

TRANSLATION NEEDS

Limited English Proficiency Plan

A. Purpose

The purpose of this Plan is to assist the Medfield Housing Authority ("MHA") staff in providing meaningful access to MHA's programs and activities ("programs") with limited English proficiency ("LEP"). The MHA is committed to complying with federal requirements in providing free meaningful access to its programs and activities for its LEP clients. No LEP client will be denied access to an MHA program because the client does not speak English or communicates in English on a limited basis.

B. Definition of Terms

1. Client

A client is:

- A person who is an applicant for or participant in the MHA's public housing programs, Housing Choice Voucher Program, and other MHA programs; and/or
- A person who may be eligible for an MHA program but is underserved and may benefit from an outreach program.

2. Effective Communication

Effective communication occurs when MHA staff has taken reasonable steps to provide meaningful access to a LEP client. Effective communication also means that the LEP client is able to provide and receive required or necessary information.

3. Interpretation

Interpretation means the oral or spoken transfer of a message from one language into another language.

4. Language Assistance

Language assistance includes interpretation and translation. MHA has the sole discretion to determine whether to provide the language assistance in the form of interpretation or translation.

5. Limited English Proficiency

A person will be considered of limited English proficiency if he/she does not speak English as a primary language and has a limited ability to read, write, speak or understand English. The focus is on the client's lack of English proficiency. A client who proficiently speaks English is not a LEP client.

6. Meaningful Access

Meaningful access is free language assistance in compliance with federal requirements. The MHA's goal is to provide meaningful access to the MHA's programs by LEP clients in a manner that balances the following four factors:

- The number or proportion of LEP clients eligible to be served or likely to be encountered by the MHA;
- The frequency with which the MHA comes into contact with a particular language. The MHA's daily contact with a particular language may require more language service than sporadic contact;
- The nature and importance of the program to the person's life. A compulsory activity is evidence of importance. For example, voluntary attendance at a resident meeting does not have the same importance as the application and termination process for public housing and the Housing Choice Voucher Program.
- The MHA's resources and the cost of providing meaningful access. Reasonable steps may cease to be reasonable where the costs imposed substantially exceed the benefits. The MHA determines the budget for language assistance.

7. Translation

Translation means the written transfer of a message from one language into another language.

C. Offer of Free Language Assistance

The MHA staff will offer the opportunity for meaningful access to LEP clients. If a client asks for language assistance and the MHA determines that the client is LEP and that language assistance is necessary to provide meaningful access, the MHA will make reasonable efforts to provide free language assistance. If reasonably possible the MHA will provide the language assistance in the LEP client's preferred language.

D. Language Assistance

1. Mix of Language Assistance

The MHA has substantial flexibility in determining the type of language assistance necessary to provide meaningful access. Meaningful access should be at a time and place that avoids the effective denial of the program or an undue burden or delay in the rights, benefits or services to the LEP client.

2. Translation of Documents

Where greater than 10% of the MHA's clients speak a specific language, the MHA will translate the public housing lease and selected mass mailings in that language.

3. Formal Interpreters

Formal interpreters include MHA bilingual staff and contract vendors.

Formal interpreters shall be used at the formal hearing for denial of admission to the MHA programs, informal settlement conferences, and formal hearings for termination of participation in programs.

4. Informal Interpreters

Informal interpreters may include the LEP client's family members, friends, legal guardians, service representatives or personal advocates.

Informal interpreters may be appropriate depending on the circumstances and the subject matter. 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.

A LEP client may use an informal interpreter of his/her own choosing and expense in place of or as a supplement to the free language assistance offered by the MHA. If possible, the MHA should accommodate a LEP client's request to have an informal interpreter.

5. Outside Resources

Outside resources may include community volunteers, MHA residents and participants in the Housing Choice Voucher Program. Outside resources may be used for interpretive services at public or informal meetings or events.

6. Emergency Situations

Any interpreter may be used in an emergency situation. The MHA should first respond to the emergency and follow up with language assistance as appropriate.

7. Documented Use of Formal Interpreter

The MHA staff shall document in the LEP client's file or record when a formal interpreter is used during the application and termination process to an MHA program or during a public housing grievance procedure.

E. Guidelines for Using an Interpreter

The following guideline should be followed when an MHA staff person is using an interpreter:

- State the purpose of the communication and describe the type of information to be conveyed;
- Enunciate words clearly and avoid contractions such as "can't" that can easily be misunderstood. Instead, say "cannot."

- Peak in short sentences, expressing one idea at a time and allow the information to be interpreted;
- Avoid the use of double negatives, e.g. “If you don’t appear in person, you won’t get your benefits.” Instead say, “You must come in person in order to get your benefits.”
- Speak to the LEP client and not to the interpreter;
- Avoid using slang and acronyms such as MHA, HUD, DHCD;
- Provide brief explanations of technical terms of art, such as reexamination, income disregard, and minimum rent.
- Occasionally ask the interpreter if he/she understands the information. If the interpreter is confused, the LEP client may be confused;
- Be patient and thank the interpreter.

F. Notice of Free Language Assistance For MHA Business

The application procedures and process for MHA programs include a space to inquire about LEP eligibility and need for language assistance;

The annual reexamination procedures and process advise clients about how to request free language assistance for MHA business;

Each denial to a MHA program contains language that the client may contact the MHA for free language assistance for the action taken;

The MHA shall determine on what other occasions to give notice that a client may request free language assistance for MHA business;

G. Collection of Language Information

- The application for MHA programs are being reviewed to include a space for the LEP client to identify the language for which interpreter and/or translation services are needed.
- MHA Staff Training
- The MHA will make this LEP Plan available to staff.
- Any MHA staff member who is likely to have ongoing contact with LEP clients will attend LEP training.
- LEP training will include the following:

- The MHA's duty to offer free language assistance in compliance with federal requirements;
- The substance of the MHA's LEP Plan;
- The methods to be used to document a client's language needs; and
- Identity of the LEP Manager, bilingual staff and contract interpreters.

H. Monitoring

Periodically, the MHA will review the LEP Plan. The review will include a determination as to whether 10% of MHA's clients speak a specific language requiring the translation of documents as provided in this plan.