



# City of Lowell

Department of Planning and Development

*Limited English Proficiency Plan for Federally Assisted Programs*

October 2011

## **Overview of Plan**

The City of Lowell's Department of Planning and Development will take affirmative steps to communicate with people qualifying for federally assisted programs and services who need services or information in a language other than English. These persons will be referred to as Persons with Limited English Proficiency (LEP). This LEP Plan has been developed in accordance with the "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficiency Persons" as published in the January 22, 2007 *Federal Register*.

Language for Limited English Proficiency Persons (LEP) can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by The Department of Planning and Development. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally-assisted programs and activities may violate the prohibition under Title VI against discrimination on the basis of national origin.

## **Who is a Limited English Proficient (LEP) Individual?**

LEP is defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English. For the purposes of this plan, LEP persons are individuals who serve to benefit from federally assisted programs and services offered by The Department of Planning and Development.

## **Framework for Deciding When Language Services are Needed**

The Department of Planning and Development will use the U.S. Department of Housing and Urban Development's (HUD) four factor analysis to determine when a LEP individual may need language assistance to ensure meaningful access to our federally assisted programs, services and activities. HUD recommends that the following four factors should be considered when determining the need for LEP services:

*Factor 1: The number or proportion of LEP persons served or encountered in the eligible service area.*

The Census Bureau has a range of classifications of how well people speak English. The classifications are 'very well,' 'well,' 'not well,' and 'not at all.' This plan considers people that speak English 'not well' or 'not at all' as Limited English Proficient persons. For the purposes of this plan, the first factor will be evaluated through the analysis of 2005-2009 American Community Survey data (5-year estimates). The data analysis performed for this factor will weigh heavily on the types of language services provided by The Department of Planning and Development.

*Factor 2: The frequency with which LEP individuals come into contact with federally assisted programs.*

This plan has been designed to address the level of language assistance services that should be provided by The Department of Planning and Development for individuals who are eligible for federally funded programs. Therefore, the analysis of Census data in relation to Factor 1 will be carried out in the context of the eligibility criteria associated with federally funded services and programs.

*Factor 3: The nature and importance of the federally funded program, activity or service.*

Certain federally funded programs in the City provide essential services to some of the most vulnerable populations in Lowell. Those programs that serve an immediate and urgent need will be considered most predominantly in this plan when determining the level of language assistance services that should be provided by The Department of Planning and Development.

*Factor 4: The resources available to The Department of Planning and Development and the cost of LEP services.*

The Department of Planning and Development will offer the opportunity for LEP persons to have meaningful access to federally assisted programs. In combination with the above three factors, The Department of Planning and Development's available resources and cost of LEP services will also play a role in determining what level of LEP services will be provided. However, there are several resources and options available to The Department of Planning and Development in ensuring the proper level of LEP services are provided when necessary.

### LEP Persons in the City of Lowell

As mentioned, The Census Bureau has a range of classifications of how well people speak English. The classifications are 'very well,' 'well,' 'not well,' and 'not at all.' This plan considers people that speak English 'not well' or 'not at all' as Limited English Proficient persons.

According to data from the Census 2005-2009 American Community Survey, English is spoken by 60% of the City's population and only 9.8% of Lowell's total population is limited English proficient, meaning the majority (approximately 75%) of individuals who speak a non-English language can speak English well or very well.

**TABLE 1: LEP Persons in Lowell**

CT	neighborhood	TOTAL POPULATION				
		total population 5 years and older	English-only speaking population	% speak only English	TOTAL # LEP	TOTAL % LEP
3101	Downtown	3449	1795	52.0%	572	<b>16.6%</b>
3102	Centralville	5421	4330	79.9%	74	1.4%
3103		5888	3922	66.6%	488	8.3%
3104		2647	1685	63.7%	267	<b>10.1%</b>
3105	Pawtucketville	3280	2794	85.2%	0	0.0%
3106.01		5557	3539	63.7%	316	5.7%
3106.02		5432	3787	69.7%	240	4.4%
3107	Acre	3674	1683	45.8%	548	<b>14.9%</b>
3108		2631	1828	69.5%	136	5.2%
3110		1955	950	48.6%	398	<b>20.4%</b>
3111		2580	703	27.2%	603	<b>23.4%</b>
3112	Lower Highlands	2376	740	31.1%	362	<b>15.2%</b>
3113	Highlands	3252	1962	60.3%	288	8.9%
3114		5777	2839	49.1%	521	9.0%
3115		2607	1621	62.2%	205	7.9%
3116		4727	2950	62.4%	614	<b>13.0%</b>
3117	Lower Highlands	4623	2096	45.3%	670	<b>14.5%</b>
3118		3209	916	28.5%	736	<b>22.9%</b>
3119	Back Central	2120	819	38.6%	382	<b>18.0%</b>
3120		3030	1341	44.3%	516	<b>17.0%</b>
3121	sacred heart	2370	1308	55.2%	359	<b>15.1%</b>
3122		3965	2423	61.1%	273	6.9%
3123	South Lowell	4800	3586	74.7%	260	5.4%
3124	Lower Belvidere	2176	937	43.1%	295	<b>13.6%</b>
3125.01	Belvidere	4269	3002	70.3%	156	3.7%
3125.02		3596	3048	84.8%	77	2.1%
<b>LOWELL</b>		<b>95411</b>	<b>56604</b>	<b>59.3%</b>	<b>9356</b>	<b>9.8%</b>

Source: 2005-2009 American Community Survey (5 year estimates)

Of the non-English languages spoken in Lowell, the three most predominant are Khmer (12% of total population), Spanish/ Spanish Creole (11% of total population) and Portuguese (6% of total population). Other languages spoken in Lowell constitute 2% or less of the total population.

**Table 2: Top 3 Non- English Languages in Lowell**

Lowell Census Tracts	neighborhood	total population	total Khmer speaking	% Khmer speaking	total Spanish speaking	% Spanish speaking	total Portuguese speaking	% Portuguese speaking
3101	Downtown	3449	0	0.0%	883	25.6%	243	7.0%
3102	Centralville	5421	285	5.3%	184	3.4%	275	5.1%
3103		5888	14	0.2%	1144	19.4%	184	3.1%
3014		2647	144	5.4%	706	26.7%	0	0.0%
3105	Pawtucketville	3280	0	0.0%	95	2.9%	0	0.0%
3106.01		5557	180	3.2%	248	4.5%	200	3.6%
3106.02		5432	262	4.8%	273	5.0%	403	7.4%
3107	Acre	3674	818	22.3%	495	13.5%	189	5.1%
3108		2631	247	9.4%	341	13.0%	12	0.5%
3110		1955	354	18.1%	427	21.8%	22	1.1%
3111		2580	998	38.7%	535	20.7%	171	6.6%
3112	Lower Highlands	2376	762	32.1%	335	14.1%	80	3.4%
3113	Highlands	3252	839	25.8%	213	6.5%	110	3.4%
3114		5777	626	10.8%	735	12.7%	280	4.8%
3115		2607	391	15.0%	171	6.6%	111	4.3%
3116		4727	847	17.9%	187	4.0%	368	7.8%
3117	Lower Highlands	4623	1229	26.6%	389	8.4%	133	2.9%
3118		3209	1495	46.6%	258	8.0%	196	6.1%
3119	Back Central	2120	110	5.2%	557	26.3%	319	15.0%
3120		3030	382	12.6%	19	0.6%	1049	34.6%
3121	Sacred Heart	2370	367	15.5%	305	12.9%	362	15.3%
3122		3965	549	13.8%	421	10.6%	233	5.9%
3123	South Lowell	4800	331	6.9%	420	8.8%	243	5.1%
3124	Lower Belvidere	2176	10	0.5%	902	41.5%	257	11.8%
3125.01	Belvidere	4269	341	8.0%	301	7.1%	381	8.9%
3125.02		3596	0	0.0%	205	5.7%	141	3.9%
<b>TOTALS</b>	<b>LOWELL</b>	<b>95411</b>	<b>11581</b>	<b>12.1%</b>	<b>10749</b>	<b>11.3%</b>	<b>5962</b>	<b>6.2%</b>

Source: 2005-2009 American Community Survey (5 year estimates)

Based on this data, when providing language assistance to limited English proficient populations in Lowell, The Department of Planning and Development should ensure that Khmer, Spanish and Portuguese translations are made available either as standard practice or upon request.

Certain census tracts have higher concentrations of LEP individuals and several of these same census tracts have the highest concentrations of low-income households. This connection is important because low-income households are those most likely to participate in The Department of Planning and Development's federally assisted programs. The table below details Census Tracts with concentrations of LEP persons above the City average. Percentages for the three most predominant non-English languages are also included to demonstrate where certain groups of LEP individuals are concentrated among these Census Tracts with high numbers of LEP persons.

**Table 3: LEP Persons & Low Income Concentration**

Census Tract	Neighborhood	Predominantly Low Income	total population 5 years and older	TOTAL # LEP	TOTAL % LEP	% Khmer speaking	% spanish speaking	% portuguese speaking
3101	Downtown	√	3,449	572	16.6%	0.0%	25.6%	7.0%
3104	Centralville		2,647	267	10.1%	5.4%	26.7%	0.0%
3107	Acre		3,674	548	14.9%	22.3%	13.5%	5.1%
3110			1,955	398	20.4%	18.1%	21.8%	1.1%
3111		√	2,580	603	23.4%	38.7%	20.7%	6.6%
3112	Lower Highlands		2,376	362	15.2%	32.1%	14.1%	3.4%
3116	Highlands		4,727	614	13.0%	17.9%	4.0%	7.8%
3117	Lower Highlands		4,623	670	14.5%	26.6%	8.4%	2.9%
3118			3,209	736	22.9%	46.6%	8.0%	6.1%
3119	Back Central	√	2,120	382	18.0%	5.2%	26.3%	15.0%
3120			3,030	516	17.0%	12.6%	0.6%	34.6%
3121	Sacred Heart	√	2,370	359	15.1%	15.5%	12.9%	15.3%
3124	Lower Belvidere	√	2,176	295	13.6%	0.5%	41.5%	11.8%
<b>LOWELL</b>		√	<b>95,411</b>	<b>9,356</b>	<b>9.8%</b>	<b>12.1%</b>	<b>11.3%</b>	<b>6.2%</b>

Source: 2005-2009 American Community Survey (5 year estimates)

Age also has a significant impact on the rate of limited English proficiency in Lowell. As the table below demonstrates, the rate of individuals with limited English proficiency is greater among older populations. The Census demonstrates that only 2.8% of young Lowell residents (Ages 5-17) are limited English proficient compared to 10.8% of the adult population (Ages 18-64). The age group with the highest rate of limited English proficiency in Lowell is the elder population (Ages 65+) at 18.4%. Taking these statistics into account, LEP services will be needed most when The Department of Planning and Development is providing information and outreach to elderly residents.

**Table 4: Limited English Proficiency & Age**

CT	neighborhood	% LEP Total Population (Age 5+)	% LEP Ages 5-17	% LEP Ages 18-64	% LEP Ages 65+
<b>3101</b>	Downtown	<b>16.6%</b>	0.0%	16.9%	23.7%
3102	Centralville	1.4%	0.0%	1.5%	3.1%
3103		8.3%	3.9%	7.7%	18.5%
<b>3104</b>		<b>10.1%</b>	9.4%	11.8%	0.0%
3105	Pawtucketville	0.0%	0.0%	0.0%	0.0%
3106.01		5.7%	6.7%	5.5%	5.8%
3106.02		4.4%	5.4%	3.9%	5.4%
<b>3107</b>	Acre	<b>14.9%</b>	1.1%	14.3%	35.8%
3108		5.2%	0.0%	4.0%	20.4%
<b>3110</b>		<b>20.4%</b>	6.1%	20.7%	31.5%
<b>3111</b>		<b>23.4%</b>	0.0%	32.8%	63.3%
<b>3112</b>	Lower Highlands	<b>15.2%</b>	4.5%	17.2%	28.2%
3113	Highlands	8.9%	0.0%	7.8%	30.6%
3114		9.0%	0.0%	9.4%	23.9%
3115		7.9%	0.0%	5.7%	32.3%
<b>3116</b>		<b>13.0%</b>	1.8%	14.3%	20.2%
<b>3117</b>	Lower Highlands	<b>14.5%</b>	2.0%	15.4%	44.3%
<b>3118</b>		<b>22.9%</b>	22.8%	22.0%	29.8%
<b>3119</b>	Back Central	<b>18.0%</b>	0.0%	16.3%	43.9%
<b>3120</b>		<b>17.0%</b>	0.0%	16.5%	60.4%
<b>3121</b>	Sacred Heart	<b>15.1%</b>	0.0%	16.4%	33.3%
3122		6.9%	6.2%	7.3%	4.6%
3123	South Lowell	5.4%	0.0%	7.3%	3.9%
<b>3124</b>	Lower Belvidere	<b>13.6%</b>	0.0%	16.0%	34.5%
3125.01	Belvidere	3.7%	0.0%	5.1%	1.4%
3125.02		2.1%	0.0%	3.2%	0.0%
<b>LOWELL</b>		<b>9.8%</b>	<b>2.8%</b>	<b>10.2%</b>	<b>18.4%</b>

Source: 2005-2009 American Community Survey (5 year estimates)

*Census Tracts in Italics contain concentrations of LEP persons at or above the City average.*

### **Language Assistance Measures**

The Department of Planning and Development has two main ways to provide language assistance services to persons of limited English proficiency: oral and written language services. The quality and accuracy of these language assistance services is critical in order to ensure fair and equal access to The Department of Planning and Development's programs and services.

When determining the necessary level and scope of language assistance services that should be provided, The Department of Planning and Development should carefully consider HUD's four factor analysis in conjunction with the Census data included in the above section of this document.

#### ***Oral Language Service (Interpretation)***

Interpretation is the act of listening to something in one language (source language) and orally translating it into another (target language). Where interpretation is needed and is a reasonable service to provide, The Department of Planning and Development will work to provide these services.

The Department of Planning and Development has Spanish and Portuguese speaking bi-lingual staff who are available to provide interpretation services for in-person encounters. Depending on the circumstances, reasonable oral interpretation assistance might be offered through a bilingual City employee or representative of the client (family member, friend, etc). It is the LEP individual'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. The Department of Planning and Development 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 The Department of Planning and Development will provide a competent interpreter at no cost to the LEP person.

For planned events (such as Public Hearings), The Department of Planning and Development will work with its partners to ensure that translation services will be provided when necessary. In advertising these Public Hearings and other planned events, The Department of Planning and Development will make it known that translation services will be provided upon request. The following text should be included in all public outreach advertising City meetings and events:

Translation into Spanish, Khmer, and Portuguese will be provided upon request. Please contact [NAME] at [EMAIL] or [PHONE #] one week before the meeting to request this service.
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#### ***Written Translation Services***

The Department of Planning and Development will work toward translating vital documents/written materials into Khmer, Spanish and Portuguese, the top three identified languages. The nature and purpose of the written materials will play a role in determining when a document will be translated by The Department of Planning and Development. All public notice announcing the availability and allocation of federal funds will be translated into the City's top three non-English languages. For lengthy documents, translation services will be provided upon request. As an



alternative to written translation, The Department of Planning and Development's nonprofit partners are often available to offer oral translations of The Department of Planning and Development's written materials to their clients.

All vital documents not translated by The Department of Planning and Development should include the following text:

Translation into Spanish, Khmer, and Portuguese will be provided upon request. Please contact [NAME] at [EMAIL] or [PHONE #] to have all or part of this document translated.

### **Outreach Efforts**

The Department of Planning and Development encourages all of its citizens to participate in the development of its Consolidated Plan, Annual Action Plan, any substantial amendments to the Consolidated Plan and Consolidated Annual Performance and Evaluation Report (CAPER). The Department of Planning and Development especially encourages participation by low and moderate-income persons, particularly those living in slum and blighted areas, as defined by HUD, and in areas where CDBG funds are proposed to be used by implementing the following strategies:

1. Hold meetings in low-income target neighborhoods when feasible.
2. When feasible, notify participants of Consolidated Plan activities through various media sources, such as local public access channel and social media, postings within target neighborhoods (local markets, community centers, etc).
3. Solicit views of non-profit and service agencies.
4. Hold public meetings at fully accessible locations. Additionally, The Department of Planning and Development will provide interpretation, hearing and/or vision impaired services with five (5) days advance notice to the Department of Planning and Development.
5. Encourage the Lowell Housing Authority (LHA) and its tenants to participate in the development and implementation of the above Plans, along with other low income residents of targeted revitalization areas in which the developments are located. The Department of Planning and Development shall provide information to the LHA about relevant consolidated plan activities so that the LHA can make this information available at their annual public hearing.

### **Training Staff**

Training is critical so that staff understand how to access and competently provide language services. Supervisors will conduct initial and periodic training 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 Department of Planning and Development in person
- Which staff and outside vendors are available for interpretation at appointments
- The location and availability of translated documents

### **Monitoring**

The Department of Planning and Development will monitor and update this LEP Plan every five years in conjunction with the update to the Analysis of Impediments to Fair Housing Choice. This update will consist of a review of programs and the language resources available as appropriate. The Department of Planning and Development will use the Annual Action Plan process to allow public input and make adjustments as necessary and appropriate to ensure meaningful access and to reflect improved approaches to providing language access. The Department of Planning and Development will consider changes:

- In the affected LEP population in the housing jurisdiction or geographic area served
- Frequency of encounters with LEP language groups
- Availability of resources, including technological advances
- Effectiveness of services offered to LEP individual's needs
- Whether the resources identified are still available and viable