



NEW HAMPSHIRE HOUSING FINANCE AUTHORITY

LANGUAGE ACCESS PLAN

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LANGUAGE ACCESS PLAN (LAP)
FOR ADDRESSING LIMITED ENGLISH PROFICIENCY

A. POLICY STATEMENT

It is the policy of the New Hampshire Housing Finance Authority (“NHHFA”) to take reasonable steps to provide meaningful access to its programs and activities for persons with Limited English Proficiency (LEP), including using social media technologies to communicate with members of the public. The policy is to ensure that staff will communicate effectively with LEP individuals, and that LEP individuals will have access to important programs and information. NHHFA is committed to complying with federal requirements in providing free meaningful access to its programs and activities for its LEP clients.

B. WHO IS LIMITED ENGLISH PROFICIENT (LEP)

LEP individuals do not speak English as their primary language and have a limited 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 some English, but not proficiently.
- LEP status may be context-specific – an individual may have sufficient English language skills to communicate basic information (name, address etc.) but may not have sufficient skills to communicate detailed information (e.g., program requirements, policies and procedures) in English.

C. BACKGROUND

- Federal law prohibits discrimination based on national origin. National origin discrimination includes discrimination based on a person’s inability to speak, read, write or understand English. Recipients of federal funds must provide meaningful access to LEP persons in federal and federally assisted programs and activities.
- On August 11, 2000, Executive Order 13166, titled, “**Improving Access to Services by Persons with Limited English Proficiency**,” was issued. Executive Order 13166 requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to LEP cannot fully and equally participate in or benefit from those programs and activities. Section 2 of the Executive Order 13166 directs each federal department or agency “to prepare a plan to improve access to...federally conducted programs and activities by eligible LEP persons....”

D. FRAMEWORK FOR DECIDING WHEN LANGUAGE SERVICES ARE NEEDED

NHHFA will take the following steps to ensure meaningful access to its programs, services and activities for LEP individuals in a manner that balances the following four factors:

Four-Factor Analysis:

1. The number or proportion of LEP persons eligible to be serviced or likely to be encountered by NHHFA;
2. The frequency with which LEP persons using a particular language come in contact with NHHFA;
3. The nature and importance of the NHHFA program, activity, or service provided to the person's life; and
4. The resources available to NHHFA, and costs associated with different language service options.

E. DEFINITIONS

- Primary Language. The language in which an individual is most effectively able to communicate.
- Limited English Proficiency person. Any person who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English. Such person or persons shall be entitled to language assistance at no cost to themselves with respect to a particular type of service, benefit, or encounter.
- Interpretation. The act of listening to a communication in one language and orally converting it into another language, while retaining the same meaning. Interpreting is a sophisticated skill needing practice and training and should not be confused with simple bilingualism. Even the most proficient bilingual individuals may require additional training and instruction prior to serving as interpreters. Qualified interpreters are generally required to have undergone rigorous and specialized training.
- Translation. The replacement of written text from one language into an equivalent written text in another language. Translation also requires special knowledge and skills.
- Bilingual. The ability to speak two languages fluently and to communicate directly and accurately in both English and another language.
- Direct Communication. Monolingual communication in a language other than English between a qualified bilingual employee or other bilingual person and an LEP individual (e.g., Spanish to Spanish).
- Vital Documents. Any document that contains information that is critical for obtaining or maintaining the services or benefits that are supported by Federal funds, or that are required by law.
- "I Speak" language identification cards. A tool to identify the language of individuals encountered who do not speak English.

F. LEP MONITORING AND UPDATING THE LAP

NHHFA has designated the Supervisor, Compliance Manager of Assisted Housing as its LEP Coordinator. Monitoring and implementation of the Plan will be conducted by the managers in each service area. The Plan will be reviewed annually by the LEP Coordinator to determine whether updates are needed. The LEP Coordinator and Team will:

- Coordinate identification of language service needs and strategies so that staff will have access to appropriate language services in their interactions with clients.
- Ensure the agency's compliance with the LAP Policy and Plan.
- Identify training needs for staff on implementation of the Language Access Plan and the use of language service providers. Provide annual training on LAP Policy and Plan, including training to new employees as part of the orientation process.
- Establish and maintain the agency's language assistance resource list.
- Establish a bilingual staff list. Review qualifications of bilingual staff to ensure quality and skill level. Ensure all employees receive a copy of this list and know the procedure for contacting and/or scheduling contracted interpreters.
- Maintain type and frequency on selected interactions with LEP persons and provide reports to management, as appropriate. A language log will be maintained by each division representative. The data collected under various language groups shall be specific enough to inform staff as to the language groups for whom interpretation and translation services are needed. The records of interactions with LEP individuals will be maintained in each service area.
- Provide notice of language assistance services in the following areas:
 - Posters in public areas
 - "I Speak" language identification cards at reception area
 - NHHFA Website
 - Housing Choice Voucher Program Application and Participant Handbook
- Conduct an annual review to assess changes, if any, in:
 - Census data
 - Current LEP populations affected or encountered;
 - Frequency of encounters with LEP language groups;
 - The nature and importance of activities to LEP persons;
 - The availability of resources, including technological advances and sources of additional resources, and the costs imposed;
 - Whether existing LAP is meeting the needs of LEP persons;
 - Whether staff understands the LAP and how to implement it; and
 - Whether identified sources for assistance are still available.

G. LANGUAGE ASSISTANCE OPTIONS

NHHFA will offer the opportunity for meaningful access to LEP clients. If a client asks for language assistance, or if staff identifies a client who needs assistance, NHHFA will make reasonable efforts to provide free language assistance.

The following options are used for providing language services:

I. Oral Interpretation Services

Staff/In-House Services

Quality oral interpretation services will be provided to all LEP persons in some form. Depending on the circumstances, reasonable oral interpretation assistance might be offered through a bilingual employee, family member, language bank, or telephone service line. The use of a Translation App is acceptable on a limited basis. It is the LEP person's decision whether to use family members or friends as interpreters. Extra caution will be exercised when the LEP person chooses to use a minor. NHHFA will ensure that the LEP person's choice is voluntary, that the LEP person is aware of the possible problems if the preferred interpreter is a minor child, and that the LEP person knows that NHHFA will provide a competent interpreter at no cost to the LEP person. No adverse action would be taken using a child (anyone under the age of 18) as an interpreter.

Outside Services

When interpretation services are needed, NHHFA will first attempt to provide services using qualified bilingual employees or the language bank or telephone service line as noted above. When qualified bilingual employees are unavailable, or when qualified bilingual employees lack the skills to provide reasonable and timely oral interpretation assistance, NHHFA will provide services using qualified interpreters. The use of a Translation App is acceptable on a limited basis.

II. Written Interpretation Services

Vital Forms and Documents

Using the four-factor analysis, NHHFA will identify the particular languages most frequently encountered by LEP persons. Vital documents/written materials and most commonly used forms will be translated into the identified languages if required. For larger documents, translation of vital information contained within the document will suffice and the documents need not be translated in their entirety. The use of "tag lines" on other correspondence will be used to advise recipients to contact NHHFA if they cannot read the English document. Tag lines may be used to inform LEP clients on how to access oral language services in the appropriate languages if full translations are not reasonable. Language Assistance Services information for all languages will be used in vital documents.

III. Deciding Which Language Assistance Option to Use

The types of language assistance resources NHHFA decides to use will depend on the four-factor analysis and may be different in different types of activities. For more rarely encountered languages, telephonic or contract interpretation may be a preferred option. Contract language assistance vendors will sign a Confidentiality and Security Agreement in accordance with NHHFA's Information Security Plan.

H. PERSONNEL/HUMAN RESOURCE PLANNING

The Language Assistance Plan for management includes planning on personnel and human resource matters, such as:

- Consideration of language needs and inclusion of second language skills in recruitment, hiring, and promotion plans and criteria.
- Providing training opportunities to improve existing language skills for staff.
- Informing new employees of NHHFA's duty to offer free language assistance in compliance with Federal requirements.

I. TRAINING

Training is critical so that staff understands how to access language services, and so that those staff involved in actually providing the language services are competent to do so. Initial and periodic training will be conducted for staff coming into contact with LEP persons. Training will include:

- An in-depth discussion of the plan.
- How to respond to LEP callers.
- How to respond to written communications from LEP clients.
- How to respond to LEP clients who contact the Authority in person.
- How to use the "I Speak" cards.
- How to use the Language Bank.
- Which staff and outside vendors are available for interpretation at appointments.
- The location of translated documents.

Bilingual staff will receive additional training that will address:

- How to adhere to their role as interpreters without deviating into a role as counselor, legal advisor, or other roles.
- The specialized knowledge of the area of service or programs that LEP clients are applying or participating (if necessary).
- How to be competent and knowledgeable in providing interpretation that preserves confidentiality.

J. MONITORING

The agency will monitor LEP compliance by:

- Setting forth clear expectations for staff and managers regarding language assistance.
- Implementing a system to monitor effectiveness of the Plan and its implementation.
- Seeking feedback on the quality and effectiveness of the language service resources available and utilization by staff
- Reviewing programs and the language resources available at least once per year (or as appropriate) and making adjustments as necessary and appropriate to ensure meaningful access and to reflect improved approaches to providing language access.

K. LANGUAGE ASSISTANCE MEASURES AND INTERNAL CONTROLS

The following procedures will be used to provide language assistance:

1. Telephone communication:

Callers who are limited English proficient often have an English-speaking person present when they call.

- Ask that English-speaking person to identify the language need of the caller.
- Contact a supervisor who will arrange for interpreter services at an agreeable time for all parties.

2. Written communication:

Contact a supervisor who will arrange for translation of the document.

3. Walk-ins and individuals at the front desk that need translation services:

Identify the language service required using the “I Speak” cards. Contact a supervisor who will arrange for interpretation services at an agreeable time for all parties. A notice to advise LEP clients of their right to an interpreter free of charge will be posted at the front desk area.

The Supervisor/Managing Director will:

- Access foreign language interpreters/translation services through The Language Bank. Contact number: 1-844-579-0610 or www.thelanguagebank.org.
- Negotiate an hourly rate for services required.

- Have the translator sign a confidentiality agreement if there is no existing vendor agreement on file.
- Arrange a date and time for the interpretation to take place.
- Arrange for payment of services rendered.

L. LANGUAGE COMPLAINT PROCESS

LEP individuals wishing to file a grievance or complaint with NHHFA should contact the LEP Coordinator at NHHFA's main office. The LEP Coordinator will report the complaint to the Executive Director. A written response to the individual will be made within 15 days. The individual has 10 days to respond to the notice of decision.

LEP individuals can file a discrimination complaint in accordance with federal regulations. Informing a client of their right to file a discrimination complaint is contained in various program materials. The Fair Housing Discrimination Form is available on the NHHFA website in English, Spanish and Arabic. Other languages are available on the HUD website.