



DEPARTMENT OF
HOUSING



CDBG-DR

**FAIR HOUSING AND EQUAL OPPORTUNITY
LANGUAGE ACCESS PLAN
FOR ALL CDBG-DR & CDBG-MIT PROGRAMS**

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PUERTO RICO DEPARTMENT OF HOUSING
CDBG-DR AND CDBG-MIT PROGRAMS
LANGUAGE ACCESS PLAN
VERSION CONTROL

VERSION NUMBER	DATE REVISED	DESCRIPTION OF REVISIONS
1	June 26, 2020	Original Version
2	September 7, 2022	Included CDBG-MIT Applicability; Updated Four Factor Analysis and rearranged content for more clarity

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1 Purpose

This Language Access Plan (**LAP, or the Plan**) is established pursuant to and in accordance with Executive Order 13166, Improving Access to Services for Persons With Limited English Proficiency,¹ Title VI of the Civil Right Act of 1964, 42 U.S.C. § 2000(d) *et seq.*, and the Department of Housing and Urban Development's (**HUD**) Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, dated January 22, 2007, and effective February 21, 2007 (**HUD Guidance**).²

Executive Order No. 13166 directs federal agencies that extend assistance, subject to the requirements of Title VI, to publish guidance that clarifies their recipients' obligations to Limited English Proficient (**LEP**) individuals and/or those who are deaf/hard of hearing. LEP individuals are defined as people who do not speak English as their first or native language, thus have limited ability to speak, write, and/or understand the language.

Per the Guidance that HUD Guidance has provided, recipients of HUD assistance are required to conduct an analysis to determine the needs of LEP people within its jurisdiction and encouraged to develop a plan that establishes policies and actions for addressing those needs to facilitate participation in its federally funded programs. Due to the fact that the Community Development Block Grant – Disaster Recovery Program (**CDBG-DR**) and Community Development Block Grant – Mitigation Program (**CDBG-MIT**) are federally funded, public outreach, program guidelines, forms, applications, and other vital documents for Program participation must be provided in the languages sufficiently present in Puerto Rico. These languages are Spanish and English and they must be accommodated by the CDBG-DR/MIT Programs as set forth in this Plan. Additionally, the Puerto Rico Department of Housing (**PRDOH**), as a HUD grantee, must be prepared to provide language access services in other languages when requested and necessary to facilitate an individual's program participation.

As demonstrated by analysis from the required four-factor analysis will show found at the last section of the Plan, Puerto Rico is unique among most HUD recipients in the fact that the language predominately spoken is Spanish. It This is also the language in which government is generally conducted. For this reason, the is PRDOH's LAP from PRDOH, as a HUD grantee, describes it's the policies to which ensure LEP individuals have meaningful access to the CDBG-DR/MIT Programs, whilst also taking Limited Spanish Proficient (**LSP**) individuals into consideration.

2 Policy

As the federal oversight agency for CDBG-DR/MIT funds, HUD requires that PRDOH, as the grantee, have policies and procedures in place to facilitate the communication

¹ Executive Order No. 13166 (2000), Federal Register, Vol. 65, No. 159, p. 50121, 65 FR 50121, (August 16, 2000).

² Federal Register Vol. 72, No. 13 (January 22, 2007), 72 FR 2732.

between the agency and the residents, administering entities, subrecipients, contractors, and/or developers and subcontractors participating in the CDBG-DR/MIT programs outlined in the Disaster Recovery Action Plan and the Mitigation Action Plan. Additionally, PRDOH is responsible for ensuring that all subrecipients, including contractors and subcontractors, provide services that are accessible to language minorities on the Island, as set forth in this Plan.

This LAP Plan sets forth policy and guidance for CDBG-DR/MIT programs to provide language access services to LEP/LSP individuals interested or participating in these federally funded programs. This includes:

- The management and training of PRDOH staff and entities that interact with LEP/LSP individuals;
- Ensuring access to information for LEP/LSP individuals about the availability of programs and other information vital to program participation; and
- Continuing to evaluate, monitor, and update the implementation of this plan for both disaster recovery and mitigation programs and as well as activities to which it applies.

Language for LEP/LSP individuals can be an obstacle to obtaining important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding the information provided by federally funded programs and activities.

PRDOH adheres to the policy of a language access set forth in this plan. It is PRDOH's policy requires that LEP/LSP individuals have meaningful access to programs, translation services, and activities by providing free language assistance services in a timely manner. This includes training staff and providing timely and effective communication to civilians who are seeking access to CDBG-DR/MIT programs, activities, and services; these may include, but are not limited to: interpretative services, where appropriate, and educating personnel about language access responsibilities and how to utilize the language access resources. This also includes translation of vital documents, which are identified and defined as depending on the importance of the program, information, encounter, or service involved, and the consequence to the LEP/LSP individual if the information in question is not provided accurately or in a timely manner. These contain information that is critical for obtaining or maintaining the services or benefits that are supported by federal funds, or that are required by law. Such documents may include, but are not limited to, outreach materials, applications, consent forms, notices of participant rights and responsibilities, disciplinary notices, letters or notices that require a response from the participant or beneficiary, legal notices, and notices advising LEP/LSP individuals of the availability of free language services.

PRDOH is committed to ensuring that programs and resources are accessible to LEP/LSP individuals, without discrimination on the basis of race, color, religion, sex, sexual

orientation, gender identity or expression, status as a veteran, disability, familial status or national origin. PRDOH is further committed to providing written translation of documents and/or their interpretation to LEP/LSP individuals whose primary language is determined to be a frequently encountered language as per thresholds discussed in this Plan.³

PRDOH and responsible CDBG-DR/MIT funded entities will establish and maintain an infrastructure to implement and improve language assistance services. This LAP must be adopted and implemented by all subrecipients, contractors, and other administering entities that interact with LEP/LSP individuals assisting with as part of the implementation of the CDBG-DR/MIT Programs that interact with LEP/LSP individuals. Evidence of compliance with this LAP shall be maintained in program files.

3 Limited Spanish Proficiency

Puerto Rico is a particular jurisdiction when determining language proficiency. Different to all Unlike other jurisdictions of the United States, Puerto Rico is a predominately Spanish speaking population. Spanish is the language of instruction, as well as the predominant language used in government services, commerce, and social interactions. As highlighted in HUD provided problem solving clinics, in terms of LEP individuals, Puerto Rico is considered as a “reverse LEP”, identifying LSP individuals as a group to which special attention and services are to be provided in order to ensure they have a meaningful access to the CDBG-DR/MIT Programs. LSP individuals are defined as people who do not speak Spanish as their first or native language, thus have limited ability to speak, write, and/or understand the said language. Much like their LEP counterparts, language may become a barrier when accessing information or CDBG-DR/MIT funded programs.

As described in the Four Factor Analysis found at the end of this Plan, a total of 99.8% of Puerto Rico's population speak either English or Spanish as their main language. Specifically, 94.2% speak Spanish and 5.6% speak English; English-only speakers make up 5.4% of Puerto Rico's population, for a total of 167,713 individuals, as stated in Table 2. Assuming that this population does not speak, read, or write Spanish proficiently, they clearly meet the threshold that triggers written translations services for these LSP individuals who are English speakers. Given these statistics and analysis, all vital documents relating to CDBG-DR/MIT Programs are available in English and Spanish.

Of critical concern for the development of this Plan is the language spoken at home, which as reflected shown in the American Community Survey 5-year estimates (2016-2020) is detailed in Table 1 below. It is important to note that the Census does not collect data regarding Spanish proficiency.

The CDBG-DR/MIT Programs is are a federally-funded program initiative that is monitored and supervised by HUD. The particularities and intricacies of a federally funded program implemented in a Spanish speaking jurisdiction, creates for a duality of languages

³ As established in HUD Guidance, at 72 FR 2732, and included in this Plan in Table 2.

depending on the forum. As such, for which both Spanish and English translation services must be employed, as stated in this Plan.

4 Language Access Plan

Based on the foregoing "Four Factor Analysis," the greatest need for LEP/LSP resources is for the provision of Spanish language services. In an effort to meet these needs, PRDOH implements responsible measures that provide the following measures for CDBG-DR/MIT funded activities:

1. While interpretation services are widely available at the various venues providing that provide services, enhanced efforts are made for the provision of translation services for of vital federally funded program documents.
2. PRDOH provides documents deemed vital for each CDBG-DR/MIT program in both English and Spanish.⁴
3. Regarding the CDBG-DR/MIT public participation process, PRDOH will provide public hearing notices for its each Action Plan, and any amendments, in both English and Spanish, which The notices will contain an advisory regarding advertise the availability of language services, which will be free of cost, throughout the planning process.
4. All drafts and approved Action Plans and amendments are available in English and Spanish on the CDBG-DR/MIT website.
5. Public participation surveys will be provided in both English and Spanish.
6. Spanish interpretation services will be made available at all CDBG-DR/MIT related public meetings.
7. In an effort to enhance participation in the CDBG-DR/MIT planning process by LEP/LSP individuals, PRDOH will conduct outreach efforts, both in English and Spanish, at public facilities alongside local community groups outreach efforts will be conducted by PRDOH with local community groups, and at public facilities in English and Spanish.
8. PRDOH's CDBG-DR/MIT Programs' website and all program information is available in both Spanish and English.
9. PRDOH's Citizen Participation Plan is consistent with the requirements of this LAP.

⁴ Where forms issued by HUD have been translated by the Program and participant signature is required, the participant may be required to sign the English version of the form as the legally binding document, with the Spanish language translation attached. Translations which require signature shall carry the disclaimer that: "[t]his document is a translation of a HUD-issued and/or required document. This translation is provided 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".

10. PRDOH's CDBG-DR/MIT Subrecipients Agreements will include requirements for the provision of LEP/LSP resources by subrecipients for all public participatory activities, including marketing, outreach, applications, vital document translations, ~~and as well as~~ monitoring requirements. Subrecipient and contractor agreements will incorporate LEP/LSP requirements relative to:
 - a. Providing Spanish translations for all outreach, marketing, application materials, and vital documents, and ~~to advise of~~ advertising the availability of language assistance services.
 - b. Requirements will also be added for subrecipients, contractors, and other administering entities that interact with LEP/LSP individuals ~~assisting with~~ as part of the implementation of the CDBG-DR/MIT Programs ~~that interact with~~ LEP/LSP individuals to:
 - i. Develop and maintain operating procedures that address LEP/LSP assistance;
 - ii. Maintain inquiry and application logs that specify language of choice;
 - iii. Submit documentation to PRDOH supporting subrecipient efforts to further LEP access;
 - iv. Submit translated documentation to PRDOH for maintenance in PRDOH's project files; and
 - v. Require periodic monitoring by PRDOH for compliance with LEP/LSP requirements.
11. Programs conducted by PRDOH which entail public participatory contact will provide all marketing, outreach and marketing/information brochures and publications, applications, and vital documents in both Spanish and English. ~~Other languages may be provided upon request.~~
12. Where programs use initial contact "template" or "form letters", such letters shall be provided in both English and Spanish and will advise of the availability of language assistance services by PRDOH.
13. Provide training ~~on the requirements of this LAP, and its effective implementation at the staff, program, and project level~~ for PRDOH staff and subrecipients, contractors, and other administering entities ~~that interact with LEP/LSP individuals assisting with~~ as part of the implementation of the CDBG-DR/MIT Programs ~~that interact with~~ LEP/LSP individuals ~~on the requirements of this LAP, and its effective implementation at the staff, program, and project level~~. In conjunction with this training, a curriculum will be developed which addresses a description of ~~available~~ internal resources ~~available~~ and how to access them, sensitivity to LEP/LSP individuals, response protocols for addressing LEP/LSP callers, written

communications, in-person contacts, and availability and access to external referral resources.

14. PRDOH and its CDBG-DR/MIT subrecipients, contractors, and other administering entities that interact with LEP/LSP individuals assisting with as part of the implementation of the CDBG-DR/MIT Programs that interact with LEP/LSP individuals will be required to maintain inquiry and application logs that document the language preference of persons seeking to apply or participate in CDBG-DR/MIT funded activities and programs. The data derived from these logs will be analyzed to make any necessary adjustments to the LAP.
15. Insert "tag lines" on all printed outreach materials indicating the availability of Spanish translation and interpretation services by PRDOH for its internally conducted activities, and by its CDBG-DR/MIT subrecipients. Likewise, all outreach materials printed in Spanish must indicate the availability of English translation and interpretation services by PRDOH.
16. Continue to provide language interpretation services as necessary to ensure access by LEP/LSP individuals in all federally funded activities.
17. Explore access to community-based services which provide translation and interpretation services for LEP/LSP individuals.
18. Allow Program participants the opportunity to assess the accessibility, accuracy, cultural appropriateness, and overall quality of the provided language assistance services being.
19. Conduct an annual survey of PRDOH staff and contractors with public-facing roles to create a language bank of bilingual staff members who can be readily called upon when needed, as well as collect information regarding the incidence of requests for information and services in minority languages.
20. Conduct targeted outreach to LEP/LSP populations via community contacts, ethnic media, or other available means.
21. Continue to provide interpretation services as necessary to ensure access by LEP/LSP individuals in all federally funded activities.
22. Ensure all in-person, telephone, and web-based application and intake centers include bilingual staff for assistance and support. Each point of contact between PRDOH, subrecipient, or contractor with a community member must establish a meeting address or phone number accessible for LEP/LSP individuals.

5 Language Access Plan Implementation

Implementation of the PRDOH LAP will include its dissemination to all regional offices or intake centers in order to inform CDBG-DR/MIT staff of the elements and action steps outlined in the LAP. PRDOH shall be responsible for staff training, self-assessments, maintaining accessibility of internal language assistance services, and providing notice

of availability of language assistance services to external stakeholders through outreach initiatives, social media and web page presence.

Implementation of the above listed measures will be performed in accordance with the following schedule:

1. Spanish translations for all documents deemed vital for each public participatory or public contact program offered by PRDOH or its subrecipients will continue after the approval of this LAP and ~~continue~~ throughout the duration of the programs. Documents requiring translation also include: marketing, outreach and marketing/information brochures and publications, applications, and initial-contact "template" or "form letters".
2. ~~The provision of p~~Public hearing notices regarding Action Plans will be published, both in English and Spanish, ~~will be performed~~ for each future ~~respective~~ document preparation cycle, ~~with advisories regarding these will advertise~~ the availability of language services throughout the planning process. ~~contained in the English and Spanish language notices.~~
3. Spanish and English interpretation services will be made available at all CDBG-DR/MIT related public meetings for each future planning cycle.
4. Public participation surveys will be provided in both English and Spanish; and Spanish and English interpretation services will be made available at all CDBG-DR/MIT related public meetings for each respective document preparation cycle.
5. During all future planning cycles, outreach efforts will be conducted ~~at public facilities, both in English and Spanish, with~~ by PRDOH, alongside local community groups, ~~and at public facilities in English and Spanish.~~
6. Future draft and final Action Plans will continue to be translated into Spanish with a notification that specifies that additional translation or interpretation services are available ~~upon~~ ~~on~~ request. The English and Spanish versions will be posted on PRDOH's website concurrently.
7. ~~Prior to initiation of the next CDBG-DR/MIT planning cycle, PRDOH's CDBG-DR/MIT Subrecipient Agreements will be amended~~ ~~Amendment of PRDOH's CDBG-DR/MIT Subrecipient Agreements~~ to include requirements for the provision of LEP/LSP resources by subrecipients for all public participatory activities, and to address monitoring responsibilities, ~~will be performed prior to the initiation of the next CDBG-DR/MIT planning cycle.~~
8. An LEP/LSP training curriculum will be initiated after the approval of this LAP and completed thereafter. Training audience includes PRDOH staff, subrecipients, contractors, and other administering entities ~~that interact with LEP/LSP individuals assisting with~~ as part of the implementation of the CDBG-DR/MIT Programs ~~that interact with LEP/LSP individuals.~~

9. ~~Existing funded~~ **Current** subrecipients and contractors will be ~~advised~~ **notified** of the approval of this LAP. They will also be informed of the necessity of providing ~~of the need to provide~~ Spanish translations for all outreach, marketing, application materials, and vital documents, ~~and as well as advertising to advise of~~ the availability of language assistance services **at no cost**.
10. **As part of PRDOH's ongoing efforts to verify compliance with these provisions, subrecipients and contractors will be required to submit information on their interactions and efforts to serve LEP/LSP persons on a quarterly basis. The analysis of the reported data will be carried out quarterly. After the approval of this LAP, Inquiry and Application Log forms will be developed and placed into service for PRDOH and subrecipient programs and projects after the approval of this LAP. The analysis of the resulting data will be performed on a quarterly basis.**
11. The insertion of "tag lines" on certain printed outreach materials or programs forms indicating the availability of translation and interpretation services by PRDOH and its CDBG-DR/MIT subrecipients.
12. **Upon request, language interpretation services for all CDBG-DR/MIT funded activities entailing participatory contact will be performed on an ongoing basis as requested.**
13. Access to community-based services which provide ~~needed~~ translation and interpretation services for non-Spanish speaking LEP/LSP individuals will be explored on an ongoing basis.
14. Targeted outreach to the LEP/LSP populations via community contacts, ethnic media, or other available means will be performed on an ongoing basis and be adjusted to meet program **and community** demands.

Implementation and coordination of all activities required under the Language Access Plan shall be the responsibility of the PRDOH CDBG-DR/MIT designated employee, who shall be responsible for monitoring the effectiveness of the plan.

6 Plan Conformance and Updates

~~During the term~~ **Throughout the duration** of the PRDOH CDBG-DR/MIT Programs, this LAP shall be reviewed annually to ensure conformance with all statutory requirements, monitor changes in the language characteristics of its population, monitor program demand by LEP/LSP individuals, evaluate its effectiveness, and amended as necessary to accommodate modifications to demographic changes, client needs, regulatory requirements, and revised or new federally funded programs and projects.

7 Language Accessibility

Program accessibility for LEP/LSP individuals may be requested:

- Via telephone: 1-833-234-CDBG o 1-833-234-2324 (TTY: 787-522-5950)
Attention hours: Monday to Friday from 8:00am-5:00pm

- In-person at: PRDOH Headquarters Office or Program Intake Centers⁵
Attention hours: Monday to Friday from 8:00am-5:00pm⁶
- Via email at: infoCDBG@vivienda.pr.gov – for all CDBG-DR/MIT inquiries
- Online at: <https://www.cdbg-dr.pr.gov/en/contact/> (English version)
<https://www.cdbg-dr.pr.gov/contact/> (Spanish version)
- In writing at: Puerto Rico CDBG-DR/MIT Programs
P.O. Box 21365
San Juan, PR 00928-1365

8 Complaints

As part of addressing Puerto Rico's long-term recovery needs, citizen complaints on any issues related to the general administration of CDBG-DR/MIT Programs are welcome throughout the duration of the grant, including those related to the LAP. PRDOH aims to provide an opportunity to address all complaints received. Addressing these complaints is an essential responsibility for PRDOH, as it establishes the importance of an open communication regarding citizens' concerns about the programs.

It is PRDOH's responsibility, as grantee, to ensure that all complaints are dealt with promptly and consistently and at a minimum, to provide a timely, substantive written response to every **written** complaint within **fifteen (15) business days**, where practicable, as a CDBG grant recipient. See 24 C.F.R. § 570.486(a)(7).

PRDOH aims to provide an opportunity to address all complaints received, either formally or informally. An informal complaint refers to those complaints that are verbally communicated through CDBG-DR/MIT personnel. These are not subject to 24 C.F.R. § 570.486(a)(7) unless the complainant requests for it to be filed as a formal complaint. A formal complaint is a written statement of grievance. All formal complaints will be documented, processed, filed and answered. Complaints with insufficient data or submitted by a third party with no standing in the matter being submitted need not be accepted or reviewed.

PRDOH offers reasonable accommodation to ensure equal opportunity. PRDOH ensures that the LEP/LSP community is served. CDBG-DR/MIT website and tools are available in both, the Spanish and English language.

⁵ Regional Office Directory: <https://www.vivienda.pr.gov/directorio-de-las-oficinas-regionales/>

⁶ Hours may vary due to COVID-19. PRDOH recommends calling ahead to prior to arrival.

Citizens who wish to submit formal complaints related to the CDBG-DR/MIT funded activities, including the LAP, may do so through any of the following means:

- Via email at: LegalCDBG@vivienda.pr.gov
- Online at: <https://cdbg-dr.pr.gov/en/complaints/> (English version)
<https://cdbg-dr.pr.gov/quejas> (Spanish version)
- In writing at: Puerto Rico CDBG-DR/MIT Programs
Attn: CDBG-DR/MIT Legal Division-Complaints
P.O. Box 21365
San Juan, PR 00928-1365

Although formal complaints are required to be submitted in writing, complaints may also be received verbally and by other means necessary, as applicable, when PRDOH determines that the citizen's particular circumstances do not allow the complainant to submit a written complaint. However, in these instances, PRDOH shall convert these complaints into written form. These alternate methods include, but are not limited to:

- Via telephone: 1-833-234-CDBG o 1-833-234-2324 (TTY: 787-522-5950)
Attention hours: Monday to Friday from 8:00am-5:00pm
- In-person at: PRDOH Headquarters Office or Program Intake Centers
Attention hours: Monday to Friday from 8:00am-5:00pm⁷

Citizens also have the alternative of filing language accessibility complaints directly with HUD which can be contacted:

- Via email at: ComplaintsOffice02@hud.gov
- Online at:
 - English
<https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action>
 - Spanish
https://portalapps.hud.gov/AdaptivePages/HUD_Spanish/Espanol/complaint/complaint-details.htm
 - Other languages
https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint
- In writing at: New York Regional Office of FHEO
U.S. Department of Housing and Urban Development
26 Federal Plaza, Room 3532

⁷ Hours may vary due to COVID-19. PRDOH recommends calling ahead to prior to arrival.

New York, New York 10278-0068

- By calling at: (212) 542-7519; 1 (800) 496-4294 or TTY (212) 264-0927

For more information, see the Citizen Complaints Policy, which will be posted as a standalone document at <https://cdbg-dr.pr.gov/en/resources/policies/> and <https://www.cdbg-dr.pr.gov/recursos/politicas/>.

9 Four Factor Analysis

As a recipient of federal funding, PRDOH is required to take reasonable steps to ensure meaningful access to CDBG-DR/MIT programs and activities by LEP/LSP individuals. The following four-factor analysis is the starting point for creating a Plan which balances LEP needs without imposing a financial burden on small businesses, local government or small nonprofit organizations, and assistance measures provided. These steps are intended to be flexible and fact dependent.

9.1 The number or proportion of LEP individuals eligible to be served or likely to be encountered by the Programs or grantee

According to the American Community Survey 5-year estimates (2016-2020) provided by the U.S. Census Bureau, Puerto Rico has an estimated population of 3,255,642.⁸ Based upon this total population, the first analysis in determining what language services recipients should provide is the number or proportion of LEP persons from a particular language group served or encountered in the eligible service population. The greater the number or proportion of these LEP persons, the more likely language services are needed. PRDOH must work with CDBG-DR/MIT programs to translate vital documents based on the need and capacities of each program and must take into consideration the individuals who are likely to be impacted by the programs and activities.

HUD has provided “safe harbor” guidance which establishes language group size thresholds as the basis for determining the actions required regarding written materials and LEP assistance. A safe harbor, in the context of LAP guidance, “means that the recipient has undertaken efforts to comply with respect to the needed translation of vital written materials.”⁹ A recipient provides strong evidence, in its records or in reports to the agency providing federal financial assistance, that it has made reasonable efforts to provide written language assistance when conducts the four-factor analysis, determines that translated documents are needed by LEP applicants or beneficiaries, adopts an LAP that specifies the translation of vital materials, and makes the necessary translations, then the recipient provides strong evidence, in its records or in reports to the agency providing

⁸ 2016-2020 5-year estimates Detailed Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over.

⁹ Vital documents are paper or electronic written materials that contain information that is critical for accessing a component’s program or activities or is required by law.

federal financial assistance, that it has made reasonable efforts to provide written language assistance.”¹⁰

Table 1: Recommended Provision of Written Language Assistance

Size of Language Group - Recommended Provision of Written Language Assistance	
1,000 or more in the eligible population in the market area or among current beneficiaries.	Translate vital documents.
More than five percent (5%) of the eligible population or beneficiaries <i>and</i> more than fifty (50) in number.	Translate vital documents.
More than five percent (5%) of the eligible population or beneficiaries <i>and</i> fifty (50) or less in number.	Translate written notice of right to receive free oral interpretation of documents.
Five percent (5%) or less of the eligible population or beneficiaries <i>and</i> less than 1,000 in number.	No written translation is required.

Table 2, below, includes 2016-2020 American Community Survey 5-year estimates data related to individuals' ability to speak English. This table includes all language groups in Puerto Rico which have an LEP population of more than fifty (50) people, and contains an analysis of these LEP populations to determine the proportion each makes up of the total population of the Island.

Table 2: Puerto Rico LEP Language Group Analysis¹¹

Group	Population	% of PR Population
Puerto Rico (total)	3,124,678	100.000%
Speak only English	167,713	5.367%
LEP Language Group	Population	% of PR Population
Spanish	2,379,715	76.159%
French (incl. Cajun)	420	0.013%
Italian	229	0.008%
Portuguese	226	0.007%
Chinese (incl. Mandarin, Cantonese)	884	0.028%
Japanese	29	0.002%
Arabic	142	0.004%
Other and Unspecified	21	0.002%

¹⁰ U.S. Department of Housing and Urban Development, LEP Final Guidance Frequently Asked Questions, https://www.hud.gov/program_offices/fair_housing_equal_opp/promotingafh/lep-faq#q19.

¹¹ 2016-2020 5-year Estimates Detailed Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over

The analysis from Table 2 indicates that Spanish is the largest language group which may require the provision of LEP assistance, with seventy-six percent (76%) of the Spanish population indicating that they speak English "less than very well". Conversely, English-only speaking persons are a linguistic minority in the Island that make up just over five percent (5%) of the Puerto Rico population, meaning they may require LSP assistance. Other languages present in Puerto Rico with more than fifty (50) LEP speakers make up a small percentage of the Island's population, with no single LEP group making up more than 0.025% of the total population and no LEP group containing more than 1,000 individuals. This indicates that the CDBG-DR/MIT Programs are unlikely is not likely to encounter these other LEP language groups requiring LEP/LSP assistance.¹²

Consistent with the above analysis, historic program inquiries, utilization, and outreach, it is determined that English- and Spanish-speaking persons are the two language groups which require written translations of all vital documents. This means that PRDOH, sub-grantees, contractors and sub-contractors must ensure that these groups have access to language accessible services, including but not limited to the written translation of vital documents.

9.2 The frequency with which LEP individuals come into contact with the Programs

PRDOH has adopted a wide range of activities utilizing CDBG-DR/MIT funding. This LAP is based on these adopted programs and is designed to be effective for the five (5) year period between 2020-2021 and 2025-2026. In the event that new projects or programs are funded with CDBG-DR/MIT resources, and are not adequately addressed under this Plan, the Plan shall be updated to appropriately consider and address the program year activities. Activities have been categorized into six (6) major groups: Housing, Economic Recovery, Infrastructure Coordination, Multi-Sector Initiatives, Planning, and Administration. A complete breakdown of the CDBG-DR and CDBG-MIT programs and allocated budgets may be found in the CDBG-DR and CDBG-MIT Action Plans.¹³

Pursuant to Federal Register Vol. 83, No. 157 (August 14, 2018), 83 FR 40314, HUD expanded the MID designation to include the entire Island of Puerto Rico. As such, CDBG-DR/MIT programs will impact and come into contact with potential LEP/LSP individuals throughout the whole Island meaning that disaster recovery and mitigation activities will impact stakeholders across all sectors of the island.

¹² It is worth noting that because the language primarily spoken in Puerto Rico is Spanish, it is possible that many of the individuals from these other LEP language groups may speak, read, and/or understand Spanish. However, data does not exist which could be used to evaluate the Spanish proficiency of these individual language groups.

¹³ CDBG-DR Action Plan may be found at <https://cdbg-dr.pr.gov/en/download/action-plan-amendment-8-nonsubstantial-amendment-effective-on-february-25-2022/> (English) and <https://cdbg-dr.pr.gov/download/8va-enmienda-al-plan-de-accion-enmienda-no-sustancial-efectiva-el-25-de-febrero-de-2022/> (Spanish). CDBG-MIT Action Plan may be found at <https://cdbg-dr.pr.gov/en/download/cdbg-mit-action-plan-effective-on-april-19th-2021/> (English) and <https://cdbg-dr.pr.gov/download/cdbg-mit-plan-de-accion-19-de-abril-de-2021/> (Spanish).

CDBG-DR/MIT programs and projects are targeted toward disaster recovery and mitigation projects that reduce the potential for loss and destruction from future events. As such, participation rates and activities will vary throughout different sectors of the island depending on the communities' needs. Since the CDBG-DR/MIT Housing and CDBG-DR/MIT Economic Recovery programs provide direct benefits to participants across the Island, they are anticipated to entail the largest percentage of participatory contact among the six (6) major program groups. However, PRDOH will ensure that LEP/LSP individuals have meaningful access throughout the process for all CDBG-DR/MIT programs. PRDOH will ensure that LEP individuals have meaningful access throughout the process.

9.3 The nature and importance of the programs, activities, or services provided by the programs to people's lives

CDBG-DR/MIT funded activities positively impact the lives of all of Puerto Rico's residents. However, as previously noted, there are a number of federally funded activities which provide direct benefits to participants. When a CDBG-DR/MIT program provides a direct benefit to a participant, it must comply with the requirements established in this LAP and have readily available information or services so that the communication between the Program and the participant is correctly relayed and understood.

CDBG-DR/MIT Housing programs have the potential to interact directly with LEP/LSP individuals throughout program activities, either by virtue of direct applicant participation, or for multi-family development and rehabilitation activities, during the lease-up subsequent to construction completion as well as communications with current and interested residents of assisted housing developments.

Similarly, for all CDBG-DR/MIT Economic Recovery programs, all programs have the potential to interact directly with program applicants who may be LEP/LSP. As most of these programs will be administered through a subrecipient distribution model, it is important to ensure that these administering entities are following this Plan and that they can provide the necessary language access services upon request.

The CDBG-DR/MIT Infrastructure projects will generally will be interacting directly with local governments, construction contractors, and in some cases non-profits. While most of these entities are expected to be made up of primarily Spanish speakers, at times there will be the need for public meetings at times which may entail accessibility for need to be made accessible to English speakers.

The provisions of the Language Access Plan shall apply to Multi-Sector Initiatives in instances where public meetings occur and where public input may be received, either for resource allocation, project selection or approvals, or where funds are for programs for public that entail public participatory activities.

The CDBG-DR/MIT Administration projects provide administrative oversight and are responsible for the citizen participation process for federally funded activities. In this capacity, the Administration projects are directly linked to all of the above projects and require that LEP/LSP language assistance be provided.

9.4 The resources available to the grantee/recipient and costs

PRDOH currently has bilingual (English/Spanish) staff available for the provision of interpretation services in all facilities where they are the direct provider of federally funded services. As a fair housing services provider, PRDOH also has bilingual (English/Spanish) staff available or interpreters accessible to assist LEP/LSP individuals. In addition to the widespread presence of bilingual staff available at PRDOH available for oral interpretation services in their various capacities implementing CDBG-DR/MIT programs, other oral interpretation services may be provided as needed. Evaluation of cost-effective measures for the provision of LEP/LSP translation services will be made prior to engaging external service providers.

For written translation services, PRDOH has contracted with a 3rd party translation service to provide consistent, accurate translation services for vital documents, which are generally produced in English and are translated into Spanish. These are finally reviewed by PRDOH to ensure consistency and accuracy between the English and Spanish versions of these documents. In the event of a discrepancy among any translation, the English version will prevail. However, in any document that requires a signature, the version in the language in which it was signed will prevail.

All program guidelines, policies, reporting forms, and certain other supporting program documents are available in English and Spanish at PRDOH CDBG-DR/MIT webpage which is fully available in both languages. In addition, written materials related to the management and notification of applicants are available in English and Spanish through the program platform (Canopy), depending on the preference established by the applicant in their initial application.

PRDOH is prepared to respond to any request received for oral interpretation services for a language other than English and Spanish with appropriate interpretation services. Based on the Four Factor Analysis, PRDOH has determined that it is not necessary to provide a translated written notice of right to receive free oral interpretation of documents for any other languages.

END OF POLICY