**Four Factor Analysis Guideline & Template**

**to Assess Limited English Proficiency**

**INSTRUCTIONS:** The Four Factor Analysis Assessing Limited English Proficiency is required as part of the application process. Below is the template to be updated to reflect the applicant’s information.

To gather the required data, access <https://data.census.gov/>

* Click on Advanced Search (center left under “Explore Census Data”).
* In the Table ID field (upper left under “Advanced Search”) type [S1601](https://data.census.gov/cedsci/table?q=s1601) (TableID:S1601: Language Spoken at Home) and click Search in the lower right corner of the Advanced Search page.
* Near the top of the screen click TABLES. Verify the table displayed is TableID:S1601 "LANGUAGE SPOKEN AT HOME".
* Click on the CUSTOMIZE TABLE button and using the dropdown, select the Product: Current ACS 5-Year Estimates Detailed Tables (Use the most current year, and 5-year estimate)

 

* To filter the data for the community, on the left – Click “geography”, then “place”. In Search State, click Nebraska. Click on Nebraska Folder, Click on “community, Nebraska”. Be sure to click on the “X” to close the box to view the data. NOTE: You can also filter data to select Tract, Block Group, etc. for selected geographies.
* Review the data in below table to find percentages of LEP Individuals. The data lines following will go into detail of the languages spoken other than English. 
* Screenshot the data (include community name) as part of the Exhibit O AmpliFund Upload.

**AmpliFund Directions:**

1. Complete Four Factor Analysis & UPLOAD
2. UPLOAD: Census Data Screenshot
3. Number of LEP Individuals in the Eligible Service Population (##)
4. Total Population (##)
5. Percentage of LEP Individuals (#)
6. 1st Non-English Language Spoken (most common)
7. Does the 2nd or 3rd Non-English Languages Spoken meet threshold (i.e. 1,00 persons, 5%.)? (Y or N)
8. Date of Four Factor Analysis Completion (MM/DD/YYYY)
9. As a result of the Four Factor Analysis has it been determined that a Language Assistance Plan is needed? (Y or N)

**TEMPLATE:**

**FOUR FACTOR ANALYSIS**

**ASSESSING**

**LIMITED ENGLISH PROFICIENCY**

**PREPARED BY**

[Name of the Local Government Unit]

**FOR**

**THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

1. **POLICY STATEMENT**

It is the policy of the [Name of the Local Government Unit] to take reasonable steps to provide meaningful access to its programs and activities for persons with Limited English Proficiency (LEP). The [Name of the Local Government Unit]’s policy is to ensure that staff will communicate effectively with LEP individuals, and LEP individuals will have access to important programs and information. [Name of the Local Government Unit] is committed to complying with federal requirements in providing free meaningful access to its programs and activities for LEP persons.

1. **HISTORY**

Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have Limited English Proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI’s prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

On August 11, 2000, Executive Order 13166, titled, “Improving Access to Services by Persons with Limited English Proficiency,” was issued. Executive Order 13166 requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to LEP cannot fully and equally participate in or benefit from those programs and activities. Section 2 of the Executive Order 13166 directs each federal department or agency "to prepare a plan to improve access to…federally conducted programs and activities by eligible LEP persons…."

1. **DEFINITIONS**

Beneficiary**:** The ultimate consumer of HUD programs and receives benefits from a HUD Recipient or Sub-recipient.

Limited English Proficient Person (LEP): Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English because of national origin.

Language Assistance Plan (LAP): A written implementation plan that addresses identified needs of the LEP persons served.

Recipient: Any political subdivision of the State of Nebraska, or an eligible nonprofit organization, to whom Federal financial assistance is extended for any program or activity, or who otherwise participates in carrying out such program or activity, including any successor, assign or transferee thereof, but such term does not include any Beneficiary under any such program.

Sub-recipient: Any public or private agency, institution, organization, or other entity to whom Federal financial assistance is extended, through another Recipient, for any program or activity, or who otherwise participates in carrying out such program or activity, but such term does not include any Beneficiary under any such program.

Vital Document: Any document that is critical for ensuring meaningful access to the Recipient’s major activities and programs by Beneficiaries generally and LEP persons specifically.

1. **FRAMEWORK & METHODOLOGY**

This Four Factor Analysis is the first step in providing meaningful access to federally funded programs for LEP persons. The Four Factor Analysis completed by [Name of the Local Government Unit] addresses the following:

1. The number or proportion of LEP persons eligible to be serviced or likely to be encountered by [Name of the Local Government Unit];
2. The frequency with which LEP persons using a particular language come in contact with [Name of the Local Government Unit];
3. The nature and importance of the [Name of the Local Government Unit]’s program or activity provided to the individual’s life; and
4. The resources available to [Name of the Local Government Unit], and costs associated with providing LEP services.

The program or activity covered within this analysis generally involves [CLICK TO INSERT USE SUMMARY].

1. **FOUR FACTOR ANALYSIS BY** [NAME OF THE LOCAL GOVERNMENT UNIT] for the described program or activity:
2. **The number or proportion of LEP persons eligible to be served or likely to be encountered.**
	* Describe prior experiences with LEP encounters and determine the breadth and scope of language services that were needed.
	* Cite actual numbers or percentages of LEP persons.
	* Identify the source of data used to identify LEP persons.

[CLICK TO INSERT ANALYSIS]

1. **The frequency with which LEP persons using a particular language come in contact.**
	* Describe the frequency with which LEP individuals may access your program, activity, or service as related to this specific CDBG-funded project.
	* Identify the top three languages, other than English, spoken in the eligible service population.
	* Include that the city will track inquiries for future documentation.

[CLICK TO INSERT ANALYSIS]

1. **The nature and importance of the above described** **program or activity provided to the individual’s life.**
	* Provide the name of activity/project and describe the specific activity, information, service, or program (Public Works, Downtown Revitalization, etc.),
	* State the importance of the project to an LEP person’s life.
	* Determine and describe whether denial or delay of access to services or information could have serious or even life-threatening implications for the LEP individual.

[CLICK TO INSERT ANALYSIS]

1. **The resources available to** [NAME OF THE LOCAL GOVERNMENT UNIT]**, and costs associated providing LEP services.**
	* Describe current resources that your agency can provide to assist an LEP individual if there is a communication need and discuss cost of resources.
	* If there is a lack of resources and/or cost burden then provide explanation, possible solutions, such as collaborating with local school, hospital, LEP grassroots organization, using telephone voicemail menu, hotline translation service, providing notice on non-English radio and TV stations, utilizing Google Translate, and/or ‘I Speak’ cards.
	* Local LEP contact staff and title is identified
	* Is there an LEP encounter tracking sheet created?
	* Are there any written or unwritten processes/procedures that an employee can utilize when encountering an LEP individual?

[CLICK TO INSERT ANALYSIS]

The Four Factor Analysis provides a baseline to determine what reasonable steps must be taken to ensure meaningful access for LEP persons. The Local Government Unit must ensure meaningful access for each LEP language group that constitutes 5% or 1,000 persons, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Based on HUD guidance, the determination should be maintained by the Local Government Unit and updated at least annually. Based on the results of the Four Factor Analysis, the Local Government Unit may determine what specific language access services will best meet the needs of the LEP population.

As a result of the Four Factor Analysis completed on [Date] , [NAME OF THE LOCAL GOVERNMENT UNIT] has determined a Language Assistance Plan is needed: [ ] YES [ ] NO