



CITY OF HESPERIA

Language Access Plan

December 2024

Executive Summary

As a recipient of federal Community Development Block Grant (CDBG) funds, the City of Hesperia ("City" or "Hesperia") is required to make reasonable efforts to provide language assistance to ensure meaningful access for Limited English Proficiency (LEP) persons to the City's programs and activities. Meaningful access is defined as providing free, effective, and timely language assistance, enabling clear communication with LEP individuals. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (LEP), Title VI of the Civil Rights Act of 1964, provides the basis for these requirements.

To ensure the appropriate targeting of resources, the City conducted a "Four Factor Analysis" in accordance with U.S. Department of Justice LEP Guidance; evaluating: 1) The number or proportion of LEP persons in the population to be served or likely to be encountered, 2) The frequency with which LEP persons interact with the program or service, 3) The importance of the service, information, program, and/or activity, and 4) The resources, financial and human, available to the City.

After determining the applicable language groups that may require LEP assistance, a review of HUD-funded programs and services was conducted to identify gaps in language accessibility. A final analysis was then conducted to determine available staffing and other resources to meet LEP needs for translation services.

A Language Access Plan was then developed, focused on the provision of translation and interpretation services to LEP individuals who speak **Spanish**.

Through the Language Access Plan, the City commits to language assistance efforts including but not limited to the following:

1. Providing interpretation and translation services to individuals with limited English proficiency.
2. Providing notices to LEP individuals advising of the availability of free translation and interpretation services provided by the City.
3. Training staff on the requirements of the City's Language Access Plan.

Plan Purpose

As a recipient of federal Community Development Block Grant (CDBG) funds, the City of Hesperia ("City" or "Hesperia") is required to make reasonable efforts to provide language assistance to ensure meaningful access for Limited English Proficiency (LEP) persons to the City's programs and activities. This plan is aligned with federal requirements, ensuring access to federally funded programs for LEP persons.

This Plan is established pursuant to Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," Title VI of the Civil Rights Act of 1964, and the Department of Housing and Urban Development's (HUD) Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, dated January 22, 2007, and effective February 21, 2007.

LEP persons are those whose proficiency in speaking, reading, writing, or understanding English is such that it would deny or limit their meaningful access to programs and services provided by the City if language assistance were not provided.

Executive Order No. 13166 was adopted to ensure meaningful access to federally conducted and federally assisted programs and activities for persons who, as a result of their national origin, are limited in their English proficiency. National origin discrimination has been interpreted broadly to include the denial of meaningful access to a program because of an individual's, or their ancestors', place of origin. This includes whether that person has the physical, cultural, or linguistic characteristics of a national origin group.

City Policy

The City of Hesperia is committed to ensuring that programs and resources are accessible to LEP persons, without discrimination on the basis of national origin. The City is further committed to providing translation assistance to LEP persons if the population speaking their primary language constitutes at least 1,000 individuals or five percent of the City's population, per HUD guidance.

Needs Assessment: Four-Factor Analysis

As a recipient of federal funding, the City is required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. The following four-factor analysis is the starting point for creating a plan which addresses LEP needs and provides adequate language assistance:

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee.

According to data from the U.S. Census Bureau's 2018-2022 American Community Survey (ACS) 5-Year Estimates, approximately 36 percent of Hesperia's population five years or

older speaks a language other than English at home. Of critical concern for the development of this Plan is the language spoken at home by individuals who speak English less than “very well”, which is demonstrated in the table below:

Language Spoken at Home, City of Hesperia		
Population 5 years of age and over	Number	Percent
	93,028	100%
English only	59,514	63.97%
Language other than English	33,514	36.03%
Speaks English less than “very well”	11,714	12.59%
Spanish	31,963	34.36%
Speaks English less than “very well”	11,058	11.89%
Other Indo-European languages	333	0.36%
Speaks English less than “very well”	111	0.12%
Asian and Pacific Islander languages	1,004	1.08%
Speaks English less than “very well”	485	0.52%
Other languages	214	0.23%
Speaks English less than “very well”	60	0.06%

Source: U.S. Census Bureau, 2018-2022 American Community Survey 5-Year Estimates (Table S1601)

HUD has provided “safe harbor” guidance to determine when to provide translation of vital documents. The Safe Harbor rule for written translation of vital documents is based on the number and percentages of the eligible population in a service area, or current LEP beneficiaries and applicants.

Per the Safe Harbor rule, HUD expects translation of vital documents to be provided when the eligible LEP population in the service area or current beneficiaries exceed 1,000 persons, or if it exceeds 5 percent of the eligible population. In cases where more than 5 percent of the eligible population speaks a particular language but fewer than 50 people are affected, there should be a translated written notice of the person’s right to an oral interpretation. The table below shows the recommended language assistance that should be provided based on the size of the language group:

Safe Harbor Guidance: Size of Language Group and Recommended Provision of Language Assistance	
1,000+ of the eligible population in the service area, or among current beneficiaries	Translate vital documents

> 5% of the eligible population or beneficiaries, <i>and</i> 50+ in number	Translate vital documents
> 5% of the eligible population or beneficiaries, <i>and</i> 50 or less in number	Translate written notice of right to receive free oral interpretation of documents
5% or less of the eligible population or beneficiaries, <i>and</i> less than 1,000 in number	No written translation is required

Analysis

The relevant data in the “Language Spoken at Home” table, above, are summarized in the following table:

Speak English less than “very well”		
Language Spoken at Home	Population 5 years and over	% of Eligible Population
Spanish	11,058	11.89%
Other Indo-European languages	111	0.12%
Asian and Pacific Islander languages	485	0.52%
Other Languages	60	0.06%

Source: Extracted from the “Language Spoken at Home” data

For the purposes of this review, the “eligible population” is defined as the City’s population aged five years and over, which is 93,028 persons according to the 2022 ACS estimates (as shown in the “Language Spoken at Home” table, above). This standard is applied to facilitate review and interpretation of the available U.S. Census and ACS data, and to provide the most conservative assessment of LEP needs.

The “Language Spoken at Home” table provides data for the four (4) major language classifications employed by the ACS. Only the Spanish language classification contains an eligible population exceeding the safe harbor threshold.

The 11,058 Spanish speaking persons indicating they speak English less than “very well”, constitutes 11.89 percent of the eligible population of 93,028 persons. This exceeds the 1,000-person and 5 percent thresholds established under HUD’s safe harbor guidance. **Based on this determination, the translation of vital documents into Spanish is required.**

Factor 2: The frequency with which LEP persons come into contact with the program.

Each year, the City conducts a wide variety of programs utilizing HUD funding. While programs and their respective funding levels vary from year to year, the general activities

have remained relatively consistent. As such, this LEP Plan is designed to be effective for the five-year period between 2025-2026 and 2029-2030. If HUD-funded projects or programs are initiated that are not adequately considered under this Plan, an amendment to the Plan shall be performed to appropriately address the newly proposed activities.

The following table lists the City's relevant program activities. For each program activity, the table lists the frequency with which LEP persons are likely to come into contact with the City and the methods through which LEP persons are most likely to interact with the City and receive/provide information.

Program Activity	Frequency	Level of Interaction
CDBG Administration	Annual	Attend public meetings and hearings. Call, email, and visit staff. Visit website and social media channels. Read documents, brochures, posters, and flyers intended for public distribution.
CDBG Fair Housing Services	Daily	Call, email, and visit staff. Visit website and social media channels. Read documents, brochures, posters, and flyers intended for public distribution. Complete program-related paperwork.
CDBG Public Facility and Infrastructure Improvements	Daily	Attend public meetings and hearings. Call, email, and visit staff. Visit website and social media channels. Read documents, brochures, posters, and flyers intended for public distribution.

Factor 3: The nature and importance of the activity or service provided by the program to people's lives.

The City's HUD-funded activities have the potential to positively impact the lives of all the City's residents. The table below lists the direct benefits to participants for each program activity.

Program	Benefits
CDBG Administration	The CDBG, HOME and ESG Administration activities provide administrative oversight and, as such, include implementation of the citizen participation process for these federally funded activities. The citizen participation process is a key step in determining how these funds will be deployed annually.
CDBG Fair Housing Services	Public services, including homelessness prevention, senior services, and youth services, among others, are made available to primarily benefit low- and moderate-income (LMI) residents whose incomes are at or below 80% of the Area Median Income (AMI). Fair housing

Program	Benefits
	services provide resolution of discriminatory acts to ensure equitable access to decent housing.
CDBG Public Facility and Infrastructure Improvements	Public facilities and infrastructure improvements make physical improvements in LMI areas or to exclusively benefit LMI clientele.

Factor 4: The resources available to the grantee/recipient and costs

The City currently has bilingual (Spanish/English) staff available for the provision of Spanish interpretation services in all facilities where the City is the direct provider of federally funded services. Bilingual staff services are paid as an employee benefit in the form of bilingual pay for those passing their respective language proficiency examination.

Language Access Plan

Based on the Four-Factor Analysis, the greatest need for LEP resources is in the provision of language translation services for Spanish speakers with limited English proficiency. To meet these needs, the City will implement the measures listed below.

Provide Interpretation and Translation Services

1. Provide interpretation services for Spanish speakers, as necessary, to ensure access by LEP persons in all federally funded activities. Interpreters will be competent and have knowledge in both languages of the relevant terms or concepts particular to the program or activity and the dialect and terminology used by the LEP individual. City staff providing interpretation services will have passed their respective language proficiency examination.
2. Upon request, make Spanish translation available at all public hearings.
3. Perform written translations into Spanish for all documents deemed vital for each program offered.

“Vital documents” are those that are critical for ensuring meaningful access by beneficiaries or potential beneficiaries generally and LEP persons specifically, to activities supported by federal funds or that are required by law. Vital documents contain information that is critical for obtaining or maintaining services or benefits to the LEP populations they serve. Such documents may include but are not limited to outreach materials, applications, consent and complaint forms, notices of participant rights and responsibilities, notices of denial, loss, or decreases in benefits or services, disciplinary notices, letters or notices that require a response from the participant or beneficiary, hearing notices, legal notices, notices of public hearings, especially those that meet HUD’s Community and Planning Development citizen participation requirement, leases and tenant rules, applications to participate

in a federally funded program or activity or to receive benefits or services, and notices advising LEP persons of the availability of free language services.

Where HUD or other forms have been translated, and participant signature is required, the participant shall sign the English version of the form as the legally binding document, with the Spanish language translation attached. Translations which require signature shall carry the following disclaimer: "This document is a translation of a HUD-issued and/or required document. This translation is provided to you merely as a convenience to assist in your understanding of your rights and obligations. The English language version of this document is the official, legal, controlling document. This translated document is not an official document."

4. Upon request, make Consolidated Plan documents or summaries of those documents available in a manner accessible to Spanish speakers.
5. Include telephone instructions in Spanish at the point of intake for all program/project-related inquiries.
6. Explore access to community-based services which provide needed translation and interpretation services for LEP persons that speak a language other than Spanish.
7. Include Google Translate on the City's website to allow users to translate content into Spanish and other languages.
8. As necessary, assist subrecipients in assessing their potential LEP translation needs and in developing an appropriate course of action based on the assessment.

Provide Notices to LEP Persons

9. Insert "tag lines" in Spanish on all outreach materials indicating the availability of free translation and interpretation services by the City.
10. Provide a posted sign in intake areas advising of the availability of free LEP language services.
11. Provide notices in Spanish in media of general circulation within the service area, as available.
12. Conduct targeted outreach to Spanish-speaking LEP populations via community contacts, ethnic and foreign media (as available), or other available means.

Train Staff on Plan

13. As necessary, provide staff training on the requirements of this plan and its effective implementation at the staff, program, and project level; inclusive of:
 - a. Sensitivity to an LEP person's needs;
 - b. Internal and external translation and interpretation resources available and the methods of accessing them; and
 - c. Protocols and network (internal staff and external third-party providers) for addressing and processing LEP inquiries (oral [phone or in-person] or written).

Plan Monitoring and Update

This plan was originally prepared and approved during the 2025-2030 Consolidated Plan cycle. City staff shall review this plan every 5 years to ensure conformance with all statutory requirements, monitor changes in the language characteristics of its population, evaluate its effectiveness, and make modifications as necessary to accommodate changes to federally funded programs and projects.

The City will maintain inquiry and application logs that document the language preference of persons seeking to apply or participate in CDBG- and HOME-funded activities and programs. The data derived from these logs will be analyzed to make any necessary adjustments to the LEP Plan.

Appendix A: Glossary of Terms

- Meaningful access:* Defined as language assistance that results in accurate, timely, and effective communication and is available at no cost to the LEP individual.
- Safe Harbor rule:* HUD requires translation of vital documents when the eligible LEP population in the service area or current beneficiaries exceed 1,000 persons, or if it exceeds 5 percent of the eligible population. In cases where more than 5 percent of the eligible population speaks a particular language but fewer than 50 people are affected, a translated written notice of the person's right to an oral interpretation is required.
- Vital documents:* Documents that are critical for ensuring meaningful access by beneficiaries or potential beneficiaries generally and LEP persons specifically, to activities supported by federal funds or that are required by law. Vital documents contain information that is critical for obtaining or maintaining services or benefits to the LEP populations they serve.

Appendix B: Examples of Vital Documents

- Applications to participate in a federally funded program or activity, or to receive benefits or services
- Consent and complaint forms
- Disciplinary notices
- Leases and tenant rules
- Legal notices
- Letters or notices that require a response from the participant or beneficiary
- Notices advising LEP persons of the availability of free language services
- Notices of denial, loss, or decreases in benefits or services
- Notices of participant rights and responsibilities
- Notices of public hearings, especially those that meet HUD's Community and Planning Development citizen participation requirement
- Outreach materials