funds, as it relates to the needs of individuals with limited English language skills. The Neighborhood Services (NS) Division is responsible for the administration of the CDBG program and is committed to providing meaningful access to all individuals needing and/or seeking to participate in any of the CDBG funded activities. These activities will assist the City in meeting its goal to provide decent housing, a suitable living environment and expand social and community opportunities for low-and moderate-income persons.

Organizational Structure

The Neighborhood Services Division resides within the City Development Department and is located at 9500 Civic Center Drive in the 1-story annex behind City Hall. The City Development building has two main entrances; one for Planning (this is the one that NS staff use to meet with residents) and one for Building Inspection. Residents wishing to learn more about the CDBG program or resources should go to the Planning front counter. City Development administrative staff are the first point of contact and have been trained in working with potential LEP persons. However, NS staff are ultimately responsible for ensuring the guidelines listed in this document are adhered to.

The City Development Department has made a concerted effort to communicate with residents who do not speak English. In 2011, staff worked directly with the Management Services Department to identify an agency that could provide translation and interpreter services. This contract is currently in place and City Development has already begun to use these services. The Planning and Building Inspection front counters have the U.S. Department of Housing and Urban Development (HUD) "I Speak Card" that can be used to assist staff in identifying which language interpretation is needed. In addition, measures have been taken to provide residents with interpretation services via a three-way phone headset. These are new initiatives in 2012. Additional details are provided below under the Language Assistance Plan section.

Development of the Plan

This plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964 (7 CFR 273 and 42 CFR 435 et seq) which provides that "no person shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits or, or be subjected to discrimination under any program or activity receiving Federal financial assistance". The City has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services and programs funded by CDBG. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available. In order to prepare this document, the City undertook the four-factor LEP analysis which takes into account the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the programs and services provided through CDBG funding.

2. The frequency with which LEP persons come into contact with the CDBG programs and services.
3. The nature and importance of the CDBG programs and services to the person's life.
4. The resources available to City staff and overall costs to provide LEP assistance.

The analysis shows that English is the primary language spoken (78%) for populations over five years old and Spanish is the second most spoken language (15%). Although other languages may meet the minimal safe harbor threshold, Neighborhood Services will evaluate the translation of any vital documents on a case by case basis. At this time, NS has not seen a need for translation or interpretation services into these other languages. However, these needs will be re-evaluated on a yearly basis as indicated below under the Monitoring and Updating the LEP Plan section.

The appendix of this document contains the results of the four-factor analysis and definitions. NS staff will use this document to ensure CDBG activities reach those LEP populations and that they are given the opportunity to receive free language services.

Language Assistance Plan

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to CDBG programs and activities. According to the four-factor analysis, the following top five LEP populations are represented in Thornton: Spanish (15%), Vietnamese (1%), Hmong (1%), German (.5%), and Chinese (.5%). Because Spanish is by far the most spoken language behind English, any translation or interpreter services will be targeted into this language. However, if other language interpretation is needed, NS will make reasonable efforts to provide free language assistance which may include one or more of the following measures:

Direct Foreign Language Communication

Face to face translation by a fluent bilingual City staff member may be provided if necessary. Each year, the City publishes an internal document "City Services and Other Services Directory" which contains a listing of staff members who speak a foreign language. This includes Spanish, Vietnamese, German, Dutch/German. It also lists those staff members who know sign language. These staff members may be available during regular business hours, and if needed, can provide translation services to residents wishing to learn more or participate in CDBG funded activities. In addition, the directory lists the contact information for agencies that provide professional sign language interpreting, services for blind or nearly blind or dyslexic residents and translation/interpreter services.

Formal Interpretation

When necessary, formal interpretation may be provided by qualified interpreters for circumstances that require one-on-one contact, written translation and verbal interpretation services. The City has contracted with "Telelanguage Services" agency for On-Call, As-Needed Spanish Interpreter and Translator Services (Project No. 161-11). The scope of work covers all interpreting and translation services from English to Spanish. It also takes into account the target audience/population, linguistic accuracy and cultural competence. This agency can also provide interpretation in other languages if needed.

As mentioned above, there are two primary points of contact for residents to interact with City Development staff; the Planning and Building Inspection front counters. Both counters have the I-Speak

card, the contact card for Telelanguage Services, and special phones that allow for real time interpretation into any language. If residents require interpretation services, staff can call Telelanguage, state the language that is needed and conduct a three-way call between the resident, the City staff person and a Telelanguage staff person. This method of interpretation can also be extended into the field. For example, if a Code officer is out in a neighborhood and encounters a resident who does not understand English, they can call the Telelanguage number and have immediate interpretation services.

Translation

Thornton has contracted with the Telelanguage Services agency to translate any CDBG related documents and/or resource flyers that may be used by the LEP population. Thornton will weigh the cost and benefits of translating documents for potential LEP groups, considering the expense of translating the documents, the barriers to meaningful translation or interpretation of technical housing related information, the likelihood of frequent changes in documents, the existence of multiple dialects within a single language group, and the apparent literacy rate in a LEP group and other relevant factors.

HUD Translated Forms and Resources

Whenever applicable, NS will utilize translated forms provided by HUD to assist in applicant/client interaction and communication. These can be found at:

- http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep
- <http://www.lep.gov/ISpeakCards2004.pdf>

Additional resources may be available in Spanish through other agencies such as the Civil Rights Division or the Environmental Protection Agency (EPA) and will be used as needed.

Informal Interpretation

Informal interpreters may include family members or friends. However, these informal interpreters, especially children under the age of 18, may not be competent to provide quality and accurate interpretations as there may be issues of confidentiality, competency, or conflict of interest. If the City has offered free interpreter services and the LEP client rejects this service, staff will document the rejection and keep it on file at the City. This is only applicable to CDBG funded activities or services. If an LEP client wants to use his or her own informal interpreter, the City reserves the right to also have a formal interpreter present.

Collaboration with Nonprofits and Housing Agencies

The City works with various nonprofits who provide services for people who may fall under the LEP population. The Center for People with Disabilities North Metro office is located in Thornton. Their mission is to work in partnership with people to obtain and maintain choices for independent living by promoting self-determination, self-respect and equal opportunity. NS has provided this agency with brochures and resource flyers which include some CDBG funded activities. In addition, NS provides many residents with referrals to the Audio Information Network, Colorado's only volunteer-based, broadcast and audio information service for the state's blind, visually impaired and print disabled residents. NS has begun to explore options for reaching these populations through public service announcements to share resource information.



Many of the SubGrantees who receive CDBG funds through the City of Thornton provide services in Spanish. This information is conveyed to residents through their bilingual staff, hosting workshops in Spanish or by having applications or forms in Spanish.

Public Participation and Outreach Efforts

Per the Citizen Participation Plan, the City will take reasonable steps to assist non-English speaking residents in order to facilitate their understanding and participation in discussions that take place at public hearings and community meetings. This includes:

- Residents requesting translators must contact Neighborhood Services at least seven days in advance of the scheduled public hearing or community meeting.
- Legal notices for public meetings state “If you are planning to attend the public meeting and require special assistance, please notify the City’s Human Resources Division at 303-538-7245 at least one day in advance to the meeting. TDD access available through Colorado Relay at 711.”
- Residents may also watch any public hearings live via the City’s Cable 8 TV channel or view the recorded public hearings via the City website (www.cityofthornton.net).

For more information on the services available in Spanish and outreach efforts made to potential LEP populations, please see the Annual Action Plans and Consolidated Annual Performance and Evaluation Reports (CAPER). These documents are available on the City website at www.cityofthornton.net.

Staff Training

Training is a critical component of the LEP. It is imperative that staff understand how to access language services and are comfortable with identifying if a resident falls under the LEP guidelines and how that corresponds to the services that are funded by CDBG. Training for NS staff that administer CDBG funded programs and services include:

1. Information on the City’s Title VI complaint procedures and the LEP plan.
2. Description of interpretive services offered to the public.
3. Documentation of interpretive services requests.
4. Use of interpretative services.
5. How to handle a potential Title VI/LEP complaint.

The City Development administrative staff who are responsible for customer service at the front Planning counter (where Neighborhood Services resides) have also been trained on the options available to residents who may be part of the LEP population and require special assistance.

Monitoring and Updating the LEP Plan

The LEP Plan will be reviewed and updated on a yearly basis. The City reserves the right to update the LEP, without published notice, as needed. Staff will use ACS or Census data, interviews with front counter staff, on-going discussions with nonprofits as well as an evaluation of the services provided by Telelanguage in their yearly review process which may include one or more of the following factors:

- Changes in the LEP population, service area or population affected or encountered
- Changes in the frequency of encounters with LEP language groups
- Changes in the nature and importance of activities to LEP persons



- Changes in resources from new technologies, programs or services
- Effectiveness of outreach efforts and languages provided

Dissemination of the City's LEP Plan

Thornton's LEP Plan and Civil Rights Complaint Procedure are available on the City's web site at www.cityofthornton.net. Any person or agency may request a copy of the Plan via telephone, fax, mail, or in person and shall be provided a copy of the Plan at no cost. This document has been provided to the Community Planning and Development (CPD) and Fair Housing and Equal Opportunity (FHEO) representatives at HUD as well as nonprofits funded through CDBG. LEP individuals may request a copy of the Plan in alternative languages which will be provided, if feasible.

Questions or comments regarding the LEP Plan may be submitted to the:

City of Thornton
Neighborhood Services Division
9500 Civic Center Drive
Thornton, CO 80229
303-538-7600 (phone)
303-538-7518 (fax)
cdbg@cityofthornton.net

**Appendix A
Four Factor Analysis**
1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the programs and services provided through CDBG funding.

The City of Thornton used the most recent census data available from the 2006 – 2010 American Community Survey (ACS) and the 2010 Census to evaluate the number of residents who may fall into the LEP population. In addition, the City also used data that was collected for the Health Impact Assessment (HIA) in 2011.

Staff used the 2006 – 2010 ACS 5-year estimates to determine the potential LEP population in the City of Thornton. The tables below provide the information on these populations.

Table 1. Limited English Proficient Persons in the Local Jurisdiction

	Total Population Over 5 Years Old	Number of Limited English Proficient Persons	Percent of Limited English Proficient Persons
City of Thornton	102,784	22,719	22%

Source: Table B16001: Language spoken at home by ability to speak English for the population 5 years and over.

Table 2. Breakdown of Population 5 Years or Older – Language Spoken at Home

	Speak Only English	Speak English Very Well	Speak English Less than Very Well
City of Thornton	80,065	12,134	10,585

Source: Table S1601 Language spoken at home

Table 3. Population 5 Years or Older By Language That Speak English “Very Well” or “Less than Very Well”

	Spanish	Vietnamese	Hmong	German	Chinese
Language Spoken at Home	15,838	1,226	1,078	534	500

Source: Table B16001: Language spoken at home by ability to speak English for the population 5 years and over.

Summary of ACS Data

- Spanish is the second most spoken language in Thornton followed by Asian and Pacific Island languages.
- 11% of residents reported that they spoke English “very well”, while 10% of residents spoke English “less than very well”.

Summary of 2010 Census Data

According to the 2010 Census, the Hispanic or Latino ethnicity represents approximately 32% of the total population or 37,000 residents. The highest concentration of minority households that lease or

own residential properties continues to be south of 104th Avenue. The 2000 Census reported the Hispanic population count as 17,583 or 21% of the total population at that time.

The City will continue to use CDBG funds in the LMI (low to moderate income) areas which include the southern Thornton revitalization subarea. This area, as defined by the residents, along with the demographic breakdown of a high concentration of minorities, demonstrates the need for projects and services to be concentrated in the southern area of the City. The City has identified strategies for revitalization in the South Thornton Revitalization Subarea (STaR) Plan that was adopted in 2011.

Summary of HIA Data

The Health Impact Assessment was developed to determine potential impacts of the STaR Plan on healthy eating and active living. The study specifically targeted the south area of Thornton which coincides with the locations of low-mod neighborhoods and possible LEP populations served by CDBG funding. During the development of the HIA, there was a strong effort to include Spanish speaking individuals in all aspects of the outreach process from community meetings to focus groups and surveys. The following highlights are directly from the HIA and can be used to help paint a picture of the potential LEP populations that may reside in the south Thornton neighborhoods.

- South Thornton has similar proportions of older adults and children as the whole city of Thornton population. Almost one in five south Thornton households have children. About two in five households include older adults.
- Over half of south Thornton residents identify themselves as Hispanic.
- The median household income in Thornton is \$64,154, which is higher than in Adams County (\$54,951).
- Thornton residents earn more income per household; have lower unemployment rates, and have a lower proportion of people below the poverty line than residents in Adams County,

2. The frequency with which LEP persons come into contact with the CDBG programs and services.

NS staff has infrequent contact with different language groups. LEP individuals are most likely to come into contact with NS through our SubGrantee programs. NS recognizes that LEP individuals need to be aware of public hearings, meetings and notices and how to access programs, applications and workshops. Staff takes a multi-faceted approach in educating LEP residents on these activities. In 2011, NS began the process to provide for translation of documents into Spanish and securing interpretation services. This was accomplished through a contract with Telelanguage which allows for interpretation and translation services into multiple languages. In 2012, NS staff will evaluate what 'vital documents' should be translated into Spanish and will continue to refer Spanish-speaking residents to agencies that provide CDBG funded services and programs for low-income populations. In 2011, NS provided legal notification of the public hearing and comment process for the 2012 Annual Action Plan in English and Spanish via the Northglenn-Thornton Sentinel. NS also works with the Community Services division to share information on resources, programs and services that are available to the Hispanic community. Some of these programs, although not CDBG funded, provide educational and culturally aware opportunities in Spanish.

One of the most popular programs is City's minor home repair program, Help for Homes. This CDBG funded program is administered through Neighborhood Services and provides low income senior or

disabled homeowners with free minor home repairs including but not limited to wheelchair ramps, ADA modifications, installation of grab bars or plumbing/electrical repairs. The application for this program has recently been translated into Spanish and will be made available to residents via the City's website, front counters and will be provided to nonprofits who serve LEP populations. The City contracts with Brothers Redevelopment Incorporated (BRI) to provide the home repairs. This agency is HUD certified counseling agency and employs bilingual staff.

Many of the nonprofits and housing agencies that have been funded through CDBG have Spanish speaking staff, teach free workshops in Spanish for first-time homebuyers and those facing foreclosure, and have forms/applications available in Spanish. This includes Access Housing, Adams County Housing Authority, BRI, Clinica Family Health Services, Community Reach Center (Mountainland Pediatric location), and the Senior Hub.

For more information on LEP related activities, please visit the City's website at www.cityofthornton.net to view the Annual Action Plans and CAPERs under the CDBG and Housing Library.

3. The nature and importance of the CDBG program, activity or service to the person's life.

The City has seen a steady increase in demand for services for the LEP population. This is based upon several factors. Census numbers indicate there is an increase in not only Spanish-speaking individuals but other populations such as seniors that could be considered part of the LEP population. Second, the number of calls and residents assisted through CDBG funded programs or services are documented through the Outcome Performance Reports provided by SubGrantees and NS staff. These services provide for the basic needs of our residents such as homeless prevention, decent and safe affordable housing, and public services continue to increase. Taking someone from homelessness to transitional housing to permanent housing has a direct impact on that individual's life and their family. Through the Help for Homes program, residents provide feedback via a survey or they will send in thank you cards. The following quote is from a Help for Homes applicant, "Thank you for the things that Thornton volunteers and the City of Thornton have done for me. It takes a burden from my mind and lets me keep pride in my home."

NS will continue to evaluate what 'vital documents' should be translated into Spanish and will use the safe harbor thresholds as a guideline for outreach efforts to the LEP populations. The following documents have been identified as vital:

- Notice of public hearings
- Fair housing information
- CDBG funded program or services informational brochures or applications (most are provided by SubGrantees)

Where possible, NS will use HUD (or other) brochures that are currently available in both English and Spanish. These include but are not limited to:

- HUD form 903.1 – Housing Discrimination Information
- HUD - Are you a victim of housing discrimination?
- HUD- Fair Housing Equal Opportunity

- Civil Rights Division – Housing Discrimination, What is it? What can I do about it?
- EPA - The Lead-Safe Certified Guide to Renovate Right

4. The resources available to City staff and overall costs to provide LEP assistance.

The City has assessed its available resources that could be used for providing LEP assistance including determining how much a professional interpreter and translation services would cost on an as needed basis, which documents should be translated, and taking an inventory of available organizations that the City could partner with for outreach and translation efforts. Many of these efforts are already underway and will continue:

- **City Services Directory** – list of City employees that can provide direct foreign language assistance during regular business hours. City staff have the ability to provide interpretation in three of the top five languages identified as ‘most spoken’ in Thornton. Cost is free.
- **Telelanguage** – this agency provides interpretation and translation services to Thornton staff in four of the top five languages identified as ‘most spoken’ in Thornton. Cost for these services are outlined in the contract with Telelanguage. NS will continue to evaluate which ‘vital documents’ should be translated and determine the cost benefit of this translation on a case by case basis.
- **HUD and Other Agency Translated Documents** – see above for examples. Cost is free.
- **SubGrantee Programs and Services** – many of the CDBG funded SubGrantee agencies have staff who speak Spanish, they provide workshops in Spanish, and have forms/information available in Spanish. These costs are usually rolled into the agency’s overall budget and expenses.
- **Nonprofits that Serve Possible LEP Populations** – the City will continue to work with agencies such as Center for People with Disabilities and Audio Information Network (AICN) to provide LEP populations with information on key services. Cost will be determined based upon each agencies parameters.
- **Public Notification** – the City evaluated two choices for publishing legal ads in Spanish. It was determined that the most cost efficient way to do this is through the local newspaper, the Northglenn-Thornton Sentinel. Another bilingual newspaper was evaluated but the cost was estimated at \$700 for one ad whereas average cost in the Sentinel is \$90. Each year, the City posts approximately five legal ads. In addition to the cost to place the ad, translation costs will need to be factored in for each.

**Appendix B
Definitions**

Interpretation – Oral language assistance provided by an interpreter either in-person or via telephone. There are no "safe harbors" for oral interpretation services.

Language Assistance Plan (LAP) – This plan identifies what types of services are available from direct foreign language communication by a fluent bilingual staff member to interpretation or written translation.

Limited English Proficiency (LEP) - LEP persons do not speak English as their primary language and have no ability or are limited in their ability to read, write, speak or understand English. Many LEP persons are in the process of learning English and may read, write, speak and/or understand English, but not proficiently. LEP status may be context-specific. An individual may have sufficient language skills to communicate basic information (name, address) but may not have sufficient skills to communicate detailed information in English.

Safe Harbor – A "safe harbor," in the context of this guidance, means that the recipient has undertaken efforts to comply with respect to the needed translation of vital written materials. If a recipient conducts the four-factor analysis, determines that translated documents are needed by LEP applicants or beneficiaries, adopts an LAP that specifies the translation of vital materials, and makes the necessary translations, then the recipient provides strong evidence, in its records or in reports to the agency providing federal financial assistance, that it has made reasonable efforts to provide written language assistance.

Safe Harbor Thresholds

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.	Translated vital documents.
More than 5% of the eligible population or beneficiaries and more than 50 in number.	Translated vital documents.
More than 5% of the eligible population or beneficiaries and 50 or less in number.	Translated 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 required.

Translation – Written language assistance provided by a translator usually involving the translation of vital documents. Translation can range from the translation of an entire document to the translation of a short description of the document. HUD has adopted a "safe harbor" for translation of written materials.

Vital Documents – Any document that is critical for ensuring meaningful access to the recipients' major activities or programs by beneficiaries generally and LEP persons specifically. Whether or not a document is "vital" may depend on 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.