

St. Johns County Community Development Block Grant — Disaster Recovery Language Access Plan

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LANGUAGE ACCESS PLAN INTRODUCTION

This Language Access Plan (LAP) explains the actions St. Johns County is taking to ensure compliance with Title VI of the Civil Rights Act of 1964, Executive Order 13166 and U.S. Department of Housing and Urban Development (HUD) issued 72 FR 6066-N-01 related to the recovery programs and services for Hurricane Matthew. Title VI of the Civil Rights Act of 1964, Executive Order 13166, and HUD's 72 FR 2732 require that recipients and subrecipients of federal financial assistance take reasonable actions to ensure meaningful access to their activities, programs, and services for individuals with Limited English Proficiency (LEP).

Limited English Proficiency (LEP) is defined as persons who have a limited ability to read, write, speak, or understand English and who may require language assistance with respect to a particular service, benefit, or encounter.

St. Johns is a subrecipient to the State of Florida Department of Economic Opportunity (DEO) in its administration of Community Development Block Grant Disaster Recovery (CDBG-DR) funds to recover from the damaged sustained by Hurricane Matthew. This LAP will be incorporated and funded across all CDBG-DR programs administered by St. Johns to ensure that LEP persons have meaningful access to all of St. Johns' CDBG-DR programs and services.

Per HUD's 72 FR 2732, St. Johns conducted a Four-Factor Analysis to provide a framework to objectively balance the need for providing meaningful access to LEP persons without imposing undue burdens on St. Johns. The LAP (1) reviews St. Johns Four-Factor Analysis; and (2) explains the accompanying language assistance measures, training, and outreach efforts St. Johns developed and is implementing to ensure adequate LEP access to disaster recovery programs and services.

VERSION HISTORY

Version	Date	Page	Description
#1	02/08/2019	NA	NA
#2	09/26/2019	NA	NA
#3			

VERSION POLICY

Version history is tracked in the table above, with notes regarding version changes. The date of each publication is also tracked in this table. The first version of this document is 1.0.

Substantive changes within this document that reflect a policy change will result in the issuance of a new version 2.0, an increase in the primary version number. Future policy changes will result in additional revision and issuance of a new primary version number.

Non-substantive changes within this document that do not affect the interpretation or applicability of the policy (such as minor editing or clarification of existing policy) will be included in minor version updates denoted by a sequential number increase after the primary version number.

ST. JOHNS LANGUAGE ACCESS POLICY

It is St. Johns policy to: (1) provide language access services to LEP individuals needing access to CDBG-DR funded programs; (2) to manage and train St. Johns staff (and any contractors) on procedures for implementing the LAP; (3) to inform LEP individuals that language access services are available; and (4) to continuously monitor and evaluate the implementation of this plan. St. Johns will review and update its LEP when new Census data becomes available.

PURPOSE OF THE LAP

The purpose of the LAP is to provide direction on St. Johns' LEP needs, which are identified below in the Four-Factor Analysis. The LAP describes how St. Johns and its partners provide language access services to address those limited needs. All qualified and potential clients are entitled to an equal opportunity to use and benefit from the programs and services of the County and its contracted service providers. This includes reasonable accommodations to ensure that programs and services are equally accessible to and equally effective for all qualified persons. St. Johns will take reasonable steps upon request to ensure all eligible applicants have adequate information and access to its CDBG-DR programs.

St. Johns will engage in specific outreach efforts to ensure that LEP persons are aware of the language access services available to them. St. Johns will provide training to its public-facing service staff on how to implement this LAP and methods of assistance available to LEP individuals. Training to staff will be delivered by the CDBG-DR Program Manager. This training will be periodically updated and delivered as St. Johns LEP needs and language access services evolve. St. Johns and its partners are committed to this LAP as the appropriate response to meeting our LEP clients' needs as well as complying with Title VI, Executive Order 13166 and Final Guidance (72 FR 2732).

FOUR-FACTOR ANALYSIS: IDENTIFYING LEP INDIVIDUALS NEEDING LANGUAGE ASSISTANCE

As described in HUD's 72 FR 2732, the starting point for ensuring meaningful language access is a Four-Factor Analysis that takes into account the:

- 1) Number or proportion of LEP persons in the eligible service population;
- 2) Frequency with which LEP individuals come in contact with the programs;
- 3) Nature and importance of the service provided by the programs; and
- 4) Resources available to the recipient and costs.

St. Johns analyzed each of the four factors below for St. Johns County:

1. Number or Proportion of LEP Persons in the Eligible Service Population

St. Johns estimated the number of LEP individuals living in the County using data from the 2011–2015 American Community Survey. Specifically, St. Johns used Table 16001 “Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over” to calculate the number of LEP individuals in the County.

The table below demonstrates that approximately 91.6% of St Johns County’s 200,082 residents speak only English. 1.27% of its residents are Spanish speakers who speak English “less than very well.” The final category aggregates all other language categories that speak English “less than very well,” because the numbers were extremely low for each language. 1.2% of St. Johns population speaks a language other than Spanish and English at home and speaks English “less than very well.”

Because the number of LEP individuals living in St. Johns County is well below HUD’s 5% threshold, the County is not required to translate CDBG-DR vital documents into a language other than English; however, the program is taking measures to provide assistance upon request, as described in Section 7.0 of this document.

County	Total Population	Speaks Only English		Speaks Only Spanish		Speaks Other Language	
		Number	Percent	Number	Percent	Number	Percent
St. Johns	200,082	183,365	91.64%	2,545	1.27%	2,393	1.20%

NOTE: Approximately 6% of St. Johns residents identify a non-English language as their primary form of communication at home but also indicate that they speak English “very well.” St. Johns is not required to offer these individuals language access services.

2. Frequency with Which LEP Individuals Come into Contact with the Programs

CDBG-DR programs address St. Johns’ long-term recovery needs by providing direct assistance to homeowners, tenants, landlords, non-profits, and small businesses. The LAP applies to services provided at the individual applicant level.

LEP individuals will receive language assistance upon request commensurate with the frequency with which these individuals interact with the programs. For example, homeowners, renters, rental property owners, and small business owners who apply for various CDBG-DR programs are likely to have frequent contact with the program and therefore are afforded meaningful access. This may include such interactions as completing applications, meetings with advisors to review applications, initial site inspections, approval of final construction designs, preconstruction meetings, grant award closings, and submission of receipts and proof of construction work. For program activities such as these, St. Johns’ strategy ensures that these populations have meaningful access upon request.

Language assistance is typically not provided to public entities such as municipalities and non-profits that receive CDBG-DR funding because those entities are typically not LEP. However, St. Johns will make language assistance available to these entities upon request. In all cases, St. Johns will make professional interpretation services available but may permit individuals to rely upon family or friends for interpretation.

3. Nature and Importance of the Service Provided by the Programs

Language services are prioritized for activities, information, services, and programs with the greatest impact on LEP individuals. LEP outreach focuses on the programs that provide critical services to homeowners, landlords, renters, and small business owners and the vital documents¹ associated with each program. Those programs that provide a means of helping individuals obtain or get back into damaged housing or re-open their businesses are critically important to LEP individuals.

4. Resources Available to St. Johns and Costs

St. Johns is taking all reasonable steps to provide meaningful language access to LEP individuals upon request. The availability of resources, however, may limit the provision of language services in some instances. “Reasonable steps” may cease to be reasonable when the costs imposed substantially exceed the benefits. St. Johns’ LAP balances the needs of the LEP community with the funding resources available.

INTERACTION WITH LEP PERSONS BY PROGRAM

St. Johns evaluated its CBDG-DR programs based on each program’s audience and determined that LEP persons are most likely to come into contact with its Housing Program. Neither the public facilities program nor the infrastructure program are likely to require much, if any, interaction with LEP individuals.

St. Johns will provide appropriate language access services for LEP persons when Substantial Action Plan Amendments are considered, and public Citizen Participation periods are opened.

Table 1 below lists all of the programs, the administering agency, the intended audience for each program and the extent to which the program is likely to interact with and/or require outreach to LEP individuals. Where potential interaction with LEP persons is anticipated, the administering agency is responsible for providing language access services upon request. Applicants that indicate that they are not LEP will stop receiving LEP materials.

Table 1. Potential Interaction with LEP Persons by CDBG-DR Program

Program	Agency	Audience	Potential Interaction with LEP Persons
Housing Program	St. Johns	Homeowners, Renters, Landlords	Homeowners seeking recovery services. Supportive Housing tenants and landlords in the Planned Unit Development (PUD) Rental Housing Project.
Multi-Family Housing Construction	St. Johns	Public entities, non-profit agency	None as applicants are government entities.

¹ A “vital document” is defined as a document that includes information regarding program eligibility requirements, applications and instructions, program eligibility determinations, and appeals procedures.

Program	Agency	Audience	Potential Interaction with LEP Persons
Public Facilities Program (State Road 207 Unified Service Center)	St. Johns	Public entities	None as applicants are government entities.
Infrastructure Program	St. Johns	Public entities	None as applicants are government entities.

LANGUAGE ASSISTANCE MEASURES

St. Johns offers numerous language assistance measures upon request to ensure meaningful access to CDBG-DR funded services, programs, and activities by LEP individuals. The following sections describe each language assistance measure.

Appointment of LAP Coordinator

St. Johns' LAP Coordinator is the primary point of contact for all language access questions related to St. Johns' CDBG-DR programs. The LAP Coordinator assigns language access services as needs are identified by St. Johns' staff via phone, email, mail, or in person. The CDBG-DR Program Manager will function as the LAP Coordinator.

DEO's LAP Coordinator is the primary point of contact responsible for the implementation of the LAP across all CDBG-DR funded programs. This coordinator oversees and ensures that subrecipients comply with HUD's language access requirements. The DEO LAP Coordinator is also available as a resource in identifying personnel for providing LEP services.

St. Johns will send the name and contact information of its LAP Coordinator to the DEO LAP Coordinator, who will post the information on DEO's recovery website.

DEO indicated in their Action Plan they were in the process of identifying a LAP Coordinator. Once identified, contact information will be posted on the DEO's recovery website and this LAP will be updated to include the information.

If, for any reason, a Program Level LAP Coordinator is not available for a particular program, center, or agency, program staff should contact the DEO LAP Coordinator using the contact information that will be added above.

"I Speak" Form

To identify LEP individuals seeking access to CDBG-DR funded services, programs, and activities, St. Johns is using language identification form or "I Speak" form when engaging in direct contact with the public. St. Johns staff are trained to use the "I Speak" form to identify the language needs of LEP visitors. A version of the "I Speak" Form that all Outreach staff and Housing Center staff have on hand will be added to Appendix 3.

Translation of Vital Documents

St. Johns will not translate all "vital documents" to other languages based on the small percentages of LEP individuals residing in the County, which are well below HUD's suggested 5% threshold. However, St. Johns will translate vital documents upon request or connect applicants with suitable alternatives, such as a professional interpreter.

Public Hearings and Citizen Participation Periods

All written materials requesting input and participation from the public for any CDBG-DR related activity can be translated into other languages upon request. This includes materials distributed during Citizen Participation periods when Action Plans and/or Substantial Action Plan Amendments are out for public comment.

Notices of public hearings will be translated into other languages upon request. Notices of public hearings will also indicate that interpreters in any languages spoken in the County can be made available upon request to attend the public hearings to provide interpretation services to attendees. This includes public hearings about CDBG-DR programs.

Updating Hurricane Recovery Website

DEO maintains a hurricane recovery website in English. As it is not anticipated that any language services will be needed or will only be needed in extremely limited amounts the County will either secure volunteer or procure additional language access services as needed. The County wishes to avoid incurring unnecessary costs related to procurement activities based on the result of the Four-Factor Analysis. Information for the Florida Relay 711 service will be provided on the County's disaster recovery website.

COMPLAINTS AND APPEALS

Any person who feels that St. Johns is not in compliance 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 St. Johns LAP Coordinator if they believe they have been denied the benefits of this LAP. The St. Johns LAP Coordinator may be the first point of contact for any complaints or appeals, but the DEO LAP Coordinator must be informed of all complaints and appeals and will provide oversight of the complaint/appeal resolution. Complaints will be investigated pursuant to St. Johns Complaint procedures.

Alternatively, complaints can be filed directly with the DEO LAP at:

CDBG-DR@deo.myflorida.com

Civil Rights Complaints: ComplaintsOffice04@hud.gov

LEP program applicants wishing to appeal eligibility or other programmatic decisions may also contact the St. Johns LAP Coordinator, who will provide an interpreter to assist the applicant with the appeals process and notify the DEO LAP Coordinator of the appeal. St. Johns will leverage bilingual staff to provide interpretation services as needed for all appellate processes, all meetings related to program eligibility determinations, and all meetings with contractors and subcontractors. Program applicants will have access to interpretation services throughout the process (rebuilding, loans for rehabilitation, identification of rental units, etc.) until they have successfully completed the process.

TRAINING STAFF ON THE LAP

St. Johns will provide training for staff that interact with the public through CDBG-DR programs. The training ensures that these staff members understand how to provide meaningful language assistance services to LEP individuals and covers the following:

- Definition of LEP persons;

- State and federal regulations governing language access;
- Basic customer service skills and telephone etiquette;
- Cultural sensitivity;
- Roles and responsibilities of hurricane recovery staff;
- How to identify the language needs of an LEP individual;
- St. Johns language access procedures, how to track the use of language services; and
- The LAP complaints/appeals process.

St. Johns will also incorporate LEP awareness and LAP review in new hire orientation offerings for employees who interact with the public through CDBG-DR programs.

PROVIDING NOTICE TO LEP INDIVIDUALS

St. Johns and its partners will provide notice to LEP individuals of their eligibility for benefits, programs, and services in a language they understand, to the maximum extent practical. All correspondence from St. Johns related to CDBG-DR programs which impact individuals and small businesses that are sent to prospective or existing applicants includes a provision indicating that free language interpretation services are available by contacting a toll-free number that serves LEP persons in the appropriate language. The hurricane recovery websites have posted information about how to obtain language access services as an LEP person. The Housing Recovery Intake Center has the “I Speak” form posted in a conspicuous location so that LEP persons can immediately indicate their language needs.

St. Johns may provide outreach services to LEP populations if they are determined to be necessary. All teams working on outreach will report directly to the St. Johns LAP Coordinator on a regular basis regarding specific LEP outreach activities and numbers of LEP individuals contacted (as available). St. Johns will regularly assess and maintain an accurate record of language assistance services in order to improve LEP outreach programs and activities in accordance with customer need and program resources and capacity.

MONITORING, EVALUATING, AND UPDATING THE LAP

On an annual basis, the St. Johns LAP Coordinator will update this LAP as needed to reflect any change in the plan based on the prior year’s activity and to ensure relevancy and quality control of language access services. St. Johns will review procedures for providing language access services, existing trainings, outreach activities, and the language access data to periodically update the language access program. This LAP can be updated as the needs of the LEP population and the demands on St. Johns to service this population evolve.

APPENDICES

Appendix 1: Definitions

DEO LAP Coordinator: DEO employee responsible for overseeing and implementing the terms of the LAP.

Federal Financial Assistance: This includes (1) grants, loans, and advances of federal funds, (2) the grant or donation of federal property and interests in property, (3) the detail of federal

personnel, (4) the sale and lease of, and the permission to use federal property or any interest in such property without consideration or at nominal consideration, or at a consideration which is reduced for the purpose of assisting the Recipient, or in recognition of the public interest to be served by such sale or lease to the Recipient, and (5) any federal agreement, arrangement, or other contract which has one of its purposes the provision of assistance. The term "Federal financial assistance" does not include a contract of insurance or guaranty. 24 C.F.R. § 1.2(e).

Case Manager: Employees or contractors who process grant applications.

Housing Intake Center: The Housing Intake Center operated by St. Johns provides information and assistance for applicants regarding CDBG-DR funded programs.

HUD: The United States Department of Housing and Urban Development.

Interpreter: A person who translates orally from one language into another.

Limited English Proficient (LEP) Persons: Persons who have a limited ability to read, write, speak, or understand English, and may be entitled to language assistance with respect to a particular type of service, benefit, or encounter. For the purposes of tables and maps in this LAP, LEP is defined as individuals over the age of 5 who speak English "not well" or "not at all" according to the 2010 Census.

Language Assistance Plan or Language Access Plan (LAP): A written implementation plan that addresses identified needs of the LEP persons they serve. Recipients should have a process for continuously monitoring and updating the Plan.

St. Johns LAP Coordinator: Subrecipient representative tasked with reporting to DEO LAP Coordinator, LEP and LAP request, complaints, and appeals.

Subrecipient: An entity that assists the CDBG-DR recipient with implementing and administering its recovery program(s). Subrecipients/partners are generally government agencies or non-profits that undertake one or more activities on behalf of the grantee such as administering a home rehabilitation program.

Translator: A person who translates written text from one language into another.

Vital Document: Any document that is critical for ensuring meaningful access to St. Johns' major activities and programs by beneficiaries generally and LEP persons specifically.

Appendix 2: Citations

Applicable Regulations

- Title VI of the Civil Rights Act of 1964
- Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency
- 72 FR 22732, Federal Register Volume 72, Issue 13 (January 22, 2007), U.S. Department of Housing and Urban Development (HUD)

LEP Population Estimates

- United States Census Bureau, 2011 – 2015 American Community Survey 5-Year Estimates, Table 16001, "Age by Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over."

Appendix 3: I Speak Card

☐ Cocher ici si vous lisez ou parlez le français.	13. French
☐ Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
☐ Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
☐ Make kazyé sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
☐ अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
☐ Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
☐ Jelölje meg ezt a kockát, ha megérti vagy beszél a magyar nyelvet.	19. Hungarian
☐ Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
☐ Marchi questa casella se legge o parla italiano.	21. Italian
☐ 日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
☐ 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
☐ ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	24. Laotian
☐ Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

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☐	Assinale este quadrado se você lê ou fala português.	26. Portuguese
☐	Însemnați această căsuță dacă citiți sau vorbiți românește.	27. Romanian
☐	Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
☐	Обележите овај квадратић уколико читате или говорите српски језик.	29. Serbian
☐	Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak
☐	Marque esta casilla si lee o habla español.	31. Spanish
☐	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
☐	ให้กาเครื่องหมายลงในช่องดำท่านถ่านหรือพูดภาษาไทย.	33. Thai
☐	Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
☐	Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.	35. Ukranian
☐	اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	36. Urdu
☐	Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
☐	באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish

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Appendix 4: St. Johns' Best Practices for Interacting with LEP Individuals

Many people who are eligible for services cannot effectively use those services because they are not proficient in English. Language barriers prevent us from effectively serving a large number of people. Breaking down these barriers will allow individuals with LEP to participate in the programs administered by the agency.

The way a person with LEP communicates in English will vary from speaking no English, to speaking a little English, to speaking English very well. Use the following guidelines when communicating with a person with LEP:

- Ask the person if he/she needs a translator. Use posting(s) available to determine language need.
- If you are using an interpreter, the interpreter may lag a few moments behind what is being said, so pause occasionally to allow time for a complete translation.
- Talk directly to the person, not the interpreter. However, the LEP person may look at the interpreter and may not make continuous eye contact with you.
- If you know a little of the language, try using it. It may help you communicate and at least demonstrates your interest in communicating and willingness to try.
- Do not simplify your speech or raise your voice. Speak in a normal tone.
- The person's single greatest communication need is to have access to the information by having the information either orally translated or provided in their language in written form.
- Be patient and sensitive to the needs of the LEP person.