



**CITY AND COUNTY OF HONOLULU
DEPARTMENT OF COMMUNITY SERVICES
COMMUNITY ASSISTANCE DIVISION
LANGUAGE ACCESS PLAN
DECEMBER 2021**

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I. INTRODUCTION

The City and County of Honolulu's (City) Department of Community Services (Department) develops and administers projects, programs and plans of action for human resources, human services, and housing programs; develops and administers projects, programs, and plans of action designed to achieve community development in conformity with the general and development plans; administers grants awarded from the Grants in Aid Fund and Affordable Housing Fund; and implements federal and state-aided human resources, human services, housing, urban renewal, and community development programs.

The Department's work is carried out through five divisions headed by an Administrator: Community Assistance, Community Based Development, Elderly Affairs, WorkHawaii, and the Office of Grants Management. The varied nature of this work requires that each division be accessible and able to meaningfully engage with all of O'ahu's residents. Given that 27.8% of the City and County of Honolulu's residents speak a language other than English at home,¹ language access is a critical component of accessibility and engagement.

Title VI of the Civil Rights Act of 1964 (Title VI), federal law on language access prohibits discrimination based on race, color, national origin, sex, disability, or age by any entity receiving federal assistance. National origin discrimination includes discrimination based on Limited English Proficiency (LEP). LEP persons are individuals who do not speak English as their primary language and have a limited ability to read, write, speak, or understand English. The Civil Rights Restoration Act of 1987, Public Law 100-209, clarifies that the scope and coverage of Title VI includes all programs and activities of federally assisted recipients, sub recipients, and contractors, whether such programs and activities are federally assisted or not.

Hawai'i's language access law, Hawai'i Revised Statutes (HRS), Chapter 321C, requires that state agencies and entities that receive state funding for the purpose of providing services on behalf of the state establish a language access plan, and take reasonable steps to ensure that Limited English Proficient (LEP) individuals have meaningful access to services, programs, and activities. The City's Administrative Directive 420 recognizes that federal funding agencies may consider the scope of a recipient's compliance responsibilities to extend beyond the organization or component of the organization that receives federal funding.

This plan covers the DCS Community Assistance Division and it will be incorporated with a DCS department-wide plan at a later date.

The Community Assistance Division (CAD), to include the Rental Assistance Branch and the Rehabilitation Loan Branch, operates in compliance with Title VI, HRS Chapter 321C, and the City's Administrative Directive 420. CAD provides rental assistance, down payment loans, and home rehabilitation loans to low income families. The U. S. Department of Housing and Urban Development (HUD) provides entitlement funds for the City's Housing Choice Voucher Program, entitlement Community Development Block Grant (CDBG) funds for community development,

¹ Dep't of Bus., Econ. Dev. and Tourism, Haw. State Data Ctr. Research and Econ. Analysis Div., *Detailed Languages Spoken at Home in the State of Hawaii (2016)*, available at https://files.hawaii.gov/dbedt/census/acs/Report/Detailed_Language_March2016.pdf.

and entitlement HOME funds for housing programs. Homeowner rehabilitation is funded by CDBG funds, and down payment assistance is funded through HOME funds.

The City Managing Director annually signs a CDBG certification that the grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

The Housing Choice Voucher program requires that the Department sign HUD's "PHA Certifications of Compliance with the PHA Plans and Related Regulations (form HUD50077)" to certify compliance with:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d)
- The Fair Housing Act (42 U.S.C. 3601-3619)
- Section 504 of the Rehabilitation Act of 1973
- Title II of the Americans with Disabilities Act of 1990
- Prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975
- Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.

II. LANGUAGE ACCESS POLICY

The Department is committed to a policy of non-discrimination in the delivery of programs, services, and activities to Limited English Proficient (LEP) persons. The Department will provide language access and compliance with Title VI, HRS Chapter 321C, the City's Administrative Directive 420, and all other applicable legal mandates and requirements. The primary goal of this policy is to communicate effectively with LEP individuals in languages other than English and provide meaningful language access to programs, services, and activities provided by the City.

The Language Access Policy and Plan apply to all components of CAD, and division staff will discuss the obligations under the Policy with contractors, as applicable.

III. PURPOSE AND SCOPE OF THE LANGUAGE ACCESS PLAN

The purpose of this Language Access Plan (LAP) is to ensure that the DCS Community Assistance Division provides meaningful access to LEP individuals so they can benefit and participate in available programs and activities.

IV. DEFINITIONS

Effective communication – Communication that is sufficient to provide the LEP individual with substantially the same level of access to services received by individuals who are not LEP.

Eligible service area – Persons in a geographic service area with whom an entity comes into contact while carrying out its programs or activities, including all communities that are eligible for services or likely to be directly affected by programs or activities.

Interpretation -- The act of listening to something in one language (source language) and orally translating it into another language (target language). Oral interpretation may be provided in person or via telephone interpretation service. Oral interpretation can range from on-site interpreters for critical services provided to a high volume of LEP persons to access through commercially-available telephonic interpretation services.

Language Access Plan, also sometimes referred to a *Limited English Proficient Plan* -- A written plan that helps to ensure compliance with Title VI by documenting a recipient's/entity's compliance with its obligation to ensure meaningful access by LEP persons, and serving as a management tool and administrative blueprint needed to come into or maintain the entity's compliance with language access requirements.

Language assistance -- Oral and written language services needed to assist LEP individuals to communicate effectively with staff, and to provide LEP individuals with meaningful access to, and an equal opportunity to participate fully in, the services, activities, or other programs administered by the Department. Examples of language assistance that might be provided to LEP persons includes, but is not limited to:

- Oral (telephonic and in-person) interpreting services;
- Written translation of vital documents;
- Bilingual staff;
- Notices to staff and customers concerning the availability of LEP services; or
- Referrals to community liaisons proficient in the languages of LEP persons

Limited English Proficient (LEP) Persons -- Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing). Within the context of Title VI and LEP guidance, LEP individuals may be entitled to language assistance with respect to a particular service, benefit, or encounter.

Meaningful language access -- Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.

Reasonable effort -- The reasonable steps taken, which will be determined by a totality of circumstances, including the following steps: (1) the number or proportion of LEP individuals served or encountered in the eligible service population, (2) the frequency with which LEP individuals come in contact with the services, programs or activities, (3) the nature and importance of the services, programs, or activities, and (4) the resources available and the costs (§321C-3, HRS).

Translation -- Written language services; the replacement of written text from one language (source language) into an equivalent written text in another language (target language). Written translation can range from translation of an entire document to translation of a short description of the document.

Vital document – Written material that contains information that is critical for ensuring meaningful access to an entity’s major programs or activities, or is required by law. The determination as to whether or not a document or information that the document is requesting is “vital” may depend on the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the target information is not provided accurately or in a timely manner.

V. RESPONSIBILITIES

The Department Director is ultimately responsible for:

- Directing the Department’s compliance with applicable federal, state, and city laws, rules, and directives regarding non-discrimination in employment, access to facilities, and provision of services;
- Providing and directing staff and available resources necessary to ensure compliance with language access requirements;
- Establishing effective internal discrimination complaint procedures that will facilitate investigation, when applicable, and appropriate resolution and corrective action;
- Seeking resources, including funding, for language access compliance across all program areas; and
- Designating a Title VI/Language Access Coordinator to facilitate compliance within the Department.

The Administrator for each division is responsible for:

- Identifying operational situations in which language assistance services in applicable program areas are likely to be required for existing and prospective customers;
- Developing, implementing, and modifying as needed, language assistance procedures and services that provide LEP persons with free, meaningful access to programs, services and information;
- Overseeing and supervising the delivery and effectiveness of language assistance procedures and services provided to LEP individuals;
- Developing and implementing language access data tools and related reporting procedures that effectively document and track information concerning LEP encounters, such as the types of language assistance services provided, the most frequently encountered languages spoken by individuals requiring assistance services, language service providers used, and the number and nature of complaints;

- Ensuring that staff is aware of and understands DCS and City obligations to comply with applicable language access requirements, and that staff who interact with LEP individuals are properly trained to provide appropriate language assistance services to LEP individuals within respective program areas;
- Evaluating and monitoring the effectiveness of language assistance procedures and services provided to LEP individuals and implementing changes to improve such services in respective program areas;
- Conducting and/or directing the timely investigation and resolution of language access discrimination complaints in respective program areas and reporting such complaints to DCS's Title VI/Language Access Coordinator;
- As applicable, reporting data on LEP encounters and language assistance services provided to LEP individuals in respective program areas to the DCS Title VI/Language Access Coordinator; and
- Budgeting for costs and resources needed for language access compliance in respective program areas and identifying to appropriate officials, as needed, barriers that may be preventing effective language access services from being provided.

The Title VI/Language Access Coordinator is responsible for:

- Overseeing, monitoring, and coordinating the implementation and update of DCS's LAP; and reporting progress and concerns to the Director;
- Facilitating the timely investigation and resolution of language access complaints;
- Assisting with evaluations and revisions to the LAP to ensure that the needs of LEP individuals are addressed
- Identifying language access training needs and guidelines, and providing and/or coordinating training for employees;
- Reviewing complaints filed by members of the public that allege denial of meaningful language access to DCS programs or services, and making recommendations to remedy deficiencies;
- Coordinating the compilation of data and maintenance of records pertaining to LEP encounters and language access discrimination complaints; and
- Participating in language access training and disseminating language resource information to appropriate staff.

Other supervisors shall be responsible for:

- Ensuring that staff are aware of and understand language access compliance requirements and how to provide appropriate language assistance services to LEP individuals;
- Assisting with the development of program-specific language assistance procedures and services that provide LEP customers with appropriate language assistance services;
- Developing and implementing program-specific data collection tools and procedures that document and track information concerning LEP encounters;

- Evaluating and monitoring the effectiveness of language services provided to LEP individuals, and implementing changes to improve such services, as applicable, in respective program areas;
- Supporting the timely investigation and resolution of language access discrimination complaints;
- Ensuring staff participation in language access training and disseminating language resource information to all staff;
- Assisting DCS managers and the Title VI/Language Access Coordinator with assessing the effectiveness of the LAP by gathering and analyzing feedback from staff; and
- Securing and distribution of resources to ensure proper posting and implementation of the LAP and language access services.

All employees shall be responsible for

- Supporting DCS language access compliance activities;
- Following established procedures when identifying the language access needs of and providing appropriate language assistance services to LEP individuals in compliance with the LAP;
- Collecting feedback from participants, partners, and the public regarding the LAP and related services and providing that feedback to their respective supervisor(s);
- Reviewing and collecting any complaints of noncompliance with non-discrimination policies and notifying their immediate supervisors of those complaints; and
- Participating in language access training.

VI. LANGUAGE ACCESS COMPLIANCE ACTIVITIES

Compliance activities associated with the initial implementation of this Plan include:

- Ensuring that all staff are aware of and understand the DCS Language Access Policy and Plan by:
 - Disseminating the DCS Language Access Plan to all staff;
 - Providing relevant training to, and notifying all employees, Division Chiefs, and supervisors of their respective responsibilities for ensuring that reasonable steps are taken to provide LEP individuals meaningful access to all DCS programs and services, at no cost to LEP individuals;
 - Disseminating and discussing the LAP with all Division Chiefs and supervisors, including their responsibility for overseeing, monitoring, and modifying, as needed, efforts to provide meaningful access to LEP individuals and implementing Title VI/Language Access complaint handling procedures in applicable program areas;
 - Providing specialized training to staff in positions where there is public contact that will facilitate their interaction with, and delivery of appropriate language assistance services to the public; and
 - Providing training to new employees.

- Conducting periodic reviews of the Plan and updating the Plan, as appropriate.
- Implementing procedures to address potential language/communication access issues in advance of outreach events.
- Providing notice of free language assistance to the public.
- Issuing public notice of DCS's commitment to compliance with Title VI/Language Access requirements, including posting the Language Access Plan on DCS's website.

VII. ASSESSMENT OF THE LANGUAGE NEEDS OF THE ELIGIBLE LEP POPULATION SERVED OR LIKELY TO BE AFFECTED

The majority of the Department's public contact occurs through the Community Assistance, Elderly Affairs, and WorkHawaii Divisions. Public contact occurs by telephone, videoconference, email, written correspondence, the Department's website, and in person. For infrequent public contact that occurs with the Department's administrative staff, the Community Based Development Division, and the Office of Grants Management, all staff will be trained in the relevant language access services and policies for interfacing with LEP individuals. The Department's community partners and providers will also be required to comply with all federal, state, and city laws, rules, and directives regarding non-discrimination in employment, access to facilities, and provision of services. Funding has been budgeted for language assistance services at a level sufficient to meet the Department's customer requirements.

The points of contact for the Rental Assistance Branch include:

- Application for admission to program;
- Appearance in person for instructions and notification for initial eligibility;
- Appearance in person for initial eligibility determination;
- Appear in person for annual recertification of the program;
- Appearance in person for informal or formal hearings when contesting agency decision;
- Appearance in person for housing unit inspection for initial move in and annual or biannual inspection;
- Telephone, videoconference or email contact with prospective landlord or landlord or three-way contact with landlord and tenant.

All of the above contacts may be conducted by videoconference when feasible and may also include interpreters.

The points of contact for the Rehabilitation Loan Branch include:

- In person or mail submittal of loan application;
- Telephone, email or mail contact to determine eligibility;
- Appearance in person for loan signing;
- Ongoing contact with an inspector during home renovation period;
- Telephone, email or in person contact for disputes during renovation; and

- Telephone, or email contact for loan payment or payoff information and coordination.

Division data collection occurs through:

- Retention of interpreter expense records; and
- Software program used to track program participants includes information regarding LEP individual's spoken language.

The Four Factor Analysis described in the Department of Justice (DOJ), "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons"² cites the following four factors for consideration in determining the language services to be provided:

1. The number or proportion of Limited English Proficient persons eligible to be served or likely to be encountered by the program or grantee;
2. The frequency with which individuals with LEP come in contact with the program;
3. The nature and importance of the program, activity or service provided by the program to people's lives; and
4. The resources available to the grantee/recipient and costs.

Staff of the Rehabilitation Loan Branch, which manages voluntary loan programs, have no recollection of any requests for interpreter services over more than three decades.

The DOJ's four factors are applied to the Rental Assistance Branch as follows:

Factor 1: Number or Proportion of Persons with LEP that are eligible to be served or likely to be encountered by the Program. The most thorough analysis of census data on Honolulu County languages spoken at home is contained in the Hawaii Department of Planning, Economic Development and Tourism (DBEDT) Report Statistical Report Detailed Languages Spoken at Home in the State of Hawaii which cites 2013 American Community Survey (ACS) data. Table 4 from that report, reproduced here as Table 1, lists the top 25 languages other than English spoken at home.³ DBEDT noted that at the time,

- Honolulu County had the highest number and percentage of people speaking a language other than English at home with 250,517 people and 27.8 percent of its population; of those speakers, 130,365 spoke English "less than very well".⁴

² Federal Register Vol. 67, No. 117 June 18, 2002, pp. 41455-41472.

³ Hawaii Department of Business, Economic Development and Tourism, Statistical Report Detailed Languages Spoken at Home in the State of Hawaii, March 2016, page 10.

⁴ *Ibid.*, page iii and page 9.

- The Census Bureau's special language tabulation displays data for 350 different languages and language groups found in the U. S. Those in Hawaii surveyed spoke 130 of the detailed languages.⁵
- The Census Bureau had no codes for the many Micronesian languages and was in the process of adding more codes for Micronesian and Pacific Island languages.⁶

Table 1. Top 25 Languages Other Than English Spoken at Home for Honolulu County⁷

Rank	Language	Number of speakers	% of total speakers	Speak English less than "Very Well"	% speak English less than "Very Well"
1	Tagalog	45,163	18.0	23,282	51.6
2	Japanese	38,561	15.4	18,937	49.1
3	Ilocano	36,275	14.5	23,675	65.3
4	Spanish	16,980	6.8	4,605	27.1
5	Chinese	16,790	6.7	10,160	60.5
6	Korean	16,018	6.4	10,877	67.9
7	Samoan	12,030	4.8	4,215	35.0
8	Hawaiian	9,475	3.8	1,965	20.7
9	Vietnamese	8,867	3.5	6,359	71.7
10	Cantonese	7,805	3.1	5,350	68.5
11	Mandarin	4,700	1.9	3,150	67.0
12	Trukese	4,140	1.7	3,215	77.7
13	Marshallese	3,825	1.5	2,385	62.4
14	Micronesian	3,170	1.3	1,795	56.6
15	German	3,065	1.2	690	22.5
16	French	2,730	1.1	450	16.5
17	Laotian	2,247	0.9	1,453	64.7
18	Bisayan	2,095	0.8	1,370	65.4
19	Tongan	1,975	0.8	915	46.3
20	Thai	1,503	0.6	854	56.8
21	Portuguese	1,260	0.5	190	15.1
22	Pidgin	690	0.3	100	14.5
23	Russian	644	0.3	202	31.4
24	Formosan	620	0.2	480	77.4
25	Chamorro	610	0.2	165	27.0

Reproduced from Hawaii Department of Business, Economic Development and Tourism, Statistical Report, Detailed Languages Spoken at Home in the State of Hawaii, March 2016, Table 4.

⁵ Ibid., page 2.

⁶ Ibid., page 3.

⁷ Ibid., page 10.

Table 2 below extracts selected data from Table 1 to display the top languages spoken at home.

Table 2. Detailed Languages Spoken at Home and Ability to Speak English for Honolulu County: 2009-2013⁸

Language	No. of speakers	Rank	No. of speakers who speak English “less than very well”	Rank
Total	250,517		130,365	
Tagalog	45,163	1	23,282	2
Japanese	38,561	2	18,937	3
Ilocano	36,275	3	23,675	1
Chinese	16,790	5	10,160	5
Spanish	16,980	4	4,605	8
Korean	16,018	6	10,877	4
Samoan	12,030	7	4,215	9
Hawaiian	9,475	8	1,965	11
Vietnamese	8,867	9	6,359	6
Cantonese	7,805	10	5,350	7
Mandarin	4,700	11	3,150	10

Table 3 below contains more recent data with detail on the number of languages spoken as recorded in the 2019 ACS 5 Year Estimates Public Use Microdata Sample.

Table 3. 2019 ACS 5 Year Estimates Public Use Microdata Sample⁹

	Language spoken at home estimate	95% confidence interval		Speaks English “less than very well” estimate	95% confidence interval	
		Lower bound	Upper bound		Lower bound	Upper bound
Ilocano	40,922	38,723	43,121	23,601	21,989	25,213
Japanese	32,537	30,697	34,377	14,478	13,283	15,673
Tagalog	29,355	27,506	31,204	12,747	11,532	13,962
Spanish	18,758	17,224	20,292	3,959	3,281	4,637
Korean	17,586	16,068	19,104	11,527	10,268	12,786
Chinese	14,130	13,044	15,216	8,263	7,459	9,067
Filipino	13,628	12,499	14,757	6,898	6,111	7,685
Hawaiian	12,182	10,979	13,385	2,147	1,636	2,658
Samoan	9,970	8,734	11,206	2,397	1,807	2,987
Cantonese	9,639	8,498	10,780	6,764	5,788	7,740
Vietnamese	9,115	8,015	10,215	6,333	5,394	7,272
Chuukese	7,788	6,571	9,005	5,279	4,291	6,267
Mandarin	6,175	5,233	7,117	3,673	2,925	4,421
Marshallese	4,116	3,312	4,920	2,263	1,651	2,875
Cebuano	3,042	2,405	3,679	1,773	1,281	2,265

⁸ Data extracted from DBEDT, op. cit., p. 10.

⁹ [2019 ACS 5 Year Estimates Public Use Microdata Sample](#) obtained from Hawaii Department of Business, Economic Development and Tourism, Research and Economic Analysis Division, July 16, 2021. The data are a smaller subsample of the ACS Survey. As a result, the estimates may not exactly match the ACS data tables and the margins of error are larger on the PUMS data represented by the 95% confidence interval.

While the various data above identify that the top three languages spoken in the home are Tagalog, Japanese, and Ilocano, they are not among the top languages for which applicants or participants have identified they speak or have requested language assistance services from the Honolulu Housing Choice Voucher Program. The following tables provide data obtained directly from participants and the actual use of interpreter services during the past few years.

Table 4 below contains a tally of self-identified “primary language spoken” reported by Section 8 applicants. It is noted that the primary language question is often skipped as our latest update report indicates a blank or no response from 1206 out of 4050 participants.

Table 4. Section 8 Active Participants Language Spoken at Home¹⁰

Language	Count
Blank	1,206
ASL interpreter needed	1
Cantonese	4
Chinese Simplified	13
Chinese Traditional	29
Chuukese	12
English	2,665
Japanese	2
Korean	34
Marshallese	3
Notify by email or phone	1
Samoan	2
Sign Language	4
Spanish	2
Tagalog	2
Vietnamese	74
	4,054

The Rental Assistance Branch has actively utilized language assistance services to provide LEP individuals with program access. Table 5 details the interpreter services provided during fiscal years 2019 – 2021.

¹⁰ Data taken September 29, 2021 from Housing Pro database of active participants.

Table 5. Scheduled Interpreter Sessions FY19, FY20 and FY21¹¹

Rank	Requested Language	Number of scheduled interpreter sessions		
		FY21	FY20	FY19
1	Vietnamese	56	36	68
2	Cantonese/ Mandarin	48	18	23
3	Korean	33	10	20
4	Chuukese	13	3	7
5	Marshallese	9	2	1
6	American Sign Language	6	4	4
7	Japanese	1	0	0
8	Laotian	1	0	0
9	Samoan	1	0	0
10	Spanish	0	1	0
11	Ilocano	0	0	1
12	Russian	0	0	1

As Tables 4 and 5 reveal, the most relevant data for determining the LEP population served and most likely to be encountered by the Rental Assistance Branch is obtained from both the participant self-identification of language spoken at home and the actual use of interpreters during the past few years. The top six languages requested by program participants and applicants are: Vietnamese, Korean, Mandarin/Cantonese, Chuukese, and Marshallese.

Factor 2: Frequency with which Individuals with LEP come into contact with the program. As identified in Factor 1, the LEP individuals most frequently encountered by the Rental Assistance Branch are those who speak Vietnamese, Cantonese/Mandarin, Korean, Chuukese, and Marshallese.

It is noted that request frequency numbers were probably skewed during the period July 1, 2019 to June 30, 2020, due to two factors (1) the onset of COVID19 pandemic in Honolulu in March 2020 and resulting City restrictions on entry to offices; and (2) Section 8 new leasing efforts were ceased during the period April – December 2019, at U. S. Department of Housing and Urban Development (HUD) direction due to anticipated shortfall of funding for participants already on the program. Despite COVID19 restrictions, interpreters have been available through videoconferencing as well as in person.

An individual participant family may come into contact with program staff from one to several times per year. The number of contacts depend upon several factors including the family’s need to report adjustments to income or family composition as required by program rules, whether the family needs to move to a new unit, whether a unit inspection is required during the year for the rental unit or not, whether a family needs to request a reasonable

¹¹ Figures compiled from DCS Rental Assistance Branch interpreter appointments scheduled. May not reflect cancellations.

accommodation, all in addition to the annual recertification interview. For purposes of this analysis, the typical number of participant contacts in a year will be estimated at 1.5¹².

In a typical year, applicants, distinguished from participants already on the program, who are drawn from the waiting list and processed for admission to the program may number 300 families¹³. At four contacts per applicant family, 1,200 potential contacts with program applicants is derived.

Total annual contacts for participants	5,700
Total annual contacts for applicants	<u>1,200</u>
Total estimated contacts	6,900

Factor 3: Nature and Importance of the Program. The Housing Choice Voucher program is the largest program of the federal government that assists low income families with housing. Funds are provided to government and other entities to operate the program that provides rent subsidies to qualifying families to rent dwelling units in the private rental market, with the family paying a portion of the rent and the subsidy covering the balance of rent up to the maximum allowed. The assistance will continue as long as the family remains eligible. The City's program currently serves roughly 3,800 families on Oahu and currently pays an average of \$1,250 per family per month, or approximately \$5,000,000 per month flowing to the landlords in the local economy. The importance of the program cannot be overemphasized. As shelter is an essential requirement for all families, the universe of families applying for the Rental Assistance Program and those actually participating in the program need the federal program's rental assistance to subsist. When the waitlist opens for applications, thousands of families apply in hopes of being admitted to the program.

Factor 4: Resources Available to the Program. Resources available to the program are limited to the federal administrative fees provided to the City by the U. S. Department of Housing and Urban Development to cover operating costs. In past years the administrative fees have been barely adequate to cover all program needs and restraint is required to operate within the funds available. Regardless of the cost, federal and state laws require that language services be provided at no cost to the customer, and DCS has budgeted sufficient amounts for anticipated interpreter and document translation services.

DCS is aware that without language access, LEP individuals may be excluded from, or have difficulty obtaining access to services due to language barriers. Any delay or denial of services could have potential serious negative consequences to the individual.

¹² Estimated by DCS Rental Assistance Branch administrator Jayne Lee, September 23, 2021.

¹³ Estimated by DCS Rental Assistance Branch administrator Jayne Lee, September 23, 2021. While other factors may affect the number of families taken off the waiting list in any given year, the primary factor is the annual Congressional appropriation of funds for the Housing Choice Voucher program. If funding remains relatively stable and accounting for inflation of rent, new families added may be limited to the number of families exiting the program.

Oral interpretation services will be provided when requested by participants and applicants, as well as when LEP status has been self-identified or staff has determined language assistance is necessary.

With respect to translation of documents, the Rental Assistance Branch is committed to ensuring that LEP individuals receive important and essential information. While it is impractical to translate all documents and in some instances delays in obtaining translated documents may impede access to needed benefits, the Rental Assistance Branch is committed to overcoming barriers to communication with LEP individuals.

When deemed appropriate, including when it is requested or when there is a lack of sufficient time to obtain written translation, interpreters may be utilized to orally read written text to the LEP individual. Additionally, through a Voluntary Compliance and Conciliation Agreement entered into with HUD on June 8, 2021, the forms and notices below were deemed vital documents that will be translated into languages as identified in the Language Access Plan (LAP). The Rental Assistance Branch identified the top six languages of its program participants and applicants as Vietnamese, Korean, Mandarin/Cantonese, Chuukese, and Marshallese.

- Application Form¹⁴
- HCVP Application for Re-Certification
- Re-Certification Checklist
- What You Need to Know About EIV (RHIP)
- Any Releases used by Respondent/Recipient
- Any Medical Expense Forms used by Respondent/Recipient
- Notice of Rent Adjustment
- Notice of Hearings
- Offer of Free Interpreter Services

VIII. LANGUAGE ASSISTANCE SERVICES

The majority of the Department's public contact occurs through the Community Assistance, Elderly Affairs, and WorkHawaii Divisions. Except for accepting fair housing complaints and providing Fair Housing training, the Community Based Development Division and Office of Grants Management do not provide direct services to the public. These divisions will also assist community partners and providers with identifying accessible services to meet the LAP and language access requirements.

All Department staff will be trained to offer and provide, as needed, language access services as described in the LAP. Community partners and providers are responsible for compliance with relevant local, state and federal laws, including providing language access services to LEP individuals. Divisions will assist the partners with locating necessary services, as needed.

¹⁴ The 18-page application form has already been translated into five languages: Korean, Mandarin/Cantonese, Simplified Chinese, Vietnamese, and Chuukese. The Marshallese translation is in progress.

Public hearing notices published in a daily newspaper or posted on the Department website, will include information about obtaining language assistance or other accommodation in order to participate.

For the Community Assistance Division, the “I Speak” posters are posted at each location where customers are interviewed so that LEP individuals may point to indicate their language assistance need. Family members of the LEP person may also request the language assistance. Bilingual staff, if available, may also assist by serving as a bridge to provide language services to the customer until an interpreter can be obtained. Staff will seek to provide meaningful language assistance when requested and schedule an interpreter for a time convenient to the customer.

Participants will be provided and asked to complete a form offering free language assistance services. **See Attachment 1.**

The Rental Assistance Branch will provide an interpreter assistance insert with selected notices¹⁵ mailed to participants, notifying the reader in 11 languages that the mailed notice is important, and the person should contact the office for assistance in understanding the information. **See Attachment 2.**

While the primary language assistance method is face-to-face interpretation due to the volume and complexity of federally required forms for the program, the Rental Assistance Branch will also provide translation of selected documents into the top five most commonly encountered languages.

IX. PROVIDING NOTICE OF LANGUAGE ASSISTANCE SERVICES

DCS will provide notice of free language assistance services to LEP individuals by:

1. Posting a notice in all program reception areas that invites LEP individuals to identify their need for language assistance by pointing to their primary language on an “I Speak” poster to access free interpretation services. The notice is written in 24 non-English languages encountered in the State of Hawaii.
2. Including, in announcements/flyers concerning outreach activities in which DCS participates, information that provides the public with advance notice that: (1) Language access may be requested in advance of the event; and (2) Language access, when provided, is free of charge to the LEP individual.
3. Posting DCS’s commitment to comply with Title VI and Language Access requirements, including having a Language Access Plan, and information about filing complaints at all DCS public offices and on its website.

¹⁵ The selected notices indicate approvals, changes or adverse action in connection with the rental assistance received.

X. COMPLAINT HANDLING

The division receiving the complaint has immediate responsibility for promptly acknowledging the receipt of, responding to, investigating as applicable; and resolving Title VI/Language Access discrimination complaints concerning the activities and services for which they are responsible. If the complaint cannot be resolved immediately, the Division Chief in consultation with the Title VI/Language Access Coordinator or others as may be deemed appropriate, will initiate investigation of the complaint, if applicable. At the conclusion of the investigation, a report will be prepared.

- Complaints should, to the extent possible, include the following information:
 - Complainant's name, mailing address, or alternate methods of contact (telephone number, email address);
 - The area/s on which the alleged discrimination is based (race, color, national origin, sex, disability, age);
 - Name of the person/s, program, activity, etc. that the Complainant believes discriminated against him/her; when and where the alleged discrimination occurred; and a description that specifies how the Complainant believes s/he was excluded from participation in, denied the benefits of, or otherwise subjected to discrimination;
 - An explanation of the events that caused the Complainant to believe that s/he experienced discrimination;
 - Resolution that the Complainant is seeking; and
 - Any other relevant information or documents pertaining to the complaint.
- Individuals may, but are not required to use DCS's "Title VI Complaint Form"¹⁶ to submit complaint information; a letter that includes the same information is sufficient. **See Attachment 3.**
- Employees should be directed to the internal complaint process for filing complaints under Title VI/related mandates.
- Individuals with disabilities or individuals who are Limited English Proficient may request, if needed, assistance with completing the complaint form and during the complaint process.
- The completed complaint form/letter should be received within 60 days of the date of the alleged discrimination. Complaints received after 60 days of the date of the alleged discrimination will be reviewed to determine whether further processing is appropriate.
- Respective departmental components will review and respond promptly to the issues raised in Title VI/Language Access complaints. Where appropriate, investigations will be conducted to ascertain relevant facts required to determine the appropriate disposition of the complaint.
- Retaliation against an individual -- who has opposed a practice that is prohibited by Federal or State nondiscrimination law, or who has made a complaint, testified, assisted, or participated in any manner in an investigation proceeding or hearing under this procedure or procedures provided by Federal or State law -- is prohibited.

¹⁶ Refer to Attachment 3, "Title VI Complaint Form"

- A complaint may be withdrawn at any time during the complaint process. Withdrawals must be provided in writing. Withdrawal of the complaint may not remove DCS's obligation to conduct a fact-finding investigation and take appropriate responsive action concerning the programs, activities, and services provided.

Complaints may be filed directly with the office responsible for the applicable program or service or with:

- ❖ Department of Community Services
Attn: Title VI/Language Access Coordinator
Kapālama Hale
925 Dillingham Blvd, Suite 200.
Honolulu, HI 96813
Phone: (808) 768-7763
Fax: (808) 768-7767
- ❖ City and County of Honolulu - Equal Opportunity Office
Attn: Title VI Program Manager
Kapālama Hale
925 Dillingham Blvd., Suite 180
Honolulu, HI 96813
Phone: (808) 768-5458
Fax: (808) 768-8490

Complaints filed with the Department of Community Services or the Equal Opportunity Office should be received within 60 days from the date of the alleged discrimination. Complaints received after 60 days from the date of the alleged discrimination will be reviewed to determine whether further processing is appropriate.

Complaints may also be filed with:

U. S. Department of Housing and Urban Development
Honolulu Field Office
1132 Bishop Street, Suite 1400
Honolulu, HI 96813
Jelani M. Madaraka
Phone (808) 457-4677
Hotline: 1(800) 669-9777 (voice) or 1 (800)-927-9275 (TTY)

Online: <https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action>

https://www.hud.gov/program_offices/fair_housing_equal_opp/complaint_filing_languages_other_english

Emails: Jelani.M.Madaraka@hud.gov
ComplaintsOffice09@hud.gov

Complaints must be filed not later than 180 days after the date of the last instance of alleged discrimination, unless the time for filing is extended by HUD.

XI. TRAINING

DCS's Title VI/Language Access Coordinator or designee will conduct and/or coordinate initial training for Division Chiefs, supervisors, and staff to address Title VI and Language Access compliance requirements, DCS's Title VI and Language Access Plans, complaint handling procedures, and related responsibilities. Respective divisions have immediate responsibility for providing or making appropriate arrangements to coordinate Title VI/Language Access training for existing and new employees with DCS's Title VI Coordinator or designee.

Employees

All employees will receive initial training to ensure that they have a general awareness and understanding of Title VI and Language Access mandates, and the purpose and content of DCS's Title VI and Language Access Plan. Employees in positions who have public contact will receive specialized training that will include procedures that are intended to facilitate language assistance services provided to LEP individuals. New employees will participate in similar initial training as part of their orientation.

Division Chiefs and Supervisors

All Division Chiefs and supervisors assigned to divisions that interact with the public will receive initial training to ensure that they are aware of, and understand Title VI and Language Access requirements, the content of DCS's Title VI and Language Access Plan, and complaint handling and resolution procedures.

XII. LANGUAGE ACCESS PLAN REVIEW AND UPDATE

The DCS Title VI/Language Access Coordinator will periodically review and work with divisional leadership and staff to update the LAP, as needed. The review may include updated information collected on LEP demographic data and on language assistance services provided to LEP individuals; and consideration of input from staff, stakeholders, and the public to determine if changes in the delivery of programs, services, and information, and/or budgeting for resources required for language access compliance are needed.

XIII. MONITORING SUB-RECIPIENTS/SUB-GRANTEES/CONTRACTORS

At this time, DCS Community Assistance Division, does not have sub-recipients, sub-grantees, or contractors to monitor.



DEPARTMENT OF COMMUNITY SERVICES
CITY AND COUNTY OF HONOLULU
SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM

OFFER OF FREE INTERPRETER SERVICES

Head of Household: [click here to enter text](#)

Tenant ID: [click here to enter text](#)

Examiner name and contact information: [click here to enter text](#)

I have been informed that if English is not my primary language, the City and County of Honolulu Section 8 Program will provide an interpreter at no cost to me. The interpreter services are free to me. I understand that I may be able to communicate in English in many daily activities, such as shopping, discussing daily events, or other typical communications, but discussing my legal rights and responsibilities is important. I may request interpreter services at any time.

1. I need an interpreter provided at no cost to me: Yes No.
2. I need an interpreter for the following language: Choose an item.
If the language needed is not on the list, indicate it here: _____

Print Name: [click here to enter text](#)

Signature: _____ Date: _____

Return this form to the Examiner identified above.

Examiner's Initials: _____ Date form received: _____

CITY & COUNTY OF HONOLULU
Section 8 Rental Assistance Program
Interpretation Assistance Insert

- ENGLISH** Important! This document(s) contains important information about your rental assistance rights, responsibilities and/or benefits. It is critical that you understand the information in this document. If you need assistance in the translation and understanding this information, report to our office immediately.
- ILOKANO** Nasken la unay! Daytoy a dokumento ket addaan kadagiti nasken a pakaammo maipanggep kadagiti kalintegan, rebbengen ken/wenno pagimbaganyo babaen ti tulong kadagiti agup-upa. Kasapulan nga maawatanyo dagiti pakaammo iti daytoy a dokumento. No kasapulanyo ti tulong iti pannakaipatarus ken pannakaawat iti daytoy a banag, umaykayo a dagus ditoy opisinami.
- TAGALOG** Mahalaga! Ang dokumentong ito ay naglalaman ng mahahalagang impormasyon tungkol sa mga karapatan, mga tungkulin at/o mga pakinabang ninyo sa ilalim ng tulong sa mga nangungupahan. Mahalaga na maintindihan ninyo ang impormasyon na laman nitong dokumento. Kung kailangan ninyo ng tulong sa pagsalin at pagunawa nitong impormasyon, sumangguni agad sa aming tanggapan.
- CHINESE** 重要！这文件含有重要有关于您的出租援助权利, 责任与/或福利. 这是紧要的您了
- SIMPLIFIED** 解在这文件内的信息. 若您须要翻译与了解这信息, 立刻向我们的办事处报告.
- CHINESE** 重要！這文件含有重要有關於您的出租援助權利, 責任與/或福利. 這是緊要的您了
- TRADITIONAL** 解在這文件內的信息. 若您須要翻譯與了解這信息, 立刻向我們的辦事處報告.
- SPANISH** ¡Importante! Estos documentos contlenen información importante acerca de los derechos de la asistencia del alquiler, responsabilidades y los beneficios. Su comprensión de la información de este documento es critica. Si necesita ayuda en la traducción y comprensión de esta información, favor de reportarse a nuestra oficina inmediatamente.
- JAPANESE** 重要! この書類には、貴方の賃貸支援権利、責任及び利益について、重要な情報を含みます。貴方が、この書類の情報を理解する事が、重要です。もし、この情報の翻訳や理解に、助けが必要なら、当事務所に至急連絡願います。
- CHUUKES** Mei fakkun auchea! Masowen ei taropwe mei auchea ren omw kopwe sinei omw pung, wisom me namotan ngonuk ren aninisum ren mèn imwomw. A fakkun auchea kopwe sinei me wewelti masowen ei taropwe. Ka tongeni chuto non ach we ofes ren ach sipwe anisuk ne aweweochu masowen ei taropwe.
- MARSHALLESE** KÔJELÂ AURÔK! Ilo pepa in(kein) elôñ kôjela ko re-aurôk kin wâwein jibañ ko rej iwôj ikijien reen (rent) Im rejelete maroñ im eddo ko im/ak kein jibañ ko. Elap an aurôk bwe kwôn melele kin aaleb kôjela kein ilo pepa in. Elañe kwoj aikuij jibañ ikijien ukook bwe kwôn melele kin kôjela in, môkaj im itok ñan obij e ad ilo len eo emôkaj tata.
- KOREAN** 중요 합니다! 여기에 첨부된 서류(들)에는 임대 보조에 대한 본인들의 권리, 책임과/그리고 혜택에 대한 중요한 정보가 포함 되어 있습니다. 이 모든 서류를 확실하게 이해 하시는 것이 가장 중요합니다. 만약에 이 서류를 작성하시는데 번역이나 설명이 필요하시면, 저희 사무실로 즉시 연락을 주십시오.
- VIETNAMESE** Quan trọng! Tài liệu này chứa tin tức quan trọng về các quyền hạn trợ giúp tiền muốn nhà, các trách nhiệm và/hoặc các quyền lợi. Thật tối quan trọng là bạn hiểu tin tức trong tài liệu này. Nếu bạn cần sự trợ giúp trong vấn đề dịch thuật và hiểu tin tức này, xin thông báo với văn phòng chúng tôi lập tức.
- SAMOAN** E tãua tele! O lenei tusitusiga e aofia ai fa'aaliga tãua e ala i ou aiã tatau mo le totogiina o le lisi o lou fale, aemaise o au matãfaioi/po'o penefti fo'i e te maua. E ao lava ona e matuã malamalama lelei, i mataupu uma o lo'o aofia i nei tusitusiga. Ae afai e te mana'omia se fesoasoani, i le faaliliuina ina ia e malamalama i ia matãupu uma, e ao ona e aga'l vave atu loa i le ofisa.

**Title VI Complaint Form
City & County of Honolulu
DEPARTMENT OF COMMUNITY SERVICES**

This form is intended to assist individuals with the submittal of information concerning complaints under Title VI/related statutes, which prohibit individuals from being excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, national origin, sex, disability, or age, under any program or activity receiving Federal assistance.

- Complainants are not required to use this form; a letter that includes the same information is sufficient.
- Employees may use the internal complaint process for complaints filed under Title VI/related statutes.
- Individuals with disabilities or limited English proficiency may request, if needed, assistance with completing this complaint form and during the complaint process.
- Completed complaint forms/letters should be received within 60 days of the date of alleged discrimination, unless otherwise specified by applicable regulations issued by the respective Federal funding agency.

Name	Email address	
Mailing Address	Daytime Phone Number	Date

I believe that I experienced discrimination based on:

<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin
<input type="checkbox"/> Sex	<input type="checkbox"/> Disability	<input type="checkbox"/> Age

➤ **NAME of the person, program, service, or activity that you believe discriminated against you:**

➤ **WHEN did the alleged discrimination occur?**

➤ **WHERE did the alleged discrimination occur?**

➤ **EXPLAIN the events that have caused you to believe that you have experienced discrimination:**

You may use the reverse side of this form or attach additional sheet(s) to provide relevant information, if needed.

➤ **WHAT RESOLUTION are you seeking?**

Complainant's Printed Name	Signature of Complainant/Representative	Date
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- Submit the completed Title VI Complaint Form (or letter that includes the same information) directly to the Department of Community Services Title VI/Language Access Coordinator, 925 Dillingham Blvd, Suite 200, Honolulu, HI 96817; OR
- Mail the completed Title VI Complaint Form/letter to the City's Equal Opportunity Office, 925 Dillingham Blvd, Suite 180, Honolulu, HI 96817, for referral to the respective department/agency for processing.