

**City of Baxley 2023 CDBG Program
LANGUAGE ACCESS PLAN (LAP)**

**Grantee: City of Baxley
CDBG Grant Number:23p-x-001-2-6336
Target Area: West Tollison, Jones, Highland, Beach Streets
Sewer Improvements Project
City of Baxley, Ga.**

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I. Introduction

This *Language Access Plan* has been prepared to address City of Baxley's responsibilities as a recipient of federal financial assistance from Georgia Department of Community Affairs programs & grants funded by HUD as they relate to the needs of individuals with limited English language skills.

The plan has been prepared to ensure compliance with HUD's guidance and Title VI of the Civil Rights Act of 1964, and its implementing regulations. Under HUD's guidance, City of Baxley must take reasonable steps to ensure meaningful access to their programs and activities by persons with Limited English Proficiency (LEP).

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including City of Baxley.

For purposes of this Language Access Plan (LAP) known as "the Plan", Limited English Proficient (LEP) persons or LEP homeowners mean individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. Such persons may be eligible to receive language assistance with respect to a particular services, benefit, or encounter.

The City of Baxley has conducted a Four-Factor Analysis which considers the following factors to determine how to provide needed language assistance.

1. The number or proportion of LEP persons in the service area who may be served by the City.
2. The frequency with which LEP persons come in contact with City services.
3. The nature and importance of services provided by the City to the LEP population.
4. The interpretation services available to the City and overall cost to provide LEP assistance.

A summary of the results of the four-factor analysis is in the following section.

In accordance with HUD Safe Harbors for LEP, the City of Baxley will translate written Community Improvement documents for groups that are at least 5% of the population eligible

(and more than 50 persons) or 1,000 persons, whichever is less. If there are fewer than 50 persons in a language group that reaches the 5% trigger above, City of Baxley will not translate the vital Community Improvement written materials, but provides written notice in the primary language of the LEP group of the right to receive competent oral interpretation of those written materials, free of cost.

The size of the language group determines the recommended provision for written language assistance.

	Size of language Group	Recommended Provision of Written Language Assistance
	1,000 or more in the eligible population	Translated vital documents
	More than 5% of the eligible population or beneficiaries and more than 50 in number	Translated vital documents
	More than 5% of the eligible population or beneficiaries and 50 or less in number	Translated written notice of right to receive free oral interpretation of documents
	5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required

II. Meaningful Access: Four Factor Analysis

The Four- Factors are as follows:

Factor 1:

The number or proportion of LEP persons in the service area who may be served or are likely to require City of Baxley services.

We have determined the number of LEP persons eligible to be served or likely to be encountered by City of Baxley. City of Baxley has a population of 4,971 persons. ([See attached Census data and tables](#))

Total Population > 5 years old -4,697

Total LEP Population > 5 years old - 283

Percent LEP 6.0%

Factor 2:

The frequency with which LEP persons come in contact with City of Baxley services.

City of Baxley staff reviewed the frequency with which City office staff and maintenance staff have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, City of Baxley has had **no** requests for interpreters and **no** requests for translated program documents. The City office staff and maintenance staff have had very little contact with LEP persons.

A review of the current 2023 CDBG target area concluded that all target area residents speak English as their primary language.

Frequency of Interaction: Annually

For Project Applications/awards:

- a. When notifying the public about potential or ongoing grants and activities
- b. When surveying income in the target area
- c. When determining preliminary eligibility for housing and/or other activities

For Homeowner Rehabilitation/Reconstruction:

- a. When notifying the public about the grant award and activities
- b. When seeking applicants to participate in the program When seeking qualified contractors
- c. When working with homeowners selected for assistance
- d. When seeking qualified contractors

Factor 3:

The nature and importance of services provided by City of Baxley to the LEP population.

The nature of our program is Sewer Improvements. The importance and the impact of our program will benefit our community. Access to services or information would be very important for the LEP individual. There is no geographic concentration of LEP individuals in the City of Baxley. The overwhelming majority of the population, 94% speak only English. As a result, there are few social, service, professional and leadership organizations within City of Baxley that focus on outreach to LEP individuals. The City of Baxley and staff are most likely to encounter LEP individuals through office visits, phone conversations, notifications from maintenance staff of impacts on services and attendance at Council meetings.

There are no LEP individuals in the current 2023 CDBG target area. However, if there is a community of limited English proficient households within any future targeted areas the City will reach out to these households in the language that they speak to ensure that adequate notification is achieved. Upon client request, City of Baxley will provide oral interpreters using bi-lingual employees or qualified contract interpreters. To date, all LEP individuals have provided their own interpreter, whether that be an adult child or friend that the LEP individual trusts.

Nature of the Program(s): Sewer Improvements

Importance of the Program(s): Denial or delay of access to services or information would not have serious or life-threatening implications for the LEP individual.

Factor 4:

The resources available to City of Baxley, and overall costs to provide LEP assistance.

City of Baxley reviewed its available resources that could be used for providing LEP assistance, including which of its documents would be most valuable to be translated if the need should arise. An “I Speak” card/poster will be made available to determine needed language translations. A notice will be posted in all ads for GA DCA/HUD programs regarding who to contact should language assistance be needed. Language translation, if needed, would be provided through the available bi-lingual staff and/or the Language Line Solutions (800-752-6096) for which City of Baxley would pay a fee.

The following resources are available at no costs to the recipient.

- Oral interpretation services
- Bilingual staff available upon request.
- Telephone service lines interpreters.
- Written translation services.
- Notice to staff and sub recipients of the availability of LEP services.
- Referrals to community liaisons proficient in the language of LEP Persons.
- Provide I “I speak” card.

III. Language Assistance

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to City of Baxley services. Language assistance can include interpretation, which means oral or spoken

transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How the City of Baxley staff may identify an LEP person who needs language assistance:

Language Assistance Measures-Although there is a very low percentage in City of Baxley of LEP individuals, that is, persons who speak English “not well” or “not at all”, it will strive to offer the following measures:

1. City of Baxley staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
 - Language interpretation will be accessed for all other languages through a telephone interpretation service.
3. Language Identification Cards/Posters will be used **as necessary** to determine a client’s language needs.
4. The following statements will be added to public meeting and event notices concerning GA DCA/HUD programs:

“Persons with special needs relating to handicapped accessibility or foreign language should contact City Clerk before _____. This person can be located at Baxley City Hall, 282 East Parker Street, Baxley, Ga 31513 (912) 367-8300 and is available between the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday, except holidays. Persons with hearing disabilities may consider using the Georgia Relay Service, at (TDD) 1-800-255-0056 or (Voice) 1-800-255-0135.”

III. Staff Training

Language Access Coordinator or Contact Person:

John Thomas Kimbrel will be City of Baxley’s language access plan coordinator/contact person. His contact information is as follows:

John Thomas Kimbrel, Financial Operations Analyst
City of Baxley
282 East Parker Street
Baxley, Ga 31513
(912) 367-8300

How the Community Improvement staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- City staff will be provided with “I Speak” cards to assist in identifying the language interpretation needed **if the occasion arises**.
- City of Baxley staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When City of Baxley sponsors an informational meeting or event, a staff person may greet participants as they arrive. By informally engaging participants in conversation it is possible to gauge each attendee’s ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need for future events.

The following training will be provided to all Community Improvement staff:

-
- Information on the Title VI Policy and LEP responsibilities;
- Description of language assistance services offered to the public;
- Documentation of language assistance requests; and
- How to handle a potential Title VI/LEP complaint.
- All contractors, subcontractors and sub-recipients performing work for or receiving federal funds for Community Development projects will be required to follow the Title VI/LEP guidelines.

III. Translation of Documents

- A vital document is any document that is critical for ensuring meaningful access to the City of Baxley's major activities and programs by beneficiaries generally and LEP persons specifically. As a designated Limited English Proficient (LEP) community, the City of Baxley provides the following vital documents in Spanish.

Public Notices

Fair Housing and Non-Discrimination information

CDBG Household Surveys

- The City of Baxley does not have a formal outreach procedure in place. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, the City of Baxley will consider the following options:

When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

III. Monitoring and Updating LAP Plan

Evaluation and revision process:

This language access plan shall be evaluated and revised, if needed, every five years using census information, or when it is clear that higher concentrations of LEP individuals are present in the City of Baxley. Updates will include the following:

- The number of documented LEP person contacts encountered annually;
- How the needs of LEP persons have been addressed;
- Determination of the current LEP population in the service area;
- Determination as to whether the need for translation services has changed;
- Determine whether local language assistance programs have been effective and sufficient to meet the need;
- Determine whether the City's financial resources are sufficient to fund language assistance resources needed;
- Determine whether the City fully complies with the goals of this LAP Plan; and
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

IV. Dissemination of City of Baxley's LAP Plan

Signs will be posted at City Buildings notifying LEP persons of the LEP Plan and how to access language services.

The LAP Plan will be posted on the City Website and provided to anyone requesting the information.

V. Records

City of Baxley will maintain records in the City Hall office regarding its efforts to comply with Title VI LEP obligations. These records will be reviewed periodically and open to the public in an effort to improve service.

VI. Complaints and Appeals

Any person who believes they have been denied the benefits of this LAP or that City of Baxley has not complied with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 regulations may file a complaint with the City LAP Coordinator. The City LAP Coordinator may be the first point of contact for any complaints or appeals, but the DCA LAP Coordinator must be informed of all complaints and appeals. The LAP Coordinator will provide oversight of the complaint/appeal resolution process. To file a complaint, submit the written complaint to:

John Thomas Kimbrel
City of Baxley
282 East Parker Street
Baxley, Ga 31513

Or

DCA 504 Coordinator
fairhousing@dca.ga.gov
60 Executive Park South, N.E.
Atlanta, GA 30329-2231

X. AVAILABLE FEDERAL LEP RESOURCES

HUD's LEP Website:

<http://www.hud.gov/offices/fheo/lep.xml>

Federal LEP Website:

<http://www.lep.gov>

LEP and Title VI Videos:

<http://www.lep.gov/video/video.html>

"I Speak" Card:

<http://www.lep.gov/ISpeakCards2004.pdf>

S1601 | LANGUAGE SPOKEN AT HOME

2021: ACS 5-Year Estimates Subject Tables

Notes | **Geos** | Topics | Codes | Dataset | Year | Hide | Transpose | **Margin of Error** | Restore | Excel | CSV | ZIP | Share | Print | Map

Warm Springs city, Georgia															
Total		Percent		Percent of specified language speakers											
				Speak English only or speak English "very well"				Percent speak English only or speak English "very well"				Speak English less than "very well"		Percent speak English less than "very well"	
Label	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	
Population 5 years and over	593	±235	(x)	(x)	591	±236	99.7%	±0.6	2	±3	0.3%	±0.6			
Speak only English	583	±237	98.3%	±2.3	(x)	(x)	(x)	(x)	(x)	(x)	(x)	(x)			
Speak a language other than English	10	±12	1.7%	±2.3	8	±11	80.0%	±25.7	2	±3	20.0%	±25.7			
SPEAK A LANGUAGE OTHER THAN ENGLISH															
Spanish	5	±9	0.8%	±1.8	3	±7	60.0%	±56.5	2	±3	40.0%	±56.5			
5 to 17 years old	0	±14	0.0%	±7.7	0	±14	-	**	0	±14	-	**			
18 to 64 years old	3	±7	0.5%	±1.3	3	±7	100.0%	±100.0	0	±14	0.0%	±100.0			
65 years old and over	2	±3	0.3%	±0.6	0	±14	0.0%	±100.0	2	±3	100.0%	±100.0			