

**LIMITED ENGLISH PROFICIENCY (LEP) POLICY
[24 CFR 100.5/982.53/TITLE VI OF THE CIVIL RIGHTS ACT]**

The Housing Authority of the City of Biloxi, Mississippi

LIMITED ENGLISH PROFICIENCY (LEP) PLAN
[24 CFR 100.5/982.53/Title VI of the Civil Rights Act]

I. PLAN STATEMENT

The Housing Authority of the City of Biloxi has adopted this plan to provide meaningful access to its programs and activities by persons with Limited English Proficiency (LEP). In accordance with federal guidelines the PHA will make reasonable efforts to provide or arrange free language assistance for its LEP clients, including applicants, recipients and/or persons eligible for public housing, Housing Choice Vouchers TBV/PBV and other PHA programs.

II. MEANINGFUL ACCESS: FOUR – FACTOR ANALYSIS

Meaningful access is free language assistance in accordance with federal guidelines. The PHA will periodically assess and update the following four-factor analysis, including but not limited to:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the PHA.
2. The frequency with which LEP persons using a particular language come into contact with the PHA.
3. The nature and importance of the PHA program, activity or service to the person's life.
4. The PHA's resources and the cost of providing meaningful access. Reasonable steps may cease to be reasonable where the costs imposed substantially exceed the benefits.

III. LANGUAGE ASSISTANCE

1. 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 (LEP) person and may be entitled to language assistance with respect to PHA programs and activities.
2. Language assistance includes 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 PHA will determine when interpretation and/or translation are needed and are reasonable.

3. PHA staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English. If a client asks for language assistance and the PHA determines that the client is an LEP person and that language assistance is necessary to provide meaningful access, the PHA will make reasonable efforts to provide free language assistance. If reasonably possible the PHA will provide the language assistance in the LEP client's preferred language.

The PHA has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access.

The PHA will periodically assess client needs for language assistance based on requests for interpreters and/or translation, as well as the literacy skills of clients.

4. Translation of Documents

- a) The PHA will weigh the costs 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 information, the likelihood of frequent changes in documents, the existence of multiple dialects within a single language group, the apparent literacy rate in an LEP group and other relevant factors. The PHA will undertake this examination when an eligible LEP group constitutes 5 percent of an eligible client group (for example, 5 percent of households living in the PHA's public housing) or 1,000 persons, whichever is less.
- b) If the PHA determines that translation is necessary and appropriate, the PHA will translate the public housing lease and selected mailings and documents of vital importance into that language.
- c) As opportunities arise, the PHA may work with other housing authorities to share the costs of translating common documents, which may include language groups which do not yet reach the threshold level in the PHA's client population.
- d) HUD should provide prototype translations of standard housing documents in multiple languages in a timely fashion. HUD should provide this service to local housing authorities and the hundreds or thousands of other HUD grantees whose limited resources hinder their LEP efforts.
- e) The PHA will consider technological aids such as Internet-based translation services which may provide helpful, although perhaps not authoritative, translations of written materials.

5. Audiovisual Materials

- a) The PHA will use reasonable efforts to produce or obtain multiple translations of audiovisual materials it may use to inform or educate applicants, residents and other client groups.
- b) The PHA will make such materials available for purchase by housing agencies and other organizations, to assist them in their LEP efforts

6. Formal Interpreters

- a) When necessary to provide meaningful access for LEP clients, the PHA will provide qualified interpreters, including PHA bilingual staff and contract vendors. At important stages that require one-on-one contact, written translation and verbal interpretation services will be provided consistent with the four-factor analysis used earlier.
- b) The PHA may require a formal interpreter to certify to the following:
 - i. The interpreter understood the matter communicated and rendered a competent interpretation.
- c) Formal interpreters shall be used at the following:
 - i. Formal hearing for denial of admission to public housing;
 - ii. Informal settlement conferences and formal hearing for termination of public housing;
 - iii. Hearings or conferences concerning denial or termination of Housing Choice Voucher (Section 8) participation.
- d) A PHA staff interpreter may not be a subordinate to the person making the decision.
- e) The PHA maintains a list of qualified, bilingual employees who can provide limited assistance to PHA staff and LEP clients as part of their regular job duties.

7. Informal Interpreters

- a) Informal interpreters may include the family members, friends, legal guardians, service representatives or advocates of the LEP client. PHA staff will determine whether it is appropriate to rely on informal interpreters, depending upon the circumstances and subject matter of the communication. However in many circumstances, informal interpreters, especially children, are not competent to provide quality and accurate

interpretations. There may be issues of confidentiality, competency or conflict of interest.

- b) An LEP person may use an informal interpreter of their own choosing and at their expense, either in place of or as a supplement to the free language assistance offered by the PHA. If possible, the PHA should accommodate an LEP client's request to use an informal interpreter in place of a formal interpreter.
- c) If an LEP client prefers an informal interpreter, after the PHA has offered free interpreter services, the informal interpreter may interpret. In these cases the client and interpreter should sign a waiver of free interpreter services.
- d) If an LEP client wants to use their own informal interpreter, the PHA reserves the right to also have a formal interpreter present.

8. Outside Resources

- a) Outside resources may include community volunteers, PHA residents, Housing Choice Voucher - Tenant Based Voucher or Project Based Voucher participants.
- b) Outside resources may be used for interpreting services at public or informal meetings or events if a timely request has been made.

IV. MONITORING

1. The PHA will review and revise this LEP Plan from time to time. The review will include:
 - a) Reports from the PHA's computer business systems on the number of PHA clients who are LEP, to the extent that the software and staff data entry can provide such information. Such reports may be supplemented by staff observations.
 - b) Reports from the computer business systems and other sources listing the languages used by LEP clients.
 - c) A determination as to whether 5 percent or 1,000 persons from a PHA client group speak a specific language, which triggers consideration of document translation needs as described above.
 - d) Analysis of staff requests for contract interpreters: number of requests, languages requested, costs etc.
 - e) The Resident Advisory Board (RAB) will be asked to review the LEP Plan annually as part of updating the Agency Plan.

V. LEP PLAN DISTRIBUTION AND TRAINING

The LEP Plan will be:

1. Distributed to all PHA supervisors.
2. Available in PHA Management Offices and the Rental Office/Housing Choice Voucher Office.
3. Posted on PHA's website.
4. Explained in orientation and training sessions for supervisors and other staff who need to communicate with LEP clients.