

Request for Board of Commissioners' Action

From: Vicki Parrish, County Clerk **Date:** December 2, 2019

Subject: 2019 CDBG Special Conditions **Item Number:** VIII-H

One of the 2019 CDBG Special Condition requirements was for the County to develop a Language Access Plan. The plan is established to meet all the requirements for citizens that speak/read/write languages other than English. The Southern GA RC has developed that plan and it is attached for your review.

The Chairman will need a motion to adopt the 2019 Language Access Plan as presented.

Motion made by _____

Second made by _____

Any discussion: _____

Votes _____ yes _____ no

Motion carried/ failed

Language Access Plan

**Cook County, Georgia
November, 2019**



**1200 South Hutchinson Avenue
Adel, GA 31620
229-896-2266**

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LANGUAGE ACCESS PLAN

I. GENERAL INFORMATION

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This *Language Access Plan* has been prepared to address Cook County's responsibilities as a recipient of Federal financial assistance as they relate to the needs of individuals with limited English language skills.

The plan has been prepared to ensure compliance with Title VI of the Civil Rights Act of 1964, and its implementing regulations. Cook County must take reasonable steps to ensure meaningful access to their programs and activities by persons with Limited English Proficiency (LEP).

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive Federal funds, including Cook County.

Cook County has developed this *Language Access Plan* to help identify reasonable steps for providing language assistance to persons with Limited English Proficiency (LEP) who wish to access services provided through Federal or State programs. As defined by 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 plan, Cook County used a four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by Cook County programs, activities or services;
2. The frequency with which LEP persons come in contact with Cook County programs, activities or services;
3. The nature and importance of Cook County programs, activities or services provided by Cook County to the LEP population; and
4. The resources available to Cook County and overall cost to provide LEP assistance.

SAFE HARBORS

In accordance with Safe Harbors for LEP, Cook County will translate written documents for groups that are at least 5% of the population eligible (and more than 50 persons) or 1,000 persons, whichever is less. If there are fewer than 50 persons in a language group that reaches the 5% trigger above, Cook County will not translate the vital written materials, but provides written notice in the primary language of the LEP group of the right to receive competent oral interpretation of those written materials, free of cost.

The size of the language group determines the recommended provision for written language assistance.

Size of Language Group	Recommended Provision of Written Language Assistance
1,000 or more in the eligible population	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 is required.

II. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the programs, activities or services.

Cook County staff reviewed Table S1601 in the 2013-2017 American Community Survey 5-year estimates and determined that of the population of 16,056 persons over 5 years of age, 712 persons in Cook County (4.4% of the total population) speak a language other than English. Of those 712 persons, 332 (2.0% of the total population & 46.6% of the population speaking a language other than English) have limited English proficiency; that is, they speak English less than “very well”. In Cook County, of those 332 persons with limited English proficiency, 295 speak Spanish, 0 speak Asian & Pacific Island Languages and 37 speak Other Indo-European Languages.*

This does not meet the threshold described above for translating vital documents or translated written notice of right to receive free oral interpretation of documents. Oral Interpretation Services are available for clients upon request. However, in the past, all of our clients have provided their own translator with whom they are comfortable sharing personal information.

Language Spoken*	# of Residents Over 5 Years of Age*	Speaks English Less Than “Very Well”*
English	15,344 (95.6%)	N/A
Spanish	599 (3.7%)	295 (1.8%)
Other Indo-European	62 (0.4%)	37 (0.2%)
Asian & Pacific	51 (0.3%)	0 (0.0%)
Total	16,056 (100.0%)	332 (2.0%)

*2013-2017 American Community Survey 5-year estimate Table S1601

2. The frequency with which LEP persons come in contact with Cook County programs, activities or services.

Cook County staff reviewed the frequency with which staff have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits, as well as public hearings and interactions during surveys. Over the past two years, Cook County staff have had no requests for interpreters and no requests for translated documents.

Frequency of Interaction: Daily

For Daily Activities:

- a. When interacting with the public by telephone;
- b. When interacting with the public during office visits; and
- c. When interacting with the public during field visits.

Frequency of Interaction: Annually

For Project Applications:

- a. When notifying the public about the potential grant and activities;
- b. When surveying income in target areas; and
- c. When determining preliminary eligibility for housing activities.

For Homeowner Rehabilitation/Reconstruction/Down-Payment Assistance:

- a. When notifying the public about the grant award and activities;
- b. When seeking applicants to participate in the program;
- c. When seeking qualified contractors; and
- d. When working with homeowners selected for assistance.

3. The nature and importance of programs, activities or services provided by Cook County to the LEP population.

Community Development and the availability of public safety & utilities play a critical role in maintaining quality of life. The primary objective of Community Development is the development of viable communities through improvement of living conditions, housing and expansion of economic opportunities in cities and counties. Outreach throughout the community helps to ensure awareness of our programs. The majority of the County's population (95.6%) speak English. Other than English speaking individuals, Cook County staff are most likely to encounter Spanish or Other Indo-European Island speaking LEP individuals through office visits, phone conversations, field visits and during surveys. Upon client request, Cook County will provide oral interpreters using bi-lingual employees or qualified contract interpreters. To date, all LEP individuals have provided their own interpreter-a child or friend.

Nature of the Program(s): Daily Activities, Public Safety, Housing Activities, Public Facilities and Community/Economic Development.

Importance of the Programs, Activities or Services: Denial or delay of access to programs, activities, services or information would not have serious or life-threatening implications for the LEP individual except in relation to public safety services.

4. The resources available to Cook County, and overall cost to provide LEP assistance.

Cook County reviewed its available resources that could be used for providing LEP assistance, including which of its documents would be most valuable to be translated if the need should arise. An “I Speak” card/poster will be made available to determine needed language translations. A notice (see below) will be posted in all public meeting and event notices regarding who to contact should language assistance be needed. Language translation, if needed, would be provided through the available bi-lingual staff and/or the Language Line Solutions 1-800-752-6096 (or similar service) for which Cook County would pay a fee.

III. LANGUAGE ASSISTANCE

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 Cook County services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

The Name of the individual at Cook County responsible for coordination of LEP Compliance is:

County Clerk Vicki Parrish
Cook County Board of Commissioners
1200 South Hutchinson Avenue
Adel, GA 31620
(229) 896-2266

How Cook County staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation services free of charge in languages LEP persons would understand;
- Add statement (see below) to public meeting and event notices;
- All Cook County staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year; and
- When Cook County staff conduct a Public Hearing, an informational meeting or event, a staff person may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee’s ability to speak and understand English. Although translation may not be able to be provided at the event (unless previously requested) it will help identify the need for future events; and
- Language Identification Cards/Posters will be used as necessary to determine a client’s language needs.

Language Assistance Measures-Although there is a small percentage in Cook County of eligible LEP households, that is, persons who speak English “not well” or “not at all”, it will strive to offer the following measures:

1. Cook County staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.

2. The following resources will be available to accommodate LEP persons:

- Interpreters for the Spanish and Asian and Pacific Island languages, or other languages, if available, will be provided within a reasonable time period; or
- Language interpretation, particularly in emergency situations, will be accessed through Language Line Solutions at 1-800-752-6096 (or similar service).

3. Language Identification Cards/Posters will be used as necessary to determine a client’s language needs.

4. The following statements will be added to public meeting and event notices:

“Persons with special needs relating to handicapped accessibility or foreign language should contact County Clerk Vicki Parrish at (229) 896-2266 before _____. This person can be located at the Cook County Board of Commissioners, 1200 South Hutchinson Ave, Adel, GA 31620, and is available between the hours of 8:30 a.m. to 4:30 p.m., Monday through Friday, except holidays, or you may call 229-896-2266. Persons with hearing disabilities may consider using the Georgia Relay Service, at (TDD) 1-800-255-0056 or (Voice) 1-800-255-0135.”

5. As Cook County documents are reprinted the following statement will be added in English and Spanish:

“If you require a free oral interpretation in a language other than English, please call 229-896-2266.”

"Si necesita una interpretación oral libre en un idioma que no sea Ingles, por favor llame al 229-896-2266."

IV. STAFF TRAINING

The following training will be provided to all Cook County staff:

- Information on the Title VI Policy and LEP responsibilities;
- Description of language assistance services offered to the public;
- Documentation of language assistance requests; and
- How to handle a potential Title VI/LEP complaint.

All contractors, subcontractors and sub-recipients performing work for or receiving Federal funds for Cook County projects will be required to follow the Title VI/LEP guidelines.

V. TRANSLATION OF DOCUMENTS

- Cook County weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time no documents require translation.

- Due to the relatively small eligible local LEP population, Cook County does not have a formal outreach procedure in place at this time. Translation resources have been identified. When and if the need arises for LEP outreach, Cook County will consider the following option:

- When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then relevant documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population, if requested.

VI. MONITORING AND UPDATING THE LAP PLAN

Cook County will review the relevant census information yearly regarding the number of LEP persons and update the LAP Plan as required if thresholds are passed. At a minimum, the plan will be updated every five years using relevant census information, or when it is clear that higher concentrations of LEP individuals are present in Cook County. Updates will include the following:

- The number of documented LEP person contacts encountered annually;
- How the needs of LEP persons have been addressed;
- Determination of the current LEP population in the service area;
- Determination as to whether the need for translation services has changed;
- Determine whether local language assistance programs have been effective and sufficient to meet the need;
- Determine whether Cook County's financial resources are sufficient to fund language assistance resources needed;
- Determine whether Cook County fully complies with the goals of this LAP Plan; and
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

VII. DISSEMINATION OF COOK COUNTY'S LAP PLAN

The LAP Plan will be on Cook County's website page and provided to anyone requesting the information.

VIII. RECORDS

Cook County will maintain records in the County Clerk's office regarding its efforts to comply with Title VI LEP obligations. These records will be reviewed periodically and open to the public in an effort to improve service.

IX. COMPLAINTS/FINDINGS

Any person who believes they have been denied the benefits of this LAP or that Cook County has not complied with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 regulations may file a complaint with the County LAP Coordinator. The County

LAP Coordinator may be the first point of contact for any complaints or appeals, but the GA DCA LAP Coordinator must be informed of all complaints and appeals regarding GA DCA/HUD programs. The LAP Coordinator will provide oversight of the complaint/appeal resolution process. To file a complaint, submit the written complaint to:

County Clerk Vicki Parrish
Cook County
1200 South Hutchinson Avenue
Adel, GA 31620
(229) 896-2266

Or for GA DCA/HUD funded programs:

DCA 504 Coordinator
60 Executive Park South, N.E.
Atlanta, Georgia 30329-2231
fairhousing@dca.ga.gov

X. AVAILABLE FEDERAL LEP RESOURCES

HUD's LEP Website:

<http://www.hud.gov/offices/fheo/lep.xml>

Federal LEP Website:

<http://www.lep.gov/>

LEP and Title VI Videos:

<http://www.lep.gov/video/video.html>

"I Speak" Card:

<http://www.lep.gov/ISpeakCards2004.pdf>