**State of Wyoming**

**HUD Funded Programs**

**Language Assistance Plan**

This plan may be obtained in alternative formats upon request. Este plan se puede obtener en diferentes formatos a pedido.

**BACKGROUND**

The Wyoming Language Assistance Plan (WLAP) contains policies and procedures to take reasonable steps to provide meaningful access to US Housing and Urban Development (HUD) funded programs and activities for persons with Limited English Proficiency (LEP) in accordance with the United States Executive Order #13166. Wyoming is committed to complying with federal requirements in providing free meaningful access to its programs and activities for LEP persons. WYLAP covers the following programs:

* Community Development Block Grant (CDBG).

Administered by the Wyoming Business Council (WBC), which serves as the lead agency for the plan.

* Emergency Solutions Grant (ESG).

Administered by the Wyoming Department of Family Services.

* HOME Investment Partnerships Program (HOME).

Administered by the Wyoming Community Development Authority.

* National Housing Trust Fund.

Administered by the Wyoming Community Development Authority.

* Housing for Persons with Aids (HOPWA).

Administered by the Wyoming Department of Health.

* Continuum of Care Grant (CoC).

Administered by the Wyoming Homeless Collaborative.

This document contains the following information:

* Introduction
* Four Factor Analysis
* Language Assistance Plan
* Available LEP Resources
* Complaint Procedures

**INTRODUCTION**

Title VI of the Civil Rights Act of 1964 is the federal law that protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who are LEP can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

EO 13166, signed on August 11, 2000, directs all federal agencies, including the Department of Housing and Urban Development (HUD), to work to ensure that programs receiving federal financial assistance provide meaningful access to LEP persons. Pursuant to EO 13166, the meaningful access requirement of the Title VI regulations and the four-factor analysis set forth in the Department of Justice (DOJ) LEP Guidance apply to the programs and activities of federal agencies, including HUD. In addition, EO 13166 requires federal agencies to issue LEP Guidance to assist their federally assisted recipients in providing such meaningful access to their programs. This Guidance must be consistent with the DOJ Guidance. Each federal agency is required to specifically tailor the general standards established in DOJ's Guidance to its federally assisted recipients. On December 19, 2003, HUD published such proposed Guidance (HUD Final LEP Guidance). The following are definitions under the program:

* Beneficiary: The ultimate consumer of HUD programs and received benefits from a HUD Recipient or Sub-recipient.
* Partner Agencies: The agencies in Wyoming that administer HUD funds: The Wyoming Business Council, Wyoming Department of Health, Wyoming Department of Family Services, Wyoming Community Development Authority and the Wyoming Homeless Collaborative.
* Recipient: Any political subdivision of the State of Wyoming, or an eligible nonprofit organization, to whom federal financial assistance is extended for any program or activity, or who otherwise participates in carrying out such program or activity, including any successor, assign or transferee thereof, but such term does not include any Beneficiary under any such program.
* Sub-recipient: Any public or private agency, institution, organization, or other entity to whom federal financial assistance is extended, through another Recipient, for any program or activity, or who other participants in carrying out such program or activity but such term does not include any Beneficiary under any program.
* Vital document: Any document that is critical for ensuring meaningful access to the recipients' major activities and programs by beneficiaries generally and LEP persons specifically. Whether or not a document (or the information it solicits) is "vital" may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

**FOUR FACTOR ANALYSIS**

The Four Factor Analysis is the first step in providing meaningful access to federally funded programs for LEP persons. It is intended to balance the need to ensure meaningful access by LEP persons to critical services while not imposing undue financial burdens on small businesses, small local governments, or small nonprofit organizations. The following four factors were used to prepare the LAP:

1. The number or proportion of LEP persons served or encountered in Wyoming.
2. The frequency with which LEP persons come into contact with the programs.
3. The nature and importance of the program, activity, or service provided by the program.
4. The resources available and costs associated with providing LEP services.
5. The number or proportion of LEP persons served or encountered in Wyoming:

* The partner agencies rarely come into direct contact with LEP persons.
* The most direct contact may occur between the LEP person and the Recipient or Sub-recipient at the project level. The service area includes the entire state of Wyoming.
* The American Community Survey (ACS), *“Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over for States: 2009-2013*”, under the DATA tab was used to find the primary languages for those who spoke English less than “very well.”
* The ACS shows Wyoming’s population of people over five years of age at 530,725. Of that population:
  + 10,314, or 1.9% of Wyoming’s population speaks English “less than well”
  + Spanish: 8,202 or 1.5%
  + French: 832 or .2%
  + All other languages are well below .1%
* HUD has established “safe harbor” regarding the responsibility to provide translated documents. Safe harbor means the State has undertaken efforts to comply with respect to the needed translation of vital written material.
* The table below sets forth safe harbors for written translations.

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| --- | --- |
| **Size of Language Group** | **Recommended Provision of Written Language Assistance** |
| 1,000 or more in the eligible population in the market area (State of Wyoming) or among current beneficiaries | 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 |

* The Spanish speaking population, who speak English less than well, exceed HUD’s safe harbor threshold at 10, 314 people.

1. The frequency with which LEP persons come into contact with programs:

The Partner Agencies award HUD funds to recipients to carry out eligible projects that benefit individuals in the service area and, therefore, contact with LEP persons rarely occurs. Wyoming is reaching out to all citizens to get citizen participation in the Consolidated Planning process, and is making extra efforts to reach LEP people.

1. The nature and importance of the program, activity, or service provided by the program:

At the state level, citizen participation is the most likely area of contact between LEP people. This is not a critical piece of information for an LEP person, but LEP people are a vulnerable population, and as such will benefit from the decisions derived from citizen participation.

1. The resources available and costs associated with providing LEP services:

The partner agencies have limited resources available for administration of HUD funded programs. A portion of the administrative percentages allowed in the CDBG program and HOME program will be used to provide LEP services. The costs associated with providing LEP services will vary depending on the service need. A local translator charges 8 cents per word for written Spanish translation. Staff members who speak a language other than English will be utilized, if available. If funds allow, a translator will be used for written material, or free web translators will be used to translate materials.

**LANGUAGE ASSISTANCE PLAN**

1. **Identifying LEP persons who need language assistance and the specific language assistance that is needed:**

* The Four Factor Analysis shows that 1.9% of Wyoming’s population are LEP, with 1.5% of the population speaking Spanish. Three counties in Wyoming have population thresholds above HUD’s requirements. Spanish translations of documents and interpreters may be required.

1. **Identifying the points and types of contact the agency and staff may have with LEP persons:**

* Contact with LEP persons rarely occurs at the state level. The state will engage LEP populations through citizen participation in gaining services needed and in comments on plans.

1. **Identifying ways in which language assistance will be provided; Outreaching effectively to the LEP** **community**:

* The partner agencies will provide language assistance as requested, and as appropriate. There are limited resources available to administer HUD-funded programs.
* Advertisements will be translated into Spanish; other documents will be translated into Spanish upon request.
* When appropriate, free websites will be used for translation. Other times a professional translator will be hired.
* Phone texts and email will be used as the primary means of communication in Spanish, so translation can occur in the absence of an interpreter. If available, staff who speak Spanish will be used to communicate.
* An interpreter may be made available at public meetings if requested at least one week in advance.
* The partner agencies will make grant recipients aware of their responsibility to provide language assistance and translation.

1. **Training staff:**

* Staff will be made aware of applicable laws and resources.
* A copy of the Language Assistance Plan will be provided to staff.

1. **Determining which documents and informational materials are vital:**

* A vital document is any document that is critical for ensuring meaningful access to the recipients' major activities and programs by beneficiaries generally and LEP persons specifically. The partner agencies have determined the Citizen Participation Plan and the Wyoming Community Needs Survey are critical documents. Advertisements for these documents are vital to getting the word out.

1. **Translating informational materials in identified language(s) that detail services and activities provided to beneficiaries (e.g., model leases, tenants' rights and responsibilities brochures, fair housing materials, first-time homebuyer guide):**

* The partner agencies do not provide information directly to the beneficiary, therefore translation at this level is unnecessary.

1. **Providing appropriately translated notices to LEP persons (e.g., eviction notices, security information, emergency plans);**

* The partner agencies do not provide information directly to the beneficiary, therefore translation at this level is unnecessary.

1. **Providing interpreters for large, medium, small, and one-on-one meetings:**

* Interpreters will be hired to provide language assistance in Spanish, upon request, with at least one-week prior notice.

1. **Developing community resources, partnerships, and other relationships to help with the provision of language services:**

* The partner agencies will build relationships with community resources and partners to enhance language assistance.
* The partner agencies will compile a list of available resources to enhance language assistance.

1. **Making provisions for monitoring and updating the LAP, including seeking input from beneficiaries and the community on how it is working and on what other actions should be taken:**

* The partner agencies will monitor the WLAP annually and update this document as necessary. The American Community Survey and HUD guidelines will be reviewed annually and updated as appropriate.

**AVAILABLE LEP RESOURCES**

HUD Frequently Asked Questions on the Final LEP Guidelines

<http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq>

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>

**COMPLAINT PROCEDURES**

The public may send written complaints related to the Wyoming Language Assistance Plan and its associated planning efforts to the Wyoming Business Council. A written response will be issued within 15 working days. Other forms of complaints will be accepted if a written complaint is not possible.

Wyoming Business Council

214 W. 15th St.

Cheyenne, WY 82002

Phone: (307) 777-2800

[www.wyomingbusiness.org](http://www.wyomingbusiness.org)

Any person that feels Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 regulations were not complied with may file a complaint directly to the office of Fair Housing and Equal Opportunity at the following (or as otherwise directed by HUD):

Toll-Free: [800-877-7353](tel:800-877-7353)

TDD: [303-672-5248](tel:303-672-5248)