

Language Access Plan (LAP) for Community Development Resources

Introduction and Purpose

In compliance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency”, Community Development Resources (CDR) has established the following Language Access Plan (LAP) to ensure that individuals with limited English proficiency (LEP) may access all resources and services provided by CDR. An “LEP individual” is defined as “an individual who does not speak English as their primary language and who has limited ability to read, speak, write, or understand English.”

The purpose of this plan is to establish strategies for interacting with and providing services to LEP individuals in order to ensure equity and inclusion across beneficiaries. This is essential to the mission of Community Development Resources to create economic opportunity and strong communities by providing capital and technical assistance to develop and fortify small businesses; increase the supply of affordable housing; and promote community development. To prepare for the development of this plan, CDR conducted a four-factor analysis which balanced the following factors:

- A. The number or proportion of LEP persons served or encountered in the eligible service population;
- B. The frequency with which the LEP persons come into contact with CDR;
- C. The nature and importance of the program, activity, or service provided by CDR;
- D. The resources available and costs to the recipient.

Identification and Assessment

Community Development Resources will use various methods to identify LEP persons with whom they have contact. These may include:

Current and past experiences with LEP persons encountered by CDR’s staff.

The number and type of such encounters will be periodically analyzed to determine the breadth and scope of language services required.

Most recent U.S. Census Bureau data.

CDR shall analyze data from the most recent U.S. Census Bureau data regarding language spoken in the state of Nebraska, and specifically Lancaster County, as well as those who self-identified spoke English “less than very well”.

CDR has examined the U.S. Census Bureau’s 2022 American Community Survey data for the state of Nebraska, and was able to determine that approximately 11.8%, or 216,966 people of the state of Nebraska population age 5 and older spoke a language other than English at home and approximately 5.0%, or 92,466 people of the state of

Nebraska population report they speak English “less than very well”. People speaking Spanish at home comprised the largest language group speaking a language other than English at home.

There were 140,211 over the age of 5 years, who spoke Spanish at home and of that number, 60,440 report they speak English “less than very well”. Of those speaking Asian and Pacific Islander languages, 15,205 report they speak English “less than very well”, and of those speaking Indo-European languages, 8,816 report they speak English “less than very well”.

CDR has examined the U.S. Census Bureau’s 2022 American Community Survey data for Lancaster County, and was able to determine that approximately 11.9%, or 36,139 people of the Lancaster County population age 5 and older spoke a language other than English at home and approximately 4.9%, or 14,774 people of the Lancaster County population report they speak English “less than very well”. People speaking Spanish at home comprised the largest language group speaking a language other than English at home.

There were 13,290 over the age of 5 years, who spoke Spanish at home and of that number, 5,146 report they speak English “less than very well”. Of those speaking Asian and Pacific Islander languages, 5,130 report they speak English “less than very well”, and of those speaking Indo-European languages, 3,226 report they speak English “less than very well”. **See, Exhibit A.**

As the state and community evolves over time, CDR will continue to monitor shifts in the population’s demographics through biennial assessments to ensure adequate tracking of LEP representation. CDR will work to identify LEP individuals in normal encounters with the public by:

- Assuming LEP if communication seems impaired;
- Relying on self-identification by the non-English speaker or LEP individual;
- Asking open-ended questions to determine language proficiency;
- Collecting and recording primary language data from individuals when they first engage with CDR’s programs and services.

Language Assistance Services

It is CDR’s understanding LEP individuals may interact with staff in a number of ways:

- Outreach programs;
- Public meetings or workshops;
- Public access to CDR’s website;
- Written materials.

Due to the variety of encounters that LEP individuals may have with CDR, a variety of language assistance services will be provided to these individuals. To determine the

extent of language assistance, CDR identified the following groups from the four factor analysis requiring these provisions:

- Spanish
- Asian and Pacific Islander
- Indo-European

For these LEP populations, CDR will provide oral and written language assistance services.

Oral Language Assistance

Oral language assistance may be necessary by encounters with LEP individuals over the phone, in person, or at public workshops. When an encounter occurs, staff members will carry out the following protocol:

For phone communication:

The staff member will first make an effort to identify the primary language of the individual. If the staff member is bilingual in the individual's primary language, the staff member may assist the LEP individual directly. If the staff member is not able to assist the LEP individual and no other staff member is able, CDR will contact contracted individuals to assist.

For in-person communication:

The staff member will first make an effort to identify the primary language of the individual. If the staff member is bilingual in the individual's primary language, the staff member may assist the LEP individual directly. If the staff member is not able to assist the LEP individual and no other staff member is able, CDR will contact contracted individuals to assist.

Public Workshops:

Prior to the workshop, CDR will provide an application which will include requested information to determine if an LEP individual is in need of an interpreter. Once confirmed, CDR will provide an interpreter in the language identified.

Written Language Assistance

Written language assistance may be necessary for a number of documents, forms, advertisements, etc. "Vital documents" will be translated proactively and made accessible to the LEP communities previously identified. Documents will be classified as "vital" by the frequency of contact the LEP individual has with the document, the importance and consequences associated with the document, and organizational resources. Anecdotal evidence and data will be used to support these classifications, as it becomes available. Documents not deemed "vital" will be available for oral and written translation upon request. Translated documents will also provide the following disclaimer:

“We are providing the translation to you merely as a convenience to assist in your understanding of your rights and obligations. The English language version of this document is the official, legal, controlling document. This translated document is not an official document.”

Contracted and Non-Contracted Assistance

Currently, CDR contracts with ECHO Collective which provides assistance to refugee and immigrant women. Many of their staff can provide translation services. CDR also contracts with Avanza Consulting, which provides Spanish translation services. CDR will utilize LanguageLinc Interpretation Services, a subsidiary of Community Action Partnership of Lancaster and Saunders Counties, which provides 24/7 interpretations services. Future services will be provided by these entities or equivalent contractors.

Guidelines for Interpreters and Translators

While no formal certification is required for interpreters, translators, or staff members, individuals providing interpretation or translation services must:

- Be proficient in and able to communicate information accurately in both English and other applicable languages;
- Understand CDR-specific terminology;
- Act in an ethical manner and ensure confidentiality and impartiality in the role as an interpreter/translator;
- Be aware of regionalisms and be able to provide the most appropriate interpretation in a consistent manner.

LEP individuals may bring another individual to provide interpretation who has not been approved for formal interpretation services by CDR. During these encounters, staff will:

- Inform the LEP individual that free language assistance services can be provided;
- Use a formal interpreter instead of an informal interpreter, especially if the subject matter may be prone to conflict of interests;
- Avoid use of minors as informal interpreters unless there is an extreme and immediate need.

When working with an interpreter, formal or informal, CDR’s staff should:

- Explain to the interpreter the purpose of the communication and the information to be conveyed;
- Briefly explain to the interpreter technical terms that may come up during the communication;
- Avoid the use of acronyms, double negatives and contractions;
- Speak in short sentences which contain one idea at a time;
- Talk to the applicant and not to the interpreter;
- Enunciate clearly and wait for the interpreter to finish before continuing to the next idea.

Providing Notice of Language Assistance Services

To ensure members of the LEP communities are aware of the free language assistance services CDR provides, the following marketing and outreach steps will be taken:

- Provide an “I Speak” language identification form to CDR staff, as well as include in CDR’s application materials;
- Provide non-English content on CDR’s website;
- Provide notification of CDR’s services regarding application materials.

Training Staff on LEP Policies and Services

All staff will receive training on the importance of providing meaningful information and services to LEP communities in a way each community can understand. New employees will receive this training upon orientation and a refresher training will be provided periodically at staff meetings. After completion of the training, staff should understand:

- The obligation to provide meaningful access to information and services to LEP individuals;
- The protocol for handling various encounters with LEP individuals, as established by this plan;
- How to access translated materials and interpretation services for provision to LEP individuals.

Persons Charged with Implementation of the Plan

The Executive Management will be responsible for overseeing the implementation of this plan. In addition to their oversight duties, the Executive Management will be charged with maintaining and updating this plan as the need for changes arise. The Board of Directors will formally adopt the LAP and the Executive Management will coordinate with staff in order to carry out the directives established in this plan.

Monitoring, Evaluating, and Updating the Plan

As part of the Executive Management responsibilities, ongoing monitoring and evaluation of the effectiveness of the plan will be implemented and updates will be made accordingly. To do this, the Executive Management will make use of the following mechanisms:

- Survey staff on how often language assistance services are used and how they could be improved;
- Observe and evaluate CDR’s staff interactions with LEP individuals;
- Keep current on state and local demographics;
- Consider new resources such as collaborations with other organizations, technological innovations, etc.;
- Maintain records of services and frequency of use for LEP individuals.

Complaints

In accordance with Title VI of the Civil Rights Act of 1964 as amended and the U.S. Treasury Department, CDR is prohibited from discriminating on the basis of race, color, or national origin, sex, age, or disability.

In the event any person believes that he or she, individually, as a perceived or actual member of any specific class, has been subjected to discrimination, CDR will instruct the individual to file a complaint by writing, calling, or emailing:

U.S. Department of the Treasury, Director
Office of Civil Rights and Equal Employment Opportunity
1500 Pennsylvania Avenue, N.W.,
Washington, DC 20220
P: 202.622.1160
E: crcomplaints@treasury.gov

EXHIBIT A

LANGUAGE SPOKEN AT HOME	NEBRASKA			LANCASTER COUNTY		
	Estimate	Margin of Error	Percent	Estimate	Margin of Error	Percent
Population 5 years and over	1,831,627	±319	1,831,627	302,993	±28	302,993
English only	1,614,661	±3,158	88.2%	266,854	±1,691	88.1%
Language other than English	216,966	±3,137	11.8%	36,139	±1,687	11.9%
Speak English less than "very well"	92,446	±2,237	5.0%	14,774	±851	4.9%
Spanish	140,211	±2,324	7.7%	13,290	±807	4.4%
Speak English less than "very well"	60,440	±1,686	3.3%	5,146	±477	1.7%
Other Indo-European languages	28,351	±1,885	1.5%	9,218	±1,137	3.0%
Speak English less than "very well"	8,816	±1,094	0.5%	3,226	±576	1.1%
Asian and Pacific Islander languages	30,605	±1,157	1.7%	9,438	±569	3.1%
Speak English less than "very well"	15,205	±901	0.8%	5,130	±415	1.7%
Other languages	17,799	±1,814	1.0%	4,193	±912	1.4%
Speak English less than "very well"	7,985	±929	0.4%	1,272	±375	0.4%

Source: U.S. Census Bureau, 2022 American Community Survey