

Watertown Housing Authority

Language Access Plan

February 2018



## Contents

<b>I. Introduction</b> .....	1
<b>II. Purpose</b> .....	1
<b>III. The Watertown Housing Authority</b> .....	2
<b>IV. Language Access Plan</b> .....	2
<b>1. WHA Language Access Coordinator</b> .....	2
<b>2. Agency Language Access Needs Assessment</b> .....	2
<b>3. Language Service Protocols</b> .....	7
<b>4. Vital Document Translation</b> .....	8
<b>5. Language Resources Assessment</b> .....	9
<b>6. Staff Training</b> .....	12
<b>8. Notice to Public</b> .....	12
<b>9. Agency Monitoring</b> .....	13
<b>10. Complaints</b> .....	13
<b>Exhibit A LEP Statistics</b> .....	14
<b>Exhibit B “I Speak Card” also known as “Language Identification Flashcards”</b> .....	15
<b>Exhibit C Notice of Availability of Language Assistance</b> .....	16
<b>Exhibit D “One Moment Please” in 18 different languages</b> .....	17
<b>Exhibit E Notice for Important Documents</b> .....	18
<b>Exhibit F Notice for Translated Documents</b> .....	19

# Language Access Plan

## **I. Introduction**

The Watertown Housing Authority (WHA) has prepared this Four Factor Analysis and Language Access Plan (LAP) to further assist the agency to ensure meaningful access to individuals with Limited English Proficiency (LEP) in relation to its housing programs. This policy has been prepared taking into consideration both the Department of Housing and Community Development's (DHCD) "LAP Guidance to Program Administering Entities" (DHCD LAP Guidance) issued dated April 2017 and the "U.S. Department of Housing and Urban Development, Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" dated January 22, 2007 (HUD LAP Guidance).

LEP persons are defined by HUD as, "persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write or understand English." LEP persons are defined by DHCD as "someone who is not able to speak, read, write or understand the English language at a level that allows him/her to interact effectively with PHA services, programs, or activities."

## **II. Purpose**

The purpose of this plan is to ensure that applicants, tenants and participants have meaningful access to services, programs and activities although they may be limited in their English language proficiency. The Language Access Plan (LAP) is a management tool that provides an administrative blueprint for ensuring compliance with language access requirements.

This document was created to further identify and assess LEP communities, describe objectives for work to be performed, address funding and resource issues, provide notice of language assistance services, address the training of staff as to policies and procedures, and to provide a vehicle for steps to monitoring and updating the plan, policies, and procedures.

The WHA's Language Access Plan is intended as guidance and does not create individual rights or entitlements or establish WHA duties or process beyond what is required under applicable law. Further the documents referenced within the plan or attached as exhibits may be modified from time to time as additional resources become available or are deemed more appropriate for use by the WHA.

### **III. The Watertown Housing Authority**

The WHA provides decent safe and affordable housing to low income families in the Watertown area. The WHA administers State and federal housing assistance and this Plan applies to both of these housing programs.

### **IV. Language Access Plan**

This Language Access Plan represents the WHA's administrative blueprint to provide meaningful access to its services, programs and activities on the part of LEP individuals. It outlines the tasks the WHA will undertake to meet this objective. The WHA's Language Access Plan will be implemented subject to the availability of resources.

This LAP seeks to ensure reasonable, meaningful access to WHA services, programs and activities for persons with LEP consistent with fiscal limitations.

#### **1. WHA Language Access Coordinator**

The WHA will assign a Language Access Coordinator (LAC) to oversee activities stated within this LAP. The WHA may reassign the LAC on an as needed basis without modifying this Plan. Currently, the Office Manager, Tenant Section Coordinator is the assigned LAC for the WHA.

#### **2. Agency Language Access Needs Assessment**

The WHA will evaluate the totality of circumstances and language access needs, including the four factors set forth in DHCD guidance and HUD guidance referenced above to determine the tasks the WHA will undertake to meet the objective of providing meaningful access to WHA services, programs and activities.

The four factors under consideration for this analysis are:

- Number or Proportion of Limited English Proficient (LEP) Persons Served or Encountered in the Eligible Service Population;
- The frequency with which persons with LEP come in contact with WHA programs;
- Nature and Importance of the program, activity or service provided by the WHA; and
- Available Resources and Costs.

**a. The steps the agency will take to ensure such services, programs and activities provide meaningful access to LEP populations**

The WHA will perform the four factor analysis set forth above and with the conclusions of this analysis will make a determination of the manner to provide meaningful access to its services and programs.

**(i) The number and proportion of non-English speakers and LEP persons served by the agency in its services, programs and activities**

The presently WHA uses information collected from the American Community Survey (ACS) to estimate the number of LEP households.

When the WHA has individual program data relating to the languages spoken by applicants and participants with LEP, that data will be used.

At present The WHA will utilize the statistics set for the in **Exhibit A** to this document to ascertain the number and proportion of LEP persons served by the WHA in its programs and activities.

**(ii) The frequency with which non-English speakers and LEP individuals come in contact with the service, program or activity**

This information will be obtained not only through the use of these statistics and through collection internal data when it is available. Emphasis will be placed upon translation of documents where the population meets or exceeds 5% or 1000 consistent with HUD LEP guidance. Interpretation will always be made available on an as needed basis.

**(iii) The nature and importance of the service, program or activity**

The greater the possible consequences of the contact, the more important it is for the WHA to provide language services. The WHA will focus its efforts on providing language services in:

- (1) Important matters concerning initial eligibility for public housing, project based assistance and tenant based assistance;
- (2) Important matters which impact continuing eligibility in the above referenced housing programs; and
- (3) Termination of housing assistance or eviction.
- (4) Emergency work orders or other issues with continued occupancy that are determined to be critical in nature.

**(iv) The resources available to the agency and/or costs incurred by the agency**

The WHA's Language Access Plan will be implemented subject to the availability of resources. The WHA has an extremely limited budget to cover the cost of translating documents, providing oral interpretation and otherwise implementing a Language Access Plan. The WHA does not anticipate additional funds would be made available specifically for implementing this Language Access Plan in the near future. The WHA will continue to identify resources that may be available to support the cost of implementing this Plan.

The WHA will focus efforts on making certain that documents that have been translated by HUD and DHCD are available to staff and used on a regular basis and that free or low cost translation and interpretation services are made available on an as needed basis.

- Translated HUD forms are available on the HUD portal under HUDclips forms at [https://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/hudclips/forms](https://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/forms)
- The HUD office of Fair Housing and Equal Opportunity provides a directory of translated HUD forms at <http://www.hud.gov/offices/fheo/lep.xml>
- Translated universal standard and emergency applications for State –Aided Public Housing are located at <http://www.mass.gov/service-details/public-housing-applications-documentation>

- Translated Housing Choice Voucher Preliminary Applications are located at [http://www.section8listmass.org/How\\_to\\_Apply.php](http://www.section8listmass.org/How_to_Apply.php)
- Other documents translated by DHCD are available through the PHA's online access system for that agency.

This LAP has several attachments which are currently available for use by the WHA. Not all of the Exhibits have all of the languages identified by the WHA as most commonly used on the form. The WHA will focus efforts and resources in 2018 and thereafter on translating the attachments into the most commonly identified LEP languages identified herein.

Babel Notices will be used when some funding for translation of a document is available but full translation is unaffordable.

The WHA will attempt to work with other PHAs and agencies in a cooperative effort to provide services at lower costs.

## **b. Language Makeup of Client Population**

### **(i) Statistical Data**

#### **Commonwealth of MA**

Available 2011-2015 ACS estimates for numerous specified languages pertaining to populations 5 years and over who speak English "less than very well" are included in Exhibit A1. These were provided by DHCD to assist PHAs in estimating language and LEP prevalence in their relative geographic areas. The table includes those languages for which at least 1 county in Massachusetts is estimated to contain 1,000 or more persons who speak that language at home and who speak English less than very well.

The WHA will utilize the statistics set for the in Exhibit A1 to this document to ascertain the number and proportion of non-English speakers and LEP persons served by the DHA in its statewide outreach services, programs and activities.

## **Watertown MA**

The table attached as Exhibit A2 sets forth the statistics from the 2011-2015 American Community Survey for individuals residing in Watertown MA that speak English less than very well. The most commonly listed languages are as follows: **Spanish, Spanish Creole, Armenian, Chinese, Russian, Portuguese and Portuguese Creole**. All language are below 5% of the Watertown population and less than 1000 in number.

The WHA will utilize the statistics set for the in Exhibit A2 to this document to ascertain the number and proportion of non-English speakers and LEP persons served by the WHA in its local services, programs and activities.

To the extent that the budget exists for translations targeting the local community they will be provided in the following order of priority: **Spanish or Spanish Creole, Armenian, Chinese, Russian, Portuguese or Portuguese Creole**. The WHA may include additional languages if future WHA analysis under this Plan suggests the addition of other languages and resources permit such translations. The translations will occur in order of the language most commonly spoken after in English. Currently the budgetary constraints dictate that translations will be limited to an attachment to important documents providing information as the availability of language services in these alternative languages. Further the results of any internal data collection at the WHA may result in the translation of participant/tenant documents in another order of priority if these statistics are collected and do not have the same results in relation to LEP populations.

### **(ii) Residents and Participants**

Where the WHA is able to collect individual program data relating to the languages spoken by tenants and participants with LEP, that data will be also be taken into consideration and may take priority over the statistics set forth in Exhibit A2.

As staffing and budgetary constraints permit the WHA will begin to collect information from program participants and tenants by asking for voluntary identification of primary language and whether they are of limited English proficiency upon program admission and upon programmatic updating of household information (i.e., for one year at recertification for existing participants and

residents). In making such inquiries, the purpose and use of the information will be clear. Households will be informed that disclosure of such information is optional and that it will be kept confidential, and will not affect program eligibility. The data will not be publicly disclosed in a manner that identifies particular households and will only be provided in aggregate form. This data source will be considered in future considerations of how to best provide language access to the LEP communities served by the WHA.

### **c. Points of Contact between the WHA and Applicants/Participants or Tenants**

The WHA's main office is located at 55 Waverley Avenue in Watertown, and its main telephone number is (617) 923-3950. The WHA's other points of contact are at management offices located at various public housing developments in Watertown MA.

## **3. Language Service Protocols**

### **a. For the main office**

Reception staff and others that come into contact with LEP applicants, tenants and participants are trained and will continue to be trained on how to provide language services to persons with LEP who appear at WHA offices needing language assistance.

When staff are not available to interpret in the language of a person with LEP, the WHA main office has contracted with a telephone interpretation service and will utilize this service in the manner deemed appropriate for the service in question.

Translations available from HUD and DHCD will be utilized and the WHA will translate additional documents in full or in part as resources permit.

### **b. Use of I Speak cards and Notice of Availability of Language Assistance**

In order to help identify LEP individuals and determine the appropriate language assistance, the WHA will post and make available "I Speak Cards" also known as "Language Identification Flashcards" at their offices. An example of one such card is attached to this document as **Exhibit**

**B.** The WHA may elect to utilize a different format if an alternative format is determined to be more effective. These cards will be prominently displayed in the reception area.

In addition the WHA will post an explanatory sign in easily understood terminology (such as “Interpretation Services Available”) translated at least into the languages most frequently encountered. Applicants, tenants and program participants can use these cards to indicate their primary language. An example of one such sign is attached as **Exhibit C**.

Staff and points of entry with the public such as receptionists will also be provided with a document which states, “One Moment Please” in 18 different languages attached as **Exhibit D**. A similar such document may be used in place thereof.

WHA staff will then make appropriate arrangements for interpretation services, generally using a bilingual staff person, a qualified third party interpreter identified by the applicant/participant or administering entity, or a telephone interpretation service. In the instance that an LEP individual is unable to make use of “I Speak Cards” because of illiteracy or disability, the WHA staff will make reasonable efforts to ascertain interpretation needs and provide interpretation services in an alternative manner.

#### **(iv) Documentation**

When a request is made for language services addressed in this plan, the WHA will request services as outlined in this policy based upon the nature and importance of the interaction and availability of resources. Services could be provided by a bilingual staff member, telephone or in person interpreters, or other interpreter provided by client (upon client request) or other community based, for profit or non- profit entity providing competent language assistance services as outlined in this Plan. Other procedures may be set forth in staff memorandums on an as needed basis.

### **4. Vital Document Translation**

#### **a. Vital Documents**

Vital Documents are documents that are critical for ensuring meaningful access by beneficiaries or potential beneficiaries generally and LEP persons specifically. The WHA considers 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 in determining if a document should be considered a vital document.

The following are considered vital documents by the WHA

- Notice of denial, eviction or termination;
- Notices advising LEP persons of free language assistance;
- Leases and tenant rules; and/or
- Applications for Housing Assistance.
- Information regarding critical matters of ongoing occupancy such as emergency work order requests.

The HA will utilize documents translated by HUD and DHCD as made available by said agencies. Other vital documents will contain the following advisory, “this is an important document, please contact the WHA at XXXXXX for free language assistance” or a similar such notice which will be translated into the commonly spoken languages. See **Exhibit E** for an example. This language advisory will also be provided to applicants and participants who are known not to speak English. (760 CMR 402 (1) (f).

To the extent that funding does become available to the WHA for translation of vital documents, the WHA may elect to translate only some of the document or translate babel notices for insertion into the document.

Translated documents will contain the attachment at **Exhibit F** or similar such document explaining that the English Document is the controlling legally binding document.

## **5. Language Resources Assessment**

**a. Existing staff who are able to deliver services in a language other than English and/or to serve as interpreters**

**(i) Bilingual Staff**

Where feasible, the WHA will use bilingual staff to communicate with LEP individuals in their primary languages, including assisting such individuals with understanding program materials and filling out forms, answering questions about the program, and responding to submission of materials and information requests.

The WHA has staff that speaks the following languages: Spanish and Portuguese.

This staff member is able to assist in the delivery of certain services to applicant, participant and tenant families.

**(ii) Oral Interpretation – In Person Assistance**

In instances where in-person assistance is necessary to ensure meaningful access and bilingual staff or other less costly interpretation options are determined to be insufficient, the WHA will provide qualified in-person interpretation services at no cost to the LEP individual either through local community organizations or through contracts with qualified and trained interpretations services. Examples of contacts where in-person, professional assistance may be required include termination and eviction hearings due to the significance of these interactions. However, in consideration of balancing costs with maximum delivery of program benefits, the WHA will generally strive to rely on the assistance of bilingual staff members or the assistance of non-profit organizations, and where appropriate and less costly, the use of telephone assistance. If the LEP person does not wish to use the free interpretation services provided by the WHA, the LEP person may provide their own interpreters at their own expense subject to the discussion in, “b (ii) LEP individual requests own interpreter” set forth below.

**(iii) Oral Interpretation – Telephone Support**

Subject to budgetary constraints and service availability the WHA will consider utilizing the services of a professional telephone interpretation service in limited instances where there are no

viable alternatives (i.e. bilingual staff, non-profit assistance). When these contacts involve review of program forms and procedures, the WHA will schedule the call so that the telephone translator has the opportunity to first review the relevant form or procedure. The WHA will only consider interpretation services which demonstrate a high degree of training and professionalism among the interpreter staff. The WHA will instruct staff as to how to access this service, and the service will be made available as needed for any LEP applicant, tenant or participant, subject to funding constraints.

**b. Community-based resources available to be deployed to assist agency in meeting language access needs**

**(i) Non-Profit Assistance**

Where feasible, the WHA will make an effort to partner with non-profits and community groups which can provide competent oral interpretation services to community members. Examples of such agencies are as follows: the Vietnamese Civic Association, the Cambodian Mutual Assistance Center, the Somali Development Center, the Office for New Bostonians, the Watertown Senior Center, and Springwell. The Massachusetts Department of Mental Health (DMH) has created a *Multicultural Populations Resource Directory* (updated as of 2014), which provides information on many organizations across the state that serve populations in other languages. The WHA will continue to establish relationships with appropriate entities to best serve applicants, tenants and participants that are LEP.

**(ii) LEP Individual Requests own Interpreter**

The WHA provides notice of availability of free language services. A multilingual notice offering interpretation free of charge is posted at the WHA. However, some LEP persons prefer or request to use a family member, friend or advocate as an interpreter. This will be allowed by the WHA. The use of minor children is discouraged by the WHA. Exceptions may be made where the contact with the LEP person is of a routine nature, one that does not involve confidential matters, or significant/complex matters impacting the applicant or resident's eligibility status, payments, or program compliance issues.

Staff is advised to be alert to the potential for any conflict of interest or competency issues that may arise from the involvement of family or friends, such as in domestic violence situations. If WHA staff persons have questions about the appropriateness of allowing family and friends as interpreters, they should consult with the LEP coordinator for guidance. The WHA reserves the right to also have an additional qualified interpreter present if it is deemed necessary by the WHA.

## **6. Staff Training**

### **a. Dissemination of the LAP**

The WHA will post its LAP on its website and ensure that it is disseminated to relevant program staff.

### **b. Staff Training**

The WHA will train relevant staff on their responsibilities in regards to the LAP. Specifically, staff who are likely to have contact with LEP populations and who will be responsible for implementing the protocols described above will be trained to appropriately respond to LEP applicants, participants or tenants.

## **8. Notice to Public**

The WHA will incorporate multi-lingual messages into vital program outreach documents which will state how a LEP person may request interpreter services. An example of one such message is (for example, “This is an important document. Please contact XXXX for free language assistance.” These messages will be in the most commonly spoken languages.

The WHA will prominently post at its office multi-lingual notices of the right to request free interpretation services.

The WHA will attempt to partner with community agencies who work with LEP persons to solicit their assistance and cooperation in providing the necessary notification and assistance to LEP persons.

## **9. Agency Monitoring**

The LAP coordinator will conduct periodic quality control reviews to ensure that staff persons are implementing the LAP appropriately.

At least every two years, the WHA will review this LAP and on an as needed basis update the LAP to the extent that it is necessary due to changes in resource and/or the LEP communities.

## **10. Complaints**

A complaint<sup>1</sup> may be filed with the WHA Language Access Coordinator if an individual believes they have not received the services set out in this Plan. Complaints should be filed within 6 months of the alleged denial. To file a complaint with the Language Access Coordinator please submit the written complaint to:

Debra Consilvio  
Language Access Coordinator  
Watertown Housing Authority  
55 Waverly Ave  
Watertown MA 02472

---

<sup>1</sup> This is not an exclusive list in which to make complaints against the WHA. This is the WHA internal appeal procedure.

## **Exhibit A LEP Statistics**

**Exhibit B “I Speak Card” also known as “Language Identification Flashcards”**

**Exhibit C Notice of Availability of Language Assistance**

**Exhibit D “One Moment Please” in 18 different languages**

**Exhibit E Notice for Important Documents**

**Exhibit F Notice for Translated Documents**

