



**CITY OF LOUISVILLE**  
**PUBLIC WORKS DEPARTMENT**  
**LANGUAGE ASSISTANCE PLAN**

The Language Assistance Plan (LAP) is intended to assist the City in conducting a four-factor analysis and developing an outreach plan to assist Limited English Proficient (LEP) individuals for transportation-related program areas.

The four-factor analysis includes a fact-dependent, individualized assessment performed by staff on a programmatic and project level, to determine how much language assistance and outreach to conduct for specific programs and activities.

The four-factor analysis includes<sup>1</sup>:

1. Number or proportion of LEP persons eligible to be served or likely to be encountered by a City program, activity, or service;
2. Frequency in which LEP individuals come into contact with the City;
3. Nature and importance of the program, activity, or service provided by the City to people's lives; and
4. Resources available to the City and costs.

Staff must complete this Four Factor Analysis and use the results to determine the program area's language assistance plan for ensuring meaningful access to LEP persons. This requirement applies only to transportation-related program areas within the Public Works Department. All program area Language Assistance Plan updates must be submitted to CDOT by September 1 annually.

***Factor #1:** The number or proportion of LEP persons eligible to be served or likely to be encountered by the City's transportation-related program areas.*

The greater the number or proportion of LEP persons in the eligible service population, the more likely language services are needed. This population will be program or project-specific, and

---

<sup>1</sup> A more detailed outline of the four-factor analysis is available in Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons, U.S. Department of Transportation, 70 Fed. Reg. 239 (Dec. 14, 2005). Additional guidance can also be found at [www.lep.gov](http://www.lep.gov).

includes persons in the geographic area that are part of the City's service area. The eligible service population includes persons eligible to be served, or likely to be directly affected by the activity.

Demographic data about the populations of the service area, past encounters with LEP persons, and information from community organizations, governments, and school systems can all be used to evaluate the service population and the number or proportion of LEP persons likely to be encountered. The focus of the analysis is on the lack of English proficiency, not the ability to speak more than one language.

As a starting point, **Appendix A** contains demographic data for LEP individuals at the city level. Staff should use the demographic data in **Appendix A** as a starting point for identifying LEP populations likely to be affected or encountered for a transportation-related City program, activity, or project. The demographic data is taken from the U.S. Census Bureau.

Based on demographic data, the city has an overall minority population of 13.6% and the Hispanic population in Louisville is 5.6%. There are no other minority populations that constitute an eligible LEP group.

*Factor #2: The frequency in which LEP individuals come into contact with the City's transportation-related program areas.*

City staff must consider the frequency with which they have or should have contact with LEP individuals. The more frequent the contact, the more likely enhanced language services will be needed. If an LEP individual accesses a program or service on a daily basis, the City has greater duties than if the same individual's contact is unpredictable or infrequent. Additionally, staff must consider whether appropriate outreach to LEP person could increase the frequency of contact with LEP groups.

In the past year, there have been no requests or inquiries for language assistance regarding the City's transportation-related program areas. The City's Title VI policy webpage contains instructions in Spanish for Spanish-speakers to receive language assistance.

*Factor #3: The nature and importance of the program, activity, or service provided.*

During this step, City staff must assess the nature and importance of the activity, information or services provided. Language services are more likely needed the more important the activity, information, service, or program because there are greater consequences of the contact to LEP individuals. Staff must determine whether denial or delay of access to service or information could have serious implications for the LEP individual. Information from community organizations and past contact with LEP persons can help aid this analysis.

The City's transportation-related program areas are considered a core service and of vital importance to the community. As such, the City should take reasonable steps to provide access to service or information for LEP individuals as needed.

Factor #4: The resources available to the City and costs.

City staff must identify their available resources to determine the reasonable steps needed to provide meaningful access for LEP persons. “Reasonable steps” may cease to be reasonable where the costs imposed substantially exceed the benefits. Staff should carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns.

The City is subject to a biennial budget process in which finite funds are allocated. U.S. Department of Transportation guidance states that entities “should ensure that the resource limitations are well substantiated before using this fact as a reason to limit language assistance.”<sup>2</sup> Thus, reasons for limiting language assistance based on cost should be documented.

Identifying available resources includes: (1) creating an inventory of language assistance measures currently being provided; (2) determining what, if any, additional services are needed to provide meaningful access; (3) analyzing the budget for language assistance expenses; and (4) considering cost effective practices for providing language services.

Currently the City does not have funds allocated for language assistance but can request a budget amendment as needed. Additionally, the City will work with community partners to identify cost-effective measures to provide such services.

Outreach Plan:

Based on an analysis of the factors identified above, the City has developed an outreach plan for assisting LEP individuals and commits to the following:

1. Take reasonable steps to provide the opportunity for meaningful access to LEP persons who have difficulty communicating in English. If a person asks for language assistance, and City staff determines that the person is an LEP individual and language assistance is necessary to provide meaningful access, the City will make reasonable efforts to provide free language assistance. The City’s Title VI policy webpage contains instructions in Spanish for Spanish-speakers to receive language assistance.
2. If reasonably possible, the City will provide language assistance in the LEP person’s preferred language. Any person requesting language assistance should complete the LEP Request Form (**Appendix B**) and submit to the City Manager’s Office to review and approval.
3. The City has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access. The City will periodically assess needs for language assistance based on requests for interpreters and/or translation.
4. The City will weigh the costs and benefits of translating documents for potential LEP groups, considering the expense of translating the documents, the barriers to meaningful translation or interpretation of information, the likelihood of subsequent changes to documents, the existing of multiple dialects within a single language group, the apparent

---

<sup>2</sup> 70 Fed. Reg. 239 at 74092.

- literacy rate in an LEP group and other relevant factors. The City will undertake this examination when an eligible LEP group constitutes 5% of an eligible person group.
5. If the City determines that translation is necessary and appropriate, the City will arrange to translate select mailings and documents of vital importance into that language.
  6. The City will work with community partners to ensure program materials and documents are made available.
  7. The City will hire a third party for language assistance as needed and/or use professional language agencies such as Asian Pacific Development Center or the Interpreter Network of Colorado for complex jobs.
  8. The City will consider technological aids such as internet-based translation services, which may provide helpful translation of written materials.
  9. The City will take appropriate steps to assure that all LEP persons can obtain information concerning the existing and location of City resources by using an I SPEAK card (**Appendix C**) to identify their language needs to staff.
  10. If an LEP person requests language assistance, the City will make arrangements for telephone, in-person or written communication.
  11. The City will review and revise the Language Assistance Plan, including the Four-Factor Analysis and Outreach Plan, from time to time and make edits as needed.