



FOUR FACTOR ANALYSIS & LANGUAGE ACCESS PLAN

FOR LIMITED ENGLISH PROFICIENCY PERSONS
CITY OF PASADENA, TEXAS

CITY OF PASADENA
P.O. Box 672, Pasadena, TX 77501
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<https://www.pasadenatx.gov/>

1.0 Policy Statement:

The City of Pasadena shall provide meaningful access to equitable, timely, and quality language assistance services to individuals with limited English proficiency (LEP) in its programs and activities consistent with Executive Order (EO 13166), Improving Access to Services for Persons with Limited English Proficiency, 65 Fed. Reg. 50, 121 (Aug. 16, 2000). Individuals who have a limited ability to read, speak, write, or understand English may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

The City’s Language Access Plan (LAP) will be publicly available on City of Pasadena Community Development webpage at <https://www.pasadenatx.gov/622/Plans-Notices> and the Housing Department’s webpage at [Plans & Notices | Pasadena, TX \(pasadenatx.gov\)](#). Hard copies will be made available at the following locations:

City of Pasadena City Hall – Community Development Department

1149 Ellsworth Dr., 5th Floor
Pasadena, Texas 77506

City of Pasadena City Hall – Housing Department

1149 Ellsworth Dr., 1st Floor
Pasadena, Texas 77506

City of Pasadena City Hall – City Secretary

1149 Ellsworth Dr., 2nd Floor
Pasadena, Texas 77506

City of Pasadena Main Public Library

1201 Jeff Ginn Memorial Dr.
Pasadena, Texas 77506

City of Pasadena Fairmont Library

4330 Fairmont Pkwy.
Pasadena, Texas 77504

The City continuously seeks to improve and expand the services it provides to enable persons with LEP to communicate with the City in person, over the phone, in writing, or through electronic media. The City’s published LEP policy and procedures align with the strategic goals outlined within the City’s Consolidated Plan. These goals include:

- **Expand Economic Opportunity**
The City shall provide language assistance services to persons with LEP to reduce barriers to affordable housing, rental assistance, and economic opportunities.
- **Streamline Execution of Federal Programs**
The City will streamline its operations to strengthen coordination among City Departments and outside agencies to ensure City staff are empowered to meet the needs of persons with LEP.

The City will re-evaluate the LAP every five years to ensure alignment with the overall strategic plan, to maintain compliance with the requirements set forth in Executive 13166 and other LEP related guidance, and to ensure that the LEP communities have continued meaningful access to the U.S. Department of Housing and Urban Development's (HUD) programs, services, and activities administered by the City.

2.0 Purpose:

Title VI of the Civil Rights Act of 1964 is the federal law which 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 have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate the Title VI's prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

In addition, Executive Order 13166 directs each federal agency that provides financial assistance to non-federal entities to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

This Plan establishes a strategy for ensuring meaningful access by persons with LEP to HUD administered programs and activities in accordance with Executive Order 13166. The Order set two overarching goals for each federal agency: (1) implement a system by which persons with LEP can meaningfully access the agency's services consistent with, and without unduly burdening, the fundamental mission of the agency, and (2) ensure that recipients of Federal financial assistance (recipients) provide meaningful access to their applicants and beneficiaries with LEP.

Section 2 of Executive Order 13166 requires agencies to develop and implement a plan for improving access to services and participation in federally conducted programs and activities for persons with LEP. In compliance with Section 2 of the Order, this Plan details the City's initiatives and plans to improve access to its federally conducted programs and activities by eligible persons with LEP. The City is committed to this LAP as the appropriate response to meeting the needs of LEP individuals and families who participate in HUD programs, services, or activities administered by the City.

For purposes of this plan, an LEP individual is someone who is not able to speak, read, write or understand the English language at a level that allows him/her to effectively interact with City staff. Individuals maintain the right to self-identify as a LEP person and should not in any circumstances be expected to pay for translation or interpretation services in order to effectively communicate with staff.

The City notes that this Language Access Plan is intended as guidance and does not create individual rights or entitlements or establish duties or processes beyond what is required under applicable law.

3.0 Revision History:

Revision Date	Resolution	Summary of Change
October 2015	2015-094	Initial Adoption
February 2020	2020-034	Revised to include updated language and ACS Data, as well as additional sections on <i>Training</i> and <i>Evaluation</i> .
TBD	TBD	Overhaul of plan to be in compliance with Executive Order 13166 and update language to current department procedures

4.0 City of Pasadena Four-Factor Analysis:

The City’s Plan is based on the four-factor analysis outlined in the LEP Final Guidance published by HUD. The City will use this analysis to determine the appropriate language assistance measures the City of Pasadena will undertake to guarantee access to the City of Pasadena Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grant (ESG), Housing Choice Voucher (HCV) programs and other federally-funded programs by LEP persons. These four factors are:

- Determine the number or proportion of LEP persons served or encountered in the eligible service population (served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).**

The City of Pasadena utilized data provided by the U.S. Census Bureau, American Community Survey 5-Year Estimates. This data is collected in an effort to measure the current use of languages other than English. Based on this data, the City of Pasadena exceeds the 1,000 or 5% LEP person’s threshold for the Spanish language and is required to provide services to Spanish-speaking persons. The following tables provide information regarding the data collected:

Label	Estimate	Percentage	LEP Estimate	LEP Percentage
All households	48,686	-	6,332	13%
Households Speaking -				
Spanish	23,213	47.7%	6,081	26.2%
Other Indo-European Languages	334	0.7%	9	2.7%
Asian and Pacific Island Languages	666	1.4%	223	33.5%
Other Languages	86	0.2%	19	22.1%

Label	Estimate	Percentage	LEP Estimate	LEP Percentage
<i>Data Source: 2021 ACS 5-Year Estimates; Limited English Speaking Household (Table S1602)</i>				

Label	Estimate
Total:	140,197
Speak only English	77,707
Spanish or Spanish Creole:	58,121
Speak English "very well"	27,436
Speak English less than "very well"	30,685
French (incl. Patois, Cajun):	169
Speak English "very well"	134
Speak English less than "very well"	35
French Creole:	36
Speak English "very well"	36
Speak English less than "very well"	0
Italian:	24
Speak English "very well"	24
Speak English less than "very well"	0
Portuguese or Portuguese Creole:	35
Speak English "very well"	35
Speak English less than "very well"	0
German:	158
Speak English "very well"	142
Speak English less than "very well"	16
Yiddish:	0
Speak English "very well"	0
Speak English less than "very well"	0
Other West Germanic languages:	57
Speak English "very well"	57
Speak English less than "very well"	0
Scandinavian languages:	127
Speak English "very well"	86
Speak English less than "very well"	41
Greek:	25
Speak English "very well"	17
Speak English less than "very well"	8
Russian:	20
Speak English "very well"	13
Speak English less than "very well"	7
Polish:	0
Speak English "very well"	0
Speak English less than "very well"	0
Serbo-Croatian:	8
Speak English "very well"	8
Speak English less than "very well"	0
Other Slavic languages:	67
Speak English "very well"	67

Speak English less than "very well"	0
Armenian:	0
Speak English "very well"	0
Speak English less than "very well"	0
Persian:	112
Speak English "very well"	58
Speak English less than "very well"	54
Gujarati:	133
Speak English "very well"	93
Speak English less than "very well"	40
Hindi:	171
Speak English "very well"	146
Speak English less than "very well"	25
Urdu:	78
Speak English "very well"	78
Speak English less than "very well"	0
Other Indic languages:	474
Speak English "very well"	386
Speak English less than "very well"	88
Other Indo-European languages:	10
Speak English "very well"	10
Speak English less than "very well"	0
Chinese:	316
Speak English "very well"	182
Speak English less than "very well"	134
Japanese:	0
Speak English "very well"	0
Speak English less than "very well"	0
Korean:	341
Speak English "very well"	201
Speak English less than "very well"	140
Mon-Khmer, Cambodian:	47
Speak English "very well"	0
Speak English less than "very well"	47
Hmong:	0
Speak English "very well"	0
Speak English less than "very well"	0
Thai:	37
Speak English "very well"	20
Speak English less than "very well"	17
Laotian:	0
Speak English "very well"	0
Speak English less than "very well"	0
Vietnamese:	703
Speak English "very well"	239
Speak English less than "very well"	464
Other Asian languages:	357
Speak English "very well"	262
Speak English less than "very well"	95

Tagalog:	290
Speak English "very well"	256
Speak English less than "very well"	34
Other Pacific Island languages:	40
Speak English "very well"	32
Speak English less than "very well"	8
Navajo:	0
Speak English "very well"	0
Speak English less than "very well"	0
Other Native North American languages:	0
Speak English "very well"	0
Speak English less than "very well"	0
Hungarian:	8
Speak English "very well"	0
Speak English less than "very well"	8
Arabic:	155
Speak English "very well"	121
Speak English less than "very well"	34
Hebrew:	0
Speak English "very well"	0
Speak English less than "very well"	0
African languages:	371
Speak English "very well"	217
Speak English less than "very well"	154
Other and unspecified languages:	0
Speak English "very well"	0
Speak English less than "very well"	0
<i>Data Source: 2015 ACS 5-Year Estimates; Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over (Table B16001)</i>	

Label	Estimate
Total	98,301
Speak only English	37,190
Speak Spanish:	61,070
Speak English "very well"	29,624
Speak English "well"	13,034
Speak English "not well"	13,172
Speak English "not at all"	5,240
Speak other language	41
<i>Data Source: 2021 ACS 5-Year Estimates; Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over (Hispanic or Latino) (Table B16006)</i>	

2. The frequency with which the LEP persons come in contact with the program.

In general, all public service programs and housing programs administered through the City of Pasadena serve a variety of persons. Therefore, LEP residents are likely to have considerable direct contact with the program and its staff. Subrecipients whose programs

have direct contact with Spanish-speaking residents may be required by the City of Pasadena to develop a Language Access Plan for the program.

Persons with LEP contact the City in person, by mail, phone, or internet to request services or ask questions about the programs the City administers. To determine the frequency of persons with LEP that come in contact with programs, services and activities, the City utilizes the following:

- Collecting information from applicants and current program participants; and
- Identifying LEP populations through use of the U.S. Census or American Community Survey data.

3. The nature and importance of the program(s), activities, or services provided by the City to LEP individuals.

To determine the nature and importance of programs, activities, or services provided to persons with LEP, the City identified the negative impacts on persons with LEP of not being able to access these benefits. Using this factor, the City continuously reviews its programs, services, activities, and vital documents to determine the translation and interpretation services that the City will provide. Specifically, focus will be placed on the translation of brochures, forms, and other information materials that provide information about and access to the City's housing and/or public service programs and services.

4. The resources available and costs to the recipient.

The City has implemented the following actions to provide resources needed to assist persons with LEP:

- Hiring and training bilingual staff where bilingual skills are needed;
- Providing oral interpretation services at no charge to the person with LEP;
- Provide written translation services to produce non-English language materials; and
- Training staff on the available HUD language assistance services.

5.0 Language Access Plan

5.1 Language Service Protocols

For the City of Pasadena Community Development Department and/or Housing Department:

- The greeting for the main telephone line is in English and Spanish;
- Staff are surveyed periodically to determine who is available to provide interpretation for persons who use City programs;
- Staff are trained on how to provide language services to persons with LEP who contact the office needing language assistance;
- In order to help identify LEP individuals and determine the appropriate language assistance, the City makes available "I Speak" identification cards to staff that program participants can use to indicate their primary language; and

- Efforts are continuously made to identify all vital documents, and translation to Spanish.

5.2 Oral Language Assistance Services

LEP individuals should be informed that the administering entity will provide them with free access to oral interpretation services via bilingual administering entity staff or qualified, trained organizations or contractors, as needed. Oral interpretation should be provided in a timely manner (must not effectively deny or cause an undue burden or delay relating to important services, benefits, or rights) and should only be provided by competent interpreters. The City’s Community Development and/or Housing Department will utilize “I Speak Cards” posted in the reception area with an explanatory sign in easily understood terminology. Applicants and program participants can use these cards to indicate their primary language.

When feasible, the City will use bilingual staff to communicate with LEP individuals in their primary languages, including assisting such individuals with understanding program materials, filling out forms, answering questions about the program, and responding to submission of materials and information requests. Additionally, the City includes language in all public notices for requesting special accommodations, including oral language assistance services, as well as provides the American with Disabilities Act (ADA) Accommodation Request Form on the City of Pasadena webpage:

<https://www.pasadenatx.gov/477/Compliance>

5.3 Written Translations

Administering entities should strive to translate documents that are vital to meaningful program access as resources permit and in consideration of the four factors outlined above. HUD has adopted a “safe harbor” for translation of written materials. The guidance states that if an administering agency provides written translation of vital documents into languages encountered by 5% or 1000 people, whichever is less, of the population of persons eligible to be served or likely to be encountered, this will constitute strong evidence that the administering entity has taken reasonable steps to address the language needs of LEP persons in its service area. HUD regards vital documents as “any document that is critical for ensuring meaningful access to the recipients’ major activities and programs by beneficiaries generally and LEP persons specifically.” Meaningful program access generally requires awareness of, and ability to participate in, procedures for applying to the program, for meeting the requirements of the program, and for enjoying the benefits of the program. Meaningful program access also requires awareness of rights and services; otherwise, LEP persons may effectively be denied such access. The table below sets forth HUD’s safe harbors for written translations:

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	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

As a result of the preceding Four-Factor Analysis, the City of Pasadena has identified the following types of language assistance to be provided on an as needed basis by the City of Pasadena throughout the implementation of its federally funded programs:

- All published citizen participation advertisements will include a statement in Spanish indicating other program materials are available in Spanish upon request.
- All citizen participation notices will include a statement that interpreters will be available at public meetings upon request.
- If needed, an interpreter may be retained to provide oral interpretation in the field during the implementation of the project activities (generally for housing rehabilitation, hookups, acquisition, and relocation projects only).
- If other populations of LEP persons are identified in the future, the City of Pasadena will consider additional measures to serve the language access needs of those persons.
- Vital documents, to the extent feasible, will be provided in Spanish. In the case of legally binding documents, although a translated copy of the document will be provided, the English version of the document is the one that is legally binding and considered the official document. The translated document will be used as a reference tool only. A brief statement should be included on these documents in the language which the document has been translated into which states “This document is for informational purposes only. The English version of this document is considered the legally binding document.”

5.4 Timing Related Rights

An LEP person will in no way be penalized or denied meaningful and effective access because of the City’s inability to provide timely translation or interpretation services.

5.5 Staff Training

Community Development Dept. - This LAP is made available on the City of Pasadena Community Development webpage at <https://www.pasadenatx.gov/622/Plans-Notices> and will be distributed to all relevant staff.

Housing Dept. - This LAP is made available on the City of Pasadena Housing webpage at [Plans & Notices | Pasadena, TX \(pasadenatx.gov\)](https://www.pasadenatx.gov/Plans-Notices) and will be distributed to all relevant staff.

Additionally, the City will issue guidance, instructions and training to staff regarding the provision of language assistance to persons with LEP and on their responsibilities in regards to the LAP. The City will review and revise guidance and instructions and offer training, as needed, to ensure that language access planning is sufficient and consistent with regulations, policies and practices. Staff is routinely educated on revisions to policy, revised initiatives, and best practices regarding the provision of language assistance services.

5.6 Assessment: Access and Quality

The City will regularly assess the accessibility and quality of language access services and activities for persons with LEP. Ensuring persons with LEP receive quality and accurate language access services is critical to providing meaningful access to the City's programs, services, and activities.

Every five years, the City will evaluate and update this Plan, and its policies and procedures to ensure the Plan continues to effectively maintain language accessibility to persons with LEP and reflects the most recent data from the U.S. Census Bureau's ACS. Updates to the LAP may include:

- Significant changes in the composition or language needs of the program population served by the City;
- A review to determine if additional vital documents require translation;
- A review of any issues or problems related to serving LEP persons which may have emerged since the LAP was last updated; and
- Identification of any recommended actions to provide more responsive and effective language services.

5.7 Complaints

If a person feels the City is not taking reasonable steps to ensure meaningful access to LEP persons, the individual may file a complaint with HUD's local Office of FHEO. To file an online complaint with HUD, or to access the HUD complaint form in Spanish, Arabic, Cambodian, Chinese, Korean, Russian, or Vietnamese, visit the HUD FHEO page ([Report Housing Discrimination | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)) or contact the Local HUD Fair Housing and Equal Opportunity ("FHEO") office in the State of Texas:

Fort Worth Regional Office of FHEO
U.S. Department of Housing and Urban Development
801 Cherry Street, Unit #45
Suite 2500
Fort Worth, Texas 76102
Phone: (817) 978-5900
Fax: (800) 669-9777 TTY:
(817) 978-5595
Email: TX_Webmanager@hud.gov

Office Hours: 8:00 a.m. to 4:30 p.m.
Monday through Friday

6.0 Definitions

- 6.1 Bilingual/Multilingual Staff** – A staff person or employee who has demonstrated proficiency in English and reading, writing, speaking, or understanding at least one other language as authorized by his or her component.
- 6.2 Interpretation** – The act of listening to a communication in one language and orally converting it to another language while retaining the same meaning.
- 6.3 Language Access** – Is achieved when persons with LEP can communicate effectively with City staff and contractors and participate in programs and activities.
- 6.4 Language Assistance Services** – Oral and written language services needed to assist persons with LEP to communicate effectively with staff, and to provide persons with LEP with meaningful access to, and an equal opportunity to participate fully in, the services, activities, or other programs administered by the City.
- 6.5 Persons with Limited English Proficient (LEP)** – Individuals for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. Persons with LEP may be competent in English for certain types of communication, but still be LEP for other purposes.
- 6.6 Meaningful Access** – Language assistance that results in accurate, timely, and effective communication at no cost to the person with LEP. For persons with LEP, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.
- 6.7 Preferred/Primary Language** – The language that a person with LEP identifies as the preferred language that he or she uses to communicate effectively.
- 6.8 Qualified Interpreter** – An in-house or contracted translator or interpreter who has demonstrated his or her competence to interpret or translate through court certification or is authorized to do so by contract with the City.
- 6.9 Translation** – The replacement of written text from one language into an equivalent written text in another language.
- 6.10 Vital Documents** – Paper or electronic written material that contains information that is critical for accessing a program or activity or is required by law. Vital documents include, but are not limited to, the following: applications, complain forms, notices

advising persons with LEP of the availability of free language assistance, and letters of notices that require a response from the beneficiary or client.

7.0 Additional Resources

7.1 Executive Order 13166

<https://www.lep.gov/executive-order-13166>

7.2 Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons

<https://www.govinfo.gov/content/pkg/FR-2007-01-22/pdf/07-217.pdf>