

# **LANGUAGE ACCESS PLAN**

## **For Persons with Limited English Proficiency**

Department for Local Government  
with the  
Kentucky Infrastructure Authority and the  
Office of Broadband Development

June 2024

**TEAM**   
**KENTUCKY**



DEPARTMENT FOR  
LOCAL GOVERNMENT

Matt Sawyers, Commissioner  
100 Airport Road, 3<sup>rd</sup> Floor  
Frankfort, Kentucky 40601  
(502) 573-2382  
[dlg.ky.gov](http://dlg.ky.gov)

The Kentucky Department for Local Government (DLG) has established this policy as means to take reasonable steps in ensuring meaningful access to agency services, programs and activities for persons who have limited English proficiency.

The Kentucky Infrastructure Authority (KIA), along with the Office of Broadband Development (OBD), both of which also provide some federal funds to local government entities, are administratively attached to DLG, and hereby adopt DLG's Language Access Plan in its entirety. All references to "DLG" in this plan shall be interpreted to include KIA, and OBD.

### **Overview**

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 require that recipients of federal funds take responsible steps to ensure meaningful access by persons with Limited English Proficiency (LEP persons). DLG is a recipient of federal funds through various federal agencies, is obligated to reduce language barriers that can preclude meaningful access by LEP persons to DLG programs.

### **Definitions**

For the purposes of this plan:

- a. *Grantee* means the Commonwealth of Kentucky.
- b. *Recipient* means the entity designated as a recipient of federal funds through DLG's programs. This means any entity that receives any federal assistance, directly from DLG or from another Recipient. This includes, but is not limited to, any unit of local government, public housing authority, community housing development organization, public or private nonprofit agency, developer, private agency or institution, mortgagor, limited dividend sponsor, builder, property manager, resident management corporation, resident counsel or cooperative association. Recipient also includes any successor, assignee or transferees of any such entity, but does not include any ultimate beneficiary under the respective federal grant program.
- c. *LEP* means Limited English Proficiency. Persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English, and may be entitled to language assistance with respect to a particular type of service, benefit or encounter.
- d. *LAP* means Language Access Plan.

## **Four-Factor Analysis**

There are four (4) flexible, fact-dependent factors to be considered in developing language materials and a LEP plan. The following four-factor analysis will serve as the guide for determining which language assistance measures the Commonwealth will undertake to guarantee access to DLG's federally funded programs by LEP persons. Additionally all future recipients of federal assistance are required to use the same four-factor analysis prior to the release of funds.

1. The number or portion of LEP persons eligible to be served or likely encountered through its federally funded programs.
  - a. For determining the LEP population, DLG utilized the U.S. Census Bureau's American Community Survey Language Use data for Language Spoken at Home and English-Speaking Ability by State (See Appendix A).
  
2. The frequency with which LEP individuals come in contact with the designated federal programs.
  - a. DLG does not provide direct assistance to individuals. All DLG funds are awarded to units of local government or nonprofit agencies. As a result, LEP persons rarely come into contact with the respective federal grant program at the state level. However, during periods of public comment, some citizen participation may be directed to the Commonwealth.
  
3. The nature and importance of the program, activity or service provided by the federal programs.
  - a. DLG does not provide direct assistance to individuals. All DLG funds are awarded to units of local government or nonprofit agencies. As a result, LEP persons rarely come into contact with the respective federal grant program at the state level. However, during periods of public comment, some citizen participation may be directed to the Commonwealth.
  
4. The resources available to the recipient and the cost. There are two types of assistance service – oral (interpretation) and written (translation).
  - a. Given the resources currently available to DLG, the LAP measures appear reasonable.

## **Types of Language Assistance to be Provided by the Commonwealth**

As stated previously, although LEP persons rarely come into contact with DLG programs at the state level, some citizen participation matters are directed to the Commonwealth, particularly during periods of public comment. Therefore, DLG has determined it will make available, upon request, translations of its federal grants action plans and amendments. If there is a consistent need for translations, by populations of LEP Kentuckians, DLG will consider additional appropriate measures to serve the language access needs of those persons.

## **Requirements for Recipients**

Recipients of federal funds awarded or drawn through DLG are required to ensure that meaningful access to services is assured for their LEP clients. Recipients must provide language assistance services that result in timely, accurate, and effective communication at no cost to LEP clients and/or their beneficiaries. Such language assistance services are to be provided in accordance with the guidelines set forth in the U.S. Department for Health and Human Services "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons." DLG is available to assist Recipients in identifying and developing appropriate language assistance measures.

If an application is funded, the local government or nonprofit agency will be required to conduct a four-factor analysis, develop a LAP, if necessary, and provide a description of outreach efforts during the Letter of Conditional Commitment stage. Particular attention will be given to plan details for projects including acquisition and/or relocation, housing rehabilitation, and/or water/sewer hookups.

In order to determine if language assistance is required by recipients of federal funds through DLG, all Recipients are required to follow the measures outlined below.

1. Conduct the four-factor analysis prior to advertising for application public hearing.
2. If the four-factor analysis reveals there are 1,000 or more LEP persons, or 5 percent or more LEP persons in the eligible population in the jurisdiction or among current beneficiaries, the applicant will provide appropriate language assistance by:
  - a. Translating all vital documents;
  - b. Posting notices of application public hearings in areas frequented by LEP persons of the threshold population(s) in the language(s) spoken; and

- c. Providing translation services at public hearings, if requested to do so by LEP persons.
3. If the four-factor analysis reveals there are less than 50 LEP persons but 5 percent or more LEP persons in the eligible population in the jurisdiction or among current beneficiaries, the applicant will provide appropriate language assistance by: 1) posting notices of application public hearings in areas frequented by LEP persons of the threshold population(s) in the language(s) spoken; and 3) providing translation services at public hearings, if requested to do so by LEP persons.
4. If the four-factor analysis reveals there are less than 50 LEP persons and less than 5 percent LEP persons in the eligible population in the jurisdiction or among current beneficiaries, the applicant will provide appropriate language assistance by providing translation services at public hearings, if requested to do so by LEP persons.

If a LAP is required, the Recipient's LAP will include certifications that LAP has been developed, adopted, and will be implemented for all CDBG-funded projects. The Recipient's LAP will include an identification of all LEP populations exceeding 1,000 or five percent of total jurisdiction population, whichever is less, the identification of materials to be made available to LEP persons, the means by which the materials will be made available to LEP persons, and the identification of any other translation services which may be necessary. Recipients will be monitored for implementation of their LAPs.

### **Monitoring, Evaluation and Updating**

All agencies receiving federal funds through DLG will report annually on services provided to LEP persons. Agencies will review their respective plans each year to evaluate their effectiveness and to make any needed changes. DLG will assist agencies in finding appropriate translation resources, and disseminate translated federal program notices, brochures, posters and other documents.

DLG will monitor the delivery of any required language assistance on an ongoing basis. It will review the LAP, evaluate the effectiveness of its implementation, and update the LAP, on an annual basis, in order to ensure continued responsiveness to community needs.

The LAP evaluation will consist of:

- Revision of the LAP, as necessary, by monitoring changes in demographics and services provided, updating available resources and tools, modifying methods of implementation and addressing any issues of concerns.

- Analysis of language assistance usage, including the amount of language service requests, surveying the languages most frequently encountered, identifying the primary modes of communication, and costs associated with services rendered.
- Assessment of response to requests by LEP individuals and Recipients regarding the delivery of language assistance services.

### **Availability and Access**

The DLG Language Access Plan is available to the public on our website at <https://dlg.ky.gov/>. This information is available in a form accessible to persons with disabilities, and others, upon written request to: Department for Local Government, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky, 40601.

Citizens, public agencies and other interested parties will have reasonable and timely access to information and records relating to the Language Access Plan. All public records under KRS Statute 61.870-884 will be made accessible to anyone interested during normal working hours.

### **Complaints**

At any time, citizens may submit complaints related to the DLG Language Access Plan by writing to the Department for Local Government, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky, 40601.

The Commonwealth will provide a written response to every written citizen complaint that relates to the DLG Language Access Plan within fifteen (15) working days.

## Appendix A

Kentucky – American Community Survey 2022 Five-Year Estimates (S1601)

<b>Subject</b>	<b>Population</b>	<b>Speaks English Less Than “Very Well”</b>	
		<b>Population</b>	<b>Percentage</b>
Total Population	4,236,382		
Speaks a Language Other Than English		102,685	2.42%
Spanish		50,573	1.19%
Indo-European		21,073	0.50%
Asian/Pacific Island		19,494	0.46%
Other		11,545	0.27%



**Appendix B**  
2024 LEP Data by County

Geography Area Name	Population Ages 5-Older	Spanish		Indo-European		Asian/Pacific Island		Other	
		LEP	%	LEP	%	LEP	%	LEP	%
Kentucky	4,236,382	50,573	1.19%	21,073	0.50%	19,494	0.46%	11,545	0.27%
Adair	17,950	40	0.22%	131	0.73%	5	0.03%	18	0.10%
Allen	19,503	130	0.67%	395	2.03%	28	0.14%	11	0.06%
Anderson	22,450	25	0.11%	0	0.00%	14	0.06%	0	0.00%
Ballard	7,405	19	0.26%	7	0.09%	56	0.76%	12	0.16%
Barren	41,858	538	1.29%	81	0.19%	69	0.16%	0	0.00%
Bath	11,898	7	0.06%	199	1.67%	3	0.03%	0	0.00%
Bell	22,799	13	0.06%	0	0.00%	4	0.02%	0	0.00%
Boone	127,486	1,940	1.52%	1,562	1.23%	892	0.70%	270	0.21%
Bourbon	19,046	451	2.37%	51	0.27%	13	0.07%	0	0.00%
Boyd	45,548	215	0.47%	11	0.02%	64	0.14%	19	0.04%
Boyle	29,152	203	0.70%	45	0.15%	60	0.21%	14	0.05%
Bracken	7,926	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Breathitt	12,804	8	0.06%	0	0.00%	50	0.39%	0	0.00%
Breckinridge	19,372	63	0.33%	327	1.69%	18	0.09%	0	0.00%
Bullitt	78,323	763	0.97%	133	0.17%	145	0.19%	211	0.27%
Butler	11,643	230	1.98%	274	2.35%	38	0.33%	106	0.91%
Caldwell	11,933	0	0.00%	13	0.11%	0	0.00%	0	0.00%
Calloway	35,657	107	0.30%	0	0.00%	266	0.75%	11	0.03%
Campbell	87,932	394	0.45%	322	0.37%	290	0.33%	0	0.00%
Carlisle	4,489	0	0.00%	1	0.02%	0	0.00%	3	0.07%
Carroll	10,115	148	1.46%	116	1.15%	0	0.00%	12	0.12%
Carter	25,125	9	0.04%	13	0.05%	0	0.00%	6	0.02%
Casey	14,898	99	0.66%	171	1.15%	1	0.01%	31	0.21%
Christian	65,857	927	1.41%	824	1.25%	295	0.45%	18	0.03%
Clark	34,784	336	0.97%	43	0.12%	165	0.47%	0	0.00%
Clay	19,084	60	0.31%	0	0.00%	0	0.00%	0	0.00%
Clinton	8,776	102	1.16%	0	0.00%	0	0.00%	0	0.00%
Crittenden	8,508	0	0.00%	169	1.99%	25	0.29%	0	0.00%
Cumberland	5,632	21	0.37%	32	0.57%	0	0.00%	0	0.00%
Daviess	96,279	1,008	1.05%	304	0.32%	1,088	1.13%	13	0.01%
Edmonson	11,650	38	0.33%	26	0.22%	0	0.00%	0	0.00%
Elliott	7,073	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Estill	13,418	98	0.73%	0	0.00%	45	0.34%	0	0.00%
Fayette	302,975	6,975	2.30%	3,143	1.04%	3,221	1.06%	2,809	0.93%
Fleming	14,101	28	0.20%	72	0.51%	7	0.05%	0	0.00%
Floyd	33,749	25	0.07%	56	0.17%	39	0.12%	34	0.10%
Franklin	48,619	842	1.73%	134	0.28%	238	0.49%	88	0.18%
Fulton	6,151	0	0.00%	0	0.00%	0	0.00%	2	0.03%
Gallatin	8,248	62	0.75%	23	0.28%	0	0.00%	0	0.00%
Garrard	16,274	23	0.14%	189	1.16%	17	0.10%	0	0.00%
Grant	23,309	0	0.00%	0	0.00%	22	0.09%	0	0.00%
Graves	34,239	390	1.14%	68	0.20%	21	0.06%	0	0.00%
Grayson	24,782	165	0.67%	20	0.08%	0	0.00%	0	0.00%
Green	10,536	35	0.33%	118	1.12%	18	0.17%	0	0.00%
Greenup	34,058	83	0.24%	29	0.09%	3	0.01%	0	0.00%
Hancock	8,527	0	0.00%	0	0.00%	5	0.06%	0	0.00%
Hardin	103,876	850	0.82%	547	0.53%	594	0.57%	0	0.00%
Harlan	25,021	12	0.05%	31	0.12%	66	0.26%	0	0.00%
Harrison	17,562	14	0.08%	44	0.25%	0	0.00%	0	0.00%
Hart	18,067	17	0.09%	163	0.90%	22	0.12%	0	0.00%
Henderson	42,279	287	0.68%	40	0.09%	55	0.13%	22	0.05%
Henry	14,834	178	1.20%	28	0.19%	0	0.00%	0	0.00%
Hickman	4,292	8	0.19%	5	0.12%	2	0.05%	0	0.00%
Hopkins	42,566	203	0.48%	28	0.07%	0	0.00%	0	0.00%
Jackson	12,208	20	0.16%	49	0.40%	0	0.00%	0	0.00%
Jefferson	731,949	19,069	2.61%	6,182	0.84%	5,533	0.76%	5,063	0.69%
Jessamine	50,227	703	1.40%	341	0.68%	77	0.15%	13	0.03%
Johnson	21,442	62	0.29%	0	0.00%	0	0.00%	17	0.08%
Kenton	158,308	1,786	1.13%	269	0.17%	591	0.37%	829	0.52%

Geography Area Name	Population Ages 5-Older	Spanish		Indo-European		Asian/Pacific Island		Other	
		LEP	%	LEP	%	LEP	%	LEP	%
Knott	13,564	36	0.27%	0	0.00%	0	0.00%	7	0.05%
Knox	28,287	22	0.08%	36	0.13%	0	0.00%	0	0.00%
Larue	14,121	56	0.40%	0	0.00%	0	0.00%	0	0.00%
Laurel	58,703	70	0.12%	102	0.17%	205	0.35%	0	0.00%
Lawrence	15,108	17	0.11%	53	0.35%	0	0.00%	0	0.00%
Lee	6,966	7	0.10%	0	0.00%	0	0.00%	0	0.00%
Leslie	9,923	8	0.08%	0	0.00%	0	0.00%	0	0.00%
Letcher	20,339	44	0.22%	0	0.00%	8	0.04%	0	0.00%
Lewis	12,322	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lincoln	22,664	83	0.37%	217	0.96%	13	0.06%	0	0.00%
Livingston	8,519	8	0.09%	0	0.00%	0	0.00%	0	0.00%
Logan	25,708	28	0.11%	141	0.55%	64	0.25%	5	0.02%
Lyon	8,433	2	0.02%	19	0.23%	0	0.00%	9	0.11%
McCracken	63,648	212	0.33%	165	0.26%	163	0.26%	0	0.00%
McCreary	15,972	43	0.27%	19	0.12%	0	0.00%	32	0.20%
McLean	8,682	66	0.76%	2	0.02%	0	0.00%	0	0.00%
Madison	87,931	589	0.67%	88	0.10%	203	0.23%	56	0.06%
Magoffin	10,950	24	0.22%	0	0.00%	0	0.00%	0	0.00%
Marion	18,467	128	0.69%	23	0.12%	30	0.16%	0	0.00%
Marshall	30,145	23	0.08%	0	0.00%	59	0.20%	0	0.00%
Martin	10,766	61	0.57%	0	0.00%	0	0.00%	0	0.00%
Mason	16,066	33	0.21%	45	0.28%	58	0.36%	0	0.00%
Meade	28,399	66	0.23%	41	0.14%	17	0.06%	0	0.00%
Menifee	5,701	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Mercer	21,403	311	1.45%	0	0.00%	3	0.01%	55	0.26%
Metcalfe	9,721	99	1.02%	21	0.22%	0	0.00%	2	0.02%
Monroe	10,619	108	1.02%	9	0.08%	0	0.00%	0	0.00%
Montgomery	26,557	76	0.29%	47	0.18%	11	0.04%	0	0.00%
Morgan	13,184	14	0.11%	0	0.00%	8	0.06%	8	0.06%
Muhlenberg	28,992	93	0.32%	0	0.00%	34	0.12%	0	0.00%
Nelson	43,941	329	0.75%	183	0.42%	72	0.16%	0	0.00%
Nicholas	7,173	6	0.08%	75	1.05%	0	0.00%	0	0.00%
Ohio	22,496	498	2.21%	64	0.28%	15	0.07%	0	0.00%
Oldham	64,673	518	0.80%	168	0.26%	208	0.32%	11	0.02%
Owen	10,613	45	0.42%	0	0.00%	0	0.00%	5	0.05%
Owsley	3,827	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Pendleton	13,772	6	0.04%	0	0.00%	2	0.01%	4	0.03%
Perry	26,426	50	0.19%	26	0.10%	110	0.42%	8	0.03%
Pike	55,229	127	0.23%	53	0.10%	28	0.05%	45	0.08%
Powell	12,267	43	0.35%	4	0.03%	0	0.00%	0	0.00%
Pulaski	61,422	457	0.74%	197	0.32%	157	0.26%	0	0.00%
Robertson	2,112	0	0.00%	18	0.85%	0	0.00%	0	0.00%
Rockcastle	15,286	4	0.03%	0	0.00%	0	0.00%	0	0.00%
Rowan	23,220	111	0.48%	0	0.00%	53	0.23%	19	0.08%
Russell	16,973	144	0.85%	44	0.26%	0	0.00%	0	0.00%
Scott	53,733	653	1.22%	31	0.06%	130	0.24%	0	0.00%
Shelby	45,275	1,577	3.48%	7	0.02%	178	0.39%	216	0.48%
Simpson	18,446	8	0.04%	21	0.11%	28	0.15%	0	0.00%
Spencer	18,515	8	0.04%	26	0.14%	23	0.12%	0	0.00%
Taylor	24,579	49	0.20%	168	0.68%	6	0.02%	0	0.00%
Todd	11,437	292	2.55%	284	2.48%	0	0.00%	0	0.00%
Trigg	13,357	121	0.91%	193	1.44%	8	0.06%	4	0.03%
Trimble	8,088	134	1.66%	0	0.00%	0	0.00%	0	0.00%
Union	12,802	21	0.16%	47	0.37%	6	0.05%	0	0.00%
Warren	126,741	2,109	1.66%	1,457	1.15%	3,338	2.63%	1,419	1.12%
Washington	11,304	49	0.43%	91	0.81%	33	0.29%	0	0.00%
Wayne	18,596	207	1.11%	4	0.02%	8	0.04%	0	0.00%
Webster	12,168	253	2.08%	26	0.21%	15	0.12%	0	0.00%
Whitley	34,062	21	0.06%	11	0.03%	23	0.07%	7	0.02%
Wolfe	6,161	0	0.00%	4	0.06%	0	0.00%	0	0.00%
Woodford	25,256	577	2.28%	14	0.06%	12	0.05%	1	0.00%

## **Appendix C**

List of Formal Interpreters (for any language if necessary and cost is not prohibitive):

- Catholic Charities of Louisville
  - Main Office
    - 435 E. Broadway, Louisville
    - (502) 637-9786
  - [languages@archlou.org](mailto:languages@archlou.org)
  - <https://cclou.org/language-services/>
  
- The International Center of Kentucky
  - Main Office
    - 806 Kenton St., Bowling Green
    - (270) 781-8336
  - <http://icofky.org/>
  
- Central Kentucky Interpreter Referral
  - Main Office
    - 212 S. Second St., Danville
    - (859) 236-9888
    - (859) 439-0070 (videophone)
  - <http://www.ckira.org/>
  
- Language Line Solutions
  - (800) 752-6096
  - <http://www.languageline.com/>

Further information on Language Assistance Plans from HUD can be found at:  
[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/promotingfh/lep-faq](https://www.hud.gov/program_offices/fair_housing_equal_opp/promotingfh/lep-faq)

## **Appendix D**

### Examples of Vital Documents:

- Citizen Participation Notices
- Survey Instruments
- Housing-Related Documents
  - Lead-Based Paint Notification
  - Application
  - Lease
  - Note
  - Mortgage
- Drug-Free Certification