**Texas General Land Office**
**Community Development and Revitalization Program**
**2019 Disasters (Pub. L. 116-20)**
**Language Access Plan for Limited English Proficient Persons**

The U.S. Department of Housing and Urban Development (HUD) has allocated Community Development Block Grant Disaster Recovery (CDBG-DR) funds to the state of Texas. The Texas General Land Office (GLO) is administering the CDBG-DR funds for the state of Texas and will be responsible for the development of the State of Texas 2019 CDBG-DR Action Plan tied to the CDBG-DR funds.

The GLO is responsible for ensuring that all citizens, including persons with disabilities and limited English proficiency (LEP), have equal access to information about the programs. The GLO will ensure that program information is available in the appropriate languages for the geographic areas to be served in the 10 counties that are going to be a part of the 2019 State of Texas Action Plan.

The GLO has evaluated the population of persons with limited English proficiency in the affected counties. The GLO consulted the Final Guidance to Federal Financial Assistance Recipients Regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, published on January 22, 2007, in the Federal Register (72 FR 2732) at: whttps://www.lep.gov/sites/lep/files/resources/HUD_guidance_Jan07.pdf

Based on the four-factor analysis below, the GLO has concluded that it will translate the action plan and amendments into the following languages: Spanish and Vietnamese. Vital documents for homeowners will be translated in the following language: Spanish, Vietnamese, Chinese, Urdu, and Arabic. The additional languages identified below (Table 3) will be accessible upon request.

Citizens with disabilities or those who need technical assistance can contact the GLO office for assistance, either via: TDD 512-463-5330 or TX Relay Service 7-1-1.

**Definition of a Limited English Proficient Individual:**

Limited English proficient (LEP) refers to individuals who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English.

This definition includes individuals with sensory impairments (SI), who are Deaf or hard of hearing and communicate using American Sign Language (ASL), have speech impairments, or that are blind or have visual impairments. LEP individuals may be entitled to language services or communication assistance for a service, benefit, or program that receives federal assistance.

**Four Factor Analysis**

The GLO is required to take reasonable steps to ensure meaningful access to LEP persons. This "reasonableness" standard is intended to be flexible and fact-dependent.

The GLO conducted an individualized assessment that balances the following four factors:

**1. Number or proportion of LEP persons served or encountered in the eligible service population** (‘‘served or encountered’’ includes those persons who would be served or encountered by the recipient if the persons were afforded adequate education and outreach).

The GLO took the following steps to identify the number of LEP persons in the 10 counties under the State of Texas 2019 CDBG-DR Action Plan’s eligible counties.

- Downloaded Census Table **B16001** (table showing less than "very well" English proficiency) from the 2015 American Community Survey 5-year estimates (most recent available for all ten Counties).
- Extracted ten CDBG-DR Eligible Counties.
- Summed up totals for all languages and compared percentages for each language (speakers of “X” Language who speak English less than "very well").
- For languages with high totals, percentages were then broken down by county to see if any particular counties were showing figures above 5% or 1,000 LEP speakers

No LEP population, other than Spanish, exceeds 5% of the total population of the 10 counties or a single eligible county’s population. However, there are 20 other languages that have 1,000 LEP speakers or above in the 10 counties (Table 2). Due to limited available resources, the GLO will translate languages representing at least .1 percent of the total population or representing approximately 5,000 people or above; these languages include Spanish, Vietnamese, Chinese, Urdu, and Arabic for homeowner vital documents.

The total percent of the population across all 10 counties who are Spanish speakers who speak English less than "very well" is 18.04 percent, a total population of 1,088,669 people. Eight of the 10 counties have populations with 5 percent or more of Spanish speakers who speak English less than "very well”. In looking at the percentage of LEP Spanish speakers in each county, Hidalgo (31.58 percent), Cameron (28.79 percent), and Willacy (20.50 percent), counties have the highest percentage of LEP Spanish speakers out of the 10 counties.

The second highest total of LEP population is Vietnamese speakers who speak English less than "very well". The total percent of the population across all 10 counties who are Vietnamese speakers who speak English less than "very well” is 0.8 percent; a total population of 48,404 people. The county with the largest Vietnamese LEP population is Harris County with 45,290 Vietnamese LEP speakers or 1.13 percent of the population. Jefferson County (2,065 individuals or .88 percent of the county’s population) and Cameron County (179 individuals or .05 percent of the county’s population) have the second and third largest Vietnamese LEP population.

The third highest total of LEP population is Chinese speakers who speak English less than "very well". The total percent of the population across all 10 counties who are Chinese speakers who speak English less than "very well” is 0.39 percent; a total population of 23,660 people. The County with the largest Chinese LEP speakers is Harris County with 22,241 LEP Chinese speakers in the county or .55 percent of the county’s population. Montgomery (866 individuals or .19 percent of the county’s population) and Hidalgo (189 individuals or .03 percent of the county’s population) counties have the second and third largest Chinese LEP population.

In total for all 10 counties Arabic LEP speakers represent .14 percent of the total population or 8,438 individuals. The counties with the highest percentage of Arabic LEP speakers are Harris County (8,006 individuals or .2 percent of the county's population), Cameron County (158 individuals or .04 percent of the county's population), and Montgomery County (144 individuals or .03 percent of the county's population).

The fifth highest total LEP population by specific language are Urdu speakers who speak English less than "very well." The total percent of the population across all 10 counties who are Urdu speakers who speak English less than "very well" is 0.11%; a total population of 6,556 people. The counties with the highest percentage of population of Urdu speakers who speak English less than "very well" are Harris County (5,845 individuals or .15 percent of the county's population), Jefferson County (462 individuals or .20 percent of the county's population), and Montgomery County (186 individuals or .04 percent of the county's population).

**2. Frequency with which LEP persons come into contact with the program.**

The CDBG-DR programs address the long-term recovery needs of homeowners, renters, and communities impacted by the 2019 South Texas Floods.

Homeowners and renters are likely to have frequent contact with the program as they apply for and receive assistance. [Table 1]

**3. Nature and importance of the program, activity, or service provided by the program.**

The CDBG-DR programs provide funds for long-term recovery from the damage caused by the 2019 Disasters. These programs are important to the impacted counties as the programs will repair/reconstruct damaged homes, develop affordable rental units, reimburse homeowners for repair to their damage homes, and allow for investments in infrastructure.

**4. Resources available to the recipient and costs to the recipient.**

The GLO is taking all reasonable steps to provide access for LEP persons for the CDBG-DR programs. The availability of resources, however, may limit the provision of language services in some instances. "Reasonable steps" may cease to be reasonable when the costs imposed substantially exceed the benefits.

**Table 1:** Potential Interaction with LEPs by Program

| Program | Applicants | Potential Interaction with LEP Persons |
|---|---|---|
| **Homeowner Assistance Program** | Homeowners | Rehabilitate and reconstruct owner-occupied single-family homes damaged |

| | | |
|---|---|---|
| **Homeowner Reimbursement Program** | Homeowners | Reimbursement for homeowners of repairs to a primary residence |
| **Affordable Rental Program** | Developers/Public Housing Authorities | Rehabilitation, reconstruction and new construction of multifamily units |
| **Local Infrastructure Competitions** | Units of Local Governments | None |

**Language Assistance**

The GLO assistance to LEP persons may include, but is not limited to:

- Oral interpretation services;
- Bilingual staff;
- Telephone service lines interpreter;
- Written translation services;
- Notices to staff and subrecipients of the availability of LEP services; or
- Referrals to community liaisons proficient in the language of LEP persons.
- Posters notifying LEP individuals of the availability of interpretation services in the languages identified will be available in the application in-take locations and on the GLO website, recovery.texas.gov.
- Website Content—using the same prioritization as noted above, translated web content will be posted notifying LEP individuals of the availability of interpretation services.

**Vital Documents**

Vital documents may include the following written materials:

- State Action Plans and amendments;
- Notice of assistance availability;
- Applications for assistance for homeowner, and renters;
- Consent and complaint forms;
- Written notices of rights, denial, loss, or decreases in benefits or services;
- Notices advising LEP persons of free language assistance; and
- Notices of public hearings,

Translation will be prioritized for those documents that are most needed to alleviate an immediate problem for an individual.

- Posters in the 5 languages identified above will be available in the application in-take locations notifying LEP individuals of the availability of translation assistance with documents. (Additional languages, identified in Table 3, below will be translated by request).

- Website Content—using the same prioritization as noted above, translated web content and vital documents will be posted.

**Notice to the Public**

The GLO will post on its website the languages that are available for translation and interpretation services assistance.

**Monitoring and Updating Language Access Plan**

The GLO will monitor and update the Language Access Plan, including seeking input from beneficiaries and the community on how it is working and what other actions should be taken, as needed.

The state is committed to providing access to the Action Plan, Action Plan Amendments and programs detailed within to all its citizens. These efforts include special consideration for those with limited English proficiency (LEP) and persons with disabilities. The Action Plan and substantial amendments will be translated into Spanish and Vietnamese to reach the LEP population in the impacted areas. Citizens with disabilities or those who need technical assistance can contact the GLO office for assistance, either via:

- Telephone for the hearing impaired 512-463-5330 or TX Relay Service 7-1-1;
- Email at cdr@recovery.texas.gov; or
- Mail to the General Land Office, Community Development and Revitalization, Post Office Box 12873, Austin, Texas 78711-2873.

The GLO website, http://recovery.texas.gov/, will contain direct links to the Action Plan, amendments, reports and recovery programs. It will be consistently updated to provide the latest available information.

**Table 2:** Total Persons with a Vision or Hearing Impairment by County[1]

| | Total Persons with a: | |
|---|---|---|
| **County** | **Vision Impairment** | **Hearing Impairment** |
| **Cameron** | 13,954 | 16,124 |
| **Chambers** | 1,312 | 1,520 |
| **Harris** | 107,363 | 88,808 |
| **Hidalgo** | 32,787 | 30,024 |
| **Jefferson** | 6,672 | 9,484 |
| **Liberty** | 2,691 | 4,896 |
| **Montgomery** | 10,165 | 16,807 |
| **Orange** | 2,233 | 3,531 |
| **San Jacinto** | 1,212 | 2,082 |
| **Willacy** | 899 | 1,084 |

[1] U.S Census Bureau, 2017 5–year estimates, Table S1810, accessed March 25, 2020, https://data.census.gov/cedsci/table?q=2017%20Table%20S1810&tid=ACSST5Y2017.S1810

**Table 3: Number of LEP Speakers in CDBG-DR Impacted Counties by Language[2,3]**

| Language of LEP Speakers | Chambers | Harris | Jefferson | Liberty | Montgomery | Orange | San Jacinto | Cameron | Hidalgo | Willacy |
|---|---|---|---|---|---|---|---|---|---|---|
| **Total Speakers per County** | **34,716** | **4,013,836** | **235,590** | **72,186** | **467,817** | **77,697** | **25,441** | **381,314** | **740,142** | **20,616** |
| **Spanish or Spanish Creole** | 2,922 | 681,373 | 15,891 | 4,462 | 34,566 | 800 | 892 | 109,788 | 233,749 | 4,226 |
| **Arabic** | 49 | 8,006 | 58 | - | 144 | 2 | - | 158 | 21 | - |
| **Armenian** | - | 139 | - | - | - | - | - | - | - | - |
| **Chinese** | - | 22,241 | 174 | - | 866 | 46 | - | 144 | 189 | - |
| **French** | - | 3,576 | 268 | 22 | 127 | 75 | - | 16 | 342 | 7 |
| **French Creole** | - | 903 | 60 | - | 13 | - | - | - | 4 | - |
| **German** | - | 852 | 39 | 18 | 147 | 8 | - | 31 | 36 | 5 |
| **Gujarati** | - | 2,153 | 42 | - | 80 | - | - | 57 | - | - |
| **Italian** | - | 671 | - | 23 | 130 | - | - | 9 | 53 | - |
| **Japanese** | - | 1,582 | 4 | - | 78 | 16 | - | - | 303 | - |
| **Korean** | - | 4,540 | 62 | - | 211 | - | - | 55 | 452 | - |
| **Laotian** | - | 707 | 49 | 23 | 16 | - | 10 | - | - | - |
| **Mon-Khmer, Cambodian** | - | 1,778 | 36 | - | 95 | 25 | - | - | 20 | - |
| **Persian** | - | 3,589 | 23 | - | 53 | - | - | 12 | - | - |
| **Portuguese** | 65 | 1,444 | 17 | 13 | 91 | - | - | 35 | 13 | - |
| **Russian** | 130 | 1,744 | - | - | 85 | - | - | 40 | 35 | - |
| **Tagalog** | 62 | 4,307 | 203 | - | 219 | 46 | - | 137 | 685 | - |
| **Thai** | 20 | 895 | - | - | 19 | - | - | 137 | 685 | - |
| **Urdu** | - | 5,845 | 462 | - | 186 | - | - | 44 | 19 | - |
| **Vietnamese** | 84 | 45,290 | 2,065 | 109 | 399 | 150 | - | 179 | 114 | 14 |

[2] U.S Census Bureau, 2015 5–year estimates, Table B16001, accessed March 25, 2020, https://data.census.gov/cedsci/table?q=2015%20Table%20B16001&tid=ACSDT1Y2015.B16001

[3] 2015 5-year estimates were the most recent data available for all 100 counties as of March 25 2020