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# Montgomery County Grants and Community Development



## Language Access Plan

Effective the 13<sup>th</sup> day of June, 2023

501 North Thompson, Ste 200  
Conroe, TX 77301

936-538-8060

## **I. Purpose and Authority**

Title VI of the Civil Rights Act of 1964 and its implementing regulations sets forth the guidelines for ensuring that programs receiving federal funding are making sufficient efforts to ensure that qualified persons, with limited English proficiency ("LEP") are aware of and have access to all programs of assistance for which they qualify. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency", directs each Federal Agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation.

Therefore, in and for purposes of Montgomery County, Texas's compliance as a federal grant recipient, with Title VI of the Civil Rights Act of 1964 and Executive Order 13166 (in particular as promulgated by U.S. Housing and Urban Development Department [HUD] under its guidance) Montgomery County Grants and Community Development Department on behalf of Montgomery County, Texas ("Department") has established this Language Access Plan ("LAP"). The primary purpose of this plan is to establish strategies for interacting with and providing services to LEP individuals in order to ensure that they have access to all resources and services provided by the Department.

The Department, as the County department generally coordinating or assisting with federal grants' administration, shall take all reasonable steps to ensure that all its personnel and policies make a meaningful attempt to provide LEP persons with a means of effective communication and meaningful access to Departmental programs and activities. In the event the Department's language assistance services under this Plan are expressly requested by another Montgomery County department in relation to any federal grants or programs being handled by such requesting department, this LAP may also serve as the effective LAP for such department, provided that each requesting department shall remain responsible for its own budgetary impacts if any, and compliance with applicable grants and regulations, in this regard.

## **II. Policy Statement**

It is the policy of the Department to provide timely meaningful access for LEP persons to all Department led programs and activities, including federal programs and activities provided by Montgomery County as recipient. Language assistance services shall be provided to LEP persons whenever a person with LEP requests language assistance services, as set forth herein.

## **III. Language Access Plan Summary**

In the context of this LAP, Limited English Proficiency (LEP) is in reference to individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English [20 CFR § 641.140].

The Department has developed the Language Access Plan (LAP) to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services, programs, and/or activities provided by Montgomery County, in particular federal programs and activities administered by Montgomery County as federal grant recipient. This LAP identifies procedures on how to identify a person who may need language assistance, the ways in which

assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future Plan updates.

In order to decide what reasonable steps the Department should take to ensure meaningful access for LEP persons, the Department considers the following factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by a Department program;
- The frequency with which LEP individuals come in contact with the Department program, activity, service;
- The nature and importance of the program, activity, or service provided by the Department; and
- The resources available to the Department and overall costs to provide the LEP assistance.

A brief description of the above considerations is provided in the following section.

#### **IV. Four-Factor Analysis**

The following Four-Factor Analysis will serve as the guide for determining which language assistance measures the Department will undertake to guarantee access to its programs, activities, or services.

##### ***1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a County program.***

The Department will use various methods to identify LEP persons with whom they have contact. These may include:

- Current or past experiences with LEP persons encountered by the Department's staff. The number and type of such encounters must be periodically analyzed by the Department to determine the breadth and scope of the language services required; and
- Most recent U.S. Census Bureau data: Department shall analyze data from the most recent U.S. Census Bureau data, regarding languages spoken in Montgomery County as well as those who self-identified that they spoke English less than "very well".

The Department has examined the U.S. Census Bureau's American Community Survey data, 2021 American Community Survey 5-Year Estimates, for Montgomery County, Texas, and was able to make the following approximations:

- 23% of the Montgomery County population age 5 and older speaks a language other than English at home. 7.7% of the population age 5 and older reported that they do not speak English very well;

- People speaking Spanish at home comprised the largest language group speaking a language other than English at home. 18.6% of the population age 5 and older speak Spanish at home. Of those, 6.7% reported they do not speak English very well;
- 2.2% of the Montgomery County population 5 and older speaks Other Indo-European languages at home. Of those, 0.4% reported they do not speak English very well;
- 1.7% of the Montgomery County population 5 and older speaks Asian and Pacific Islander languages at home. Of those, 0.5% reported they do not speak English very well;
- 0.5% of the Montgomery County population 5 and older speaks an unspecified or other language at home. Of those, 0.1% reported they do not speak English very well.

***2. The frequency with which LEP individuals come in contact with the County program/activity and service.***

In addition to research conducted to identify LEP persons in Montgomery County, the Department shall also annually compile information regarding the frequency of contact with LEP persons. The more frequent the contact and/or the number of requests for languages other than English, the more likely that language services for a specific language will be needed.

The Department will assess the frequency at which staff has or could possibly have contact with LEP persons. This includes documenting phone inquiries and in person inquiries for LEP assistance or materials, requests for language interpreters or translated material, and may include surveying public meeting attendees.

Department may further create a record of language assistance services provided, which can assist in accurately identifying and addressing the changing needs of their LEP communities, which in turn, can help identify changes to the quantity or type(s) of language assistance services.

***3. The nature and importance of the program, activity, or service provided by the County.***

The Department recognizes that within the range of programs, activities, and services provided by the County, the nature of some programs, activities, and services may be more important to LEP persons than others.

To determine the nature and importance of a County program, activity, or service provided to LEP persons, the Department will:

- Identify the programs, activities, and services that could have a serious consequence if language barriers prevent LEP persons from accessing those programs, activities, or services; and
- Determine the potential impacts that inability to access County/Department programs, activities, or services may have on the LEP person.

**4. *The resources available to the Department and overall costs to provide the LEP assistance.***

The Department will assess its available resources that could be used for providing LEP assistance. This shall include identifying the following:

- Which County staff and/or volunteer language interpreters are readily available;
- How much an external professional interpreter and translation service would cost;
- Which Department documents should be translated;
- Which organizations the Department could partner with for interpreter and translation services or outreach efforts;
- Which financial resources could be used to provide assistance; and
- What level of staff training is needed.

After analyzing the four factors, the Department has developed the Language Access Plan outlined in the following section for assisting LEP persons.

**V. How to Identify an LEP Person Who Needs Language Assistance**

Below are tools that may be used by Department to help identify persons who may need language assistance in relation to Department's programs:

- Have language identification cards or Census Bureau "I speak cards" at customer service counters in the Departmental offices, which invite LEP persons to identify their language needs to staff. While staff may not be able to provide translation assistance at the initial contact with an LEP person, the cards are an excellent tool to identify language needs for future contacts; and
- Posting notices in commonly encountered languages notifying LEP persons of language assistance to encourage LEP persons to self-identify their language needs.

**VI. Language Assistance Measures**

When an interpreter is needed, in person or on the telephone, staff should first determine what language is required. Bilingual staff may be able to assist with communications with LEP persons. The Title VI Coordinator/Human Resources will compile a list, from available records, of individual staff members who fluently write or speak a language other than English and distribute to the Department and update as necessary. If County/internal staff cannot assist, the Department shall access available resources from an external translation service.

Use of informal interpreters, such as family or friends of the LEP person seeking services, or other customers, is discouraged, with minor children generally prohibited from acting as interpreters. The use of informal interpreters is not the preferred method for interpretation, but can be used in the absence of other alternatives.

No staff may suggest or require that an LEP person provide an interpreter in order to receive services.

## **VII. Staff Training**

Department staff will receive training on the importance of providing meaningful information and services to LEP communities in a way that they can understand. This training will be included as part of staff training and refresher training will be provided periodically at staff meetings. After completion of training, staff should understand:

- Their obligation to provide meaningful access to information and services to LEP individuals;
- The protocol for handling various encounters with LEP individuals, as established by this plan; and
- How to access translated materials and interpretation services for provision to LEP individuals.

Additional training may be provided to internal bilingual staff members on specific terminology, ethics, and regionalism to ensure effective communication with LEP individuals.

## **VIII. Translation Services**

The Department will maintain a list of available bilingual staff (and the languages they speak), which will be typically provided by Human Resources to assist with translations. Vital documents or vital information contained within a document, as determined at the discretion of the Department, should be translated when a significant number or percentage of the LEP population is likely to be affected by the program/activity and it contains information that is critical for obtaining services and/or benefits. Written materials routinely provided in English should be provided in frequently encountered languages. Documents or written information for which the target audience is expected to include LEP individuals, must be printed in an alternative language based on the known LEP population.

## **IX. Providing Notice of Language Assistance Services**

To ensure that members of LEP communities are aware of the free language assistance services provided to them, the following marketing and outreach steps will be taken:

- Posting signs that language assistance is available in public areas such as intake areas, customer service areas, and other Departmental entry points;
- Provide "I Speak" language identification cards to front office staff;
- Publish notices as needed for distribution in non-English media about programs and services offered; and
- Place translated materials in conspicuous locations describing different services.

## **X. Monitoring, Evaluating, and Updating this Plan**

The Department will reevaluate the Language Access Plan on a regular basis, but no less than every two years. The County will monitor and evaluate the effectiveness of this plan and make updates accordingly. Each reevaluation should examine all Plan components and assess the following:

- How many LEP persons were encountered and what languages?
- Were their needs met?
- What is the current LEP population in Montgomery County?
- Has there been a change in the types of languages where translation services are needed?
- Is there still a need for continued language assistance for previously identified County programs and are there other programs that should be included?
- Has the Department's available resources, technology, staff, and financial costs changed?
- Has the Department fulfilled the goals of the LAP?
- Are identified sources of assistance still available and viable?

The Department will maintain data annually, for the fiscal year ending on September 30<sup>th</sup> of each year, and may adopt alternate methods to document LEP encounters provided such methods comply with this LAP, as amended.

## **XI. Dissemination of Montgomery County Language Access Plan**

The Department will post the Language Access Plan on its website. Copies of the LAP will be provided to any person or agency requesting a copy. Any questions or comments regarding this LAP should be directed to the Department at:

Name/designee: Rebecca Ansley

Title: Director

Department: Grants and Community Development

Address: 501 N. Thompson, Suite 200

Phone: (936) 538 8060

Email: cdbg.mctx@mctx.org

## **XII. Complaints**


Title VI of the Civil Rights Act of 1964 as amended prohibits discrimination based on race, color, or national origin, among other protected categories, under any program or activity that receives federal financial assistance. As a recipient of federal financial assistance, Montgomery County, Texas has in place a Title VI complaint procedure: any person who believes that he or she, individually, as a member of any specific protected class, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and/or the Civil Rights Restoration Act of 1987, as amended, may file a complaint with Montgomery County. A complaint may also be filed by a representative on behalf of such a person. All Title VI complaints will be referred to Montgomery County's Title VI Coordinator/Human Resources Director at 501 N. Thompson, Suite 400, Conroe, TX 77301 for review and action, as appropriate.

To request additional information on Montgomery County's nondiscrimination obligations in relation to this LAP, an individual may submit a written request to the Director, Grants and Community Development as described under Section XI above.

To the extent required by applicable laws and federal guidance, Department will also take all appropriate steps to require that County's federal grant sub-recipients/contractors, and contracts involving such, comply with the aforementioned Title VI and associated requirements.

To the extent required, this LAP shall be construed to effectuate any later amendments/updates to applicable laws and regulations, whether or not formalized herein, so as to maintain Departmental compliance.

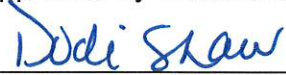
Approved and made effective this 13th day of June 2023,

  
\_\_\_\_\_  
Mark J. Keough, County Judge  
Montgomery County, Texas

Approved by Grants and Community Development

  
\_\_\_\_\_  
By: Rebecca Ansley, Director

Approved by Human Resources

  
\_\_\_\_\_  
By: Dodi Shaw, Director



## APPENDIX A

### Montgomery County Grants & Community Development Limited English Proficiency (LEP) Complaint Form

Title VI of the Civil Rights Act of 1964 as amended prohibits discrimination based on race, color, or national origin under any program or activity that receives federal financial assistance. As a recipient of federal financial assistance, Montgomery County, Texas has in place a Title VI complaint procedure: any person who believes that he or she, individually, as a member of any specific protected class, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and/or the Civil Rights Restoration Act of 1987, as amended, may file a complaint with Montgomery County.

If you feel you have not been provided meaningful access to any programs, service and/or activity, please complete this form and return it to:

Montgomery County's Title VI Coordinator/Human Resources Director  
501 N. Thompson, Ste 400  
Conroe, TX 77301

#### I. Complainant Information:

Name: \_\_\_\_\_

Contact or Home Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Primary Language: \_\_\_\_\_

#### II. Complainant Description:

Name or Department and/or Program/Service/Activity: \_\_\_\_\_

Name of individual(s) involved if known: \_\_\_\_\_

Address where incident occurred: \_\_\_\_\_

Date of Incident: \_\_\_\_\_

Describe how you were not provided meaningful Access (Be specific and attach additional pages if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Montgomery County is committed to improving Access to its programs, services, and activities for persons who are Limited English Proficient; the County will respond to this complaint within thirty (30) days.

**Subvenciones del Condado de Montgomery y Desarrollo Comunitario**  
**Formulario de queja de dominio limitado del inglés (LEP)**

El Título VI de la Ley de Derechos Civiles de 1964, según enmendada, prohíbe la discriminación por motivos de raza, color u origen nacional bajo cualquier programa o actividad que reciba asistencia financiera federal. Como beneficiario de asistencia financiera federal, el Condado de Montgomery, Texas, ha implementado un procedimiento de queja del Título VI: cualquier persona que crea que él o ella, individualmente, como miembro de cualquier clase protegida específica, ha sido objeto de discriminación prohibida por el Título VI de la Ley de Derechos Civiles de 1964, la Ley de Estadounidenses con Discapacidades de 1990, La Sección 504 de la Ley de Rehabilitación Vocacional de 1973 y / o la Ley de Restauración de Derechos Civiles de 1987, según enmendada, pueden presentar una queja ante el Condado de Montgomery.

Si cree que no se le ha proporcionado acceso significativo a ningún programa, servicio y / o actividad, por favor de completar este formulario y envíelo a:

Coordinador del Título VI del Condado de Montgomery/Director de Recursos Humanos  
501 N. Thompson, Ste 400  
Conroe, TX 77301

**I. Información del reclamante:**

Nombre: \_\_\_\_\_

Contacto o domicilio: \_\_\_\_\_

Ciudad/Estado/Código postal: \_\_\_\_\_

Teléfono de casa: \_\_\_\_\_ Teléfono celular: \_\_\_\_\_

Idioma principal: \_\_\_\_\_

**II. Descripción del demandante:**

Nombre o Departamento y/o Programa/Servicio/Actividad: \_\_\_\_\_

\_\_\_\_\_

Nombre de la(s) persona(s) involucrada(s) si se sabe: \_\_\_\_\_

Dirección donde ocurrió el incidente: \_\_\_\_\_

Fecha del incidente: \_\_\_\_\_

Describa como no se le proporcione acceso significativo (sea específico y adjunte paginas adicionales si es necesario):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Firma: \_\_\_\_\_ Fecha: \_\_\_\_\_

El Condado de Montgomery se compromete a mejorar el acceso a sus programas, servicios y actividades para las personas que tienen un dominio del inglés; el Condado responderá a esta queja dentro de los treinta (30) días.

# APPENDIX B

## Employee Language Access Report

### MONTGOMERY COUNTY GRANT S & COMMUNITY DEVELOPMENT EMPLOYEE LANGUAGE REPORT

The following is a list of employees who possess language skills other than English and who are willing to assist a Limited English Proficiency (LEP) individual who requires language assistance.

EMPLOYEE NAME	LAN GUAGE	SPEAKING		READING		WRITING		UNDERSTANDING		
		BASIC	ADVANCED	NATIVE	BASIC	ADVANCED	NATIVE	BASIC	ADVANCED	NATIVE
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## Log of LEP Requests

**Instructions:** Data should be kept for the fiscal year ending September 30th.

From

To

[illegible]

## APPENDIX D

### LEP Interpreter Services Poster



# Montgomery County *Community* DEVELOPMENT

### English:

Interpreter services may be available.  
Please ask someone at the front desk.

### Español:

El servicio de interpretación está  
disponible.

Favor de preguntar a alguien en la  
recepción.