

# VHFA Language Access Plan

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## Overview

VHFA will work to provide timely, meaningful access for persons with limited English proficiency (LEP) to all agency programs, services, and activities. Individuals who have a limited ability to read, speak, write, or understand English may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

VHFA’s Language Access Plan (LAP) contains five components:

1. Compliance in accordance with Federal Requirements
2. Needs Assessment and Outreach
3. Provide Language Services
4. Employee Training
5. Evaluation

## Compliance in accordance with Federal Requirements

The LAP was developed to comply with state and federal law and consistent with federal guidance. A detailed background of the legal requirements that apply to VHFA for various program offerings. Not all requirements apply to all programs:

- [Title VI of the Civil Rights Act of 1964](#) (Title VI), implementing regulations, and guidance which prohibit discrimination—disparate treatment and disparate impact—on the basis of race, color, or national origin in any programs or activities receiving federal financial assistance.
- [The Civil Rights Restoration Act of 1987](#), which clarifies that recipients of federal funds and assistance, such as VHFA, must comply with the civil rights laws across the institution or agency. Civil rights compliance applies to all programs and activities of that institution or agency, regardless of whether the program receives federal funds.
- Section 504 of the [Rehabilitation Act and the Americans with Disabilities Act](#) (ADA), implementing regulations, and guidance which protects qualified persons with disabilities from discrimination related to the programs, services, and activities and requires recipients of federal funds to ensure effective communication for persons with disabilities.
- As a subrecipient of federal funds from time to time, VHFA will also follow applicable requirements of [Executive Order 13166](#), Improving Access to Services for Persons with Limited English Proficiency, which affirms Title VI's language access requirement and outlines additional requirements.

If you have questions about VHFA's LAP, or for those who believe they have been denied a benefit or experienced some other negative action because of membership in a protected class (race, color, national origin, religion/creed, disability, sex/gender or familial status) may submit a complaint directly to VHFA. Please email [George Demas gdemas@vhfa.org](mailto:George.Demas@vhfa.org), [General Counsel](#), or mail to: Vermont Housing Finance Agency, Attn: George Demas, 164 Saint Paul Street, P.O. Box 408 Burlington, VT 05402.

In addition to applicable Federal Requirements, VHFA will strive to meet the recommendations of the Vermont Office of Racial Equity [2023 Language Access Report](#) and the [Federal Language Access Assessment](#).

## Needs Assessment/Outreach

### Conducting Needs Assessments

VHFA will consider four factors when assessing which language services to provide, including which vital documents to proactively translate:

1. How many people with communication access needs are served by the program, activity, or service? What proportion of the total number of people served is comprised of people with communication access needs?
2. How often do people with communication access needs interact with the program, activity, or service?
3. What is the nature of the program, activity, or service? How important is the program, activity, or service to the lives of people served?
4. What resources are available to the entity providing the program, activity, or service?

The balancing of these four factors will inform VHFA's direction to identify and translate vital documents, in whole or in part, into languages of the affected persons with LEP within a reasonable timeframe. The classification of a document as "vital" depends upon several considerations, such as the importance of the information; the program, activity, or service involved; and the consequences of not providing information accurately or in a timely manner.

However, VHFA will not disregard the individual needs of a person who speaks or signs a language other than English who requests language assistance when communicating with VHFA personnel based on Factor 4 (resources available).

VHFA will focus LAP on the largest representation across expected program users. As an example of a focus group of languages that VHFA will consider, the Vermont Office of Racial Equity identified 14 written languages to prioritize in 2023: Arabic, Bosnian, Burmese, Dari, French, Kirundi, Chinese, Nepali, Pashto, Somali, Spanish, Swahili, Ukrainian, Vietnamese. VHFA will consider these, and other languages. Implementation will be staged, and priority will be set by largest likely program user language groups.

The Agency will monitor population, language and demographic shifts in populations of people expected to access the agency's programs. Periodically, the agency will add languages of focus based on changes to the population of potential program users.

### Stakeholder Consultation

VHFA will reach out to stakeholders to help identify needs and strategize approaches to most effectively serve persons with LEP. While the list of stakeholders may change over time, examples of stakeholders include: Association of Africans Living in Vermont (AALV), Vermont Human Rights Commission, Disability Rights Vermont, Developmental Disabilities Council of Vermont, Vermont Department of Dept of Disabilities, Aging & Independent Living, Multicultural Community Center of Southeastern Vermont, Vermont Language Justice Project, Vermont Association for the Blind and Visually Impaired, Vermont Center for Independent Living.

### Questions/Items to Inform Assessment:

The following are questions/points to ask while doing outreach that will be used to develop the plan.

- What languages are most prevalent in your service area?
- Have you identified populations with LEP who are particularly under resourced in accessing language services?
- What cultural considerations should the agency consider?
- Are there resources you would recommend VHFA review in developing and a LAP and providing language services?
- Are there communication mediums that you would recommend prioritizing, given your experiences in serving populations with LEP (website, phone, tablets, desktop, audio, hard copies, etc)?

## Provide Language Services

VHFA will strive to provide staff access to language assistance services on an "on call" basis. VHFA will instruct its employees to prioritize the use of trained language access service providers rather than relying on multilingual employees unless and until appropriate standard operating procedures are implemented by the Director of HR and Administration to evaluate multilingual employees for their language skills and compensate them fairly for providing additional language access services in the course of their normal duties.

VHFA will not disregard the individual needs of a person who speaks or signs a language other than English who requests language assistance when communicating with VHFA personnel-based resources available.

### Written Vital Documents

Vital documents are public-facing, non-confidential documents of significant importance to the clients of a program or service. They contain information essential for ensuring meaningful access to the programs or services of an agency, such as informed consent forms or complaint forms, program intake forms, applications to participate in a program or receive benefits.

VHFA will evaluate which of its documents may be considered vital documents. VHFA will strive to translate vital documents as they are identified into languages other than English for each eligible LEP language group.

that constitutes five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be directly affected, in accordance with federal safe harbor provisions (U.S. Department of Health and Human Services, 2003). VHFA will translate other documents into languages other than English upon request from members of the public who speak or sign languages other than English.

## Website and Electronic Communications

VHFA will maintain a Title VI and Language Access page that notifies the public of language assistance services' availability. VHFA and its departments will audit their web pages for accessibility for people with low vision or other disabilities and will audit the mobile and tablet versions of its websites whenever a major change to the content or structure of a website is made.

## Notification of Services

VHFA will provide notice and information about available language and communication access services to ensure that persons with LEP and communication needs have effective communication, equal opportunity, and meaningful access to VHFA programs, activities, and services. The written notice will also inform people who have additional communication access needs in English of the availability of accessible telecommunication resources.

## Employee Training on Language Access Services

VHFA will provide training for staff and VHFA subrecipients involved in public outreach and engagement and are likely to encounter people with LEP or people who use various communication modes. The purpose of the training is to ensure that staff and VHFA subrecipients know of VHFA staff's responsibility to provide language and communication access services, how to use state resources, and how to maintain cultural competence and sensitivity when interacting with the public, among other relevant topics. VHFA internal staff training shall occur at a mandatory staff meeting no less than annually. New employees will all receive training upon starting employment as a standard requirement of onboarding.

## Compliance and Evaluation

VHFA will periodically monitor, evaluate, and update the LAP. VHFA's General Counsel, or their designee, shall be responsible for the review of compliance and evaluation. VHFA will keep records of use of language and communication access services and any complaints, feedback, or suggestions regarding the services provided; survey staff on how often they use language and communication access services in their work; observe and evaluate agency interactions with people with LEP and people who use various modes of communication; and keep current on community demographics and needs. VHFA will update the LAP periodically and at a minimum of every four years.