

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION #2024-150
OF THE BALDWIN COUNTY COMMISSION**

**RESOLUTION TO APPROVE THE BALDWIN COUNTY COMMISSION COMMUNITY DEVELOPMENT
BLOCK GRANT – DISASTER RECOVERY (CDBG-DR)
LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENCY PERSONS (LAP)**

WHEREAS, Baldwin County, Alabama, (the “County”) has received an allocation of Community Development Block Grant – Disaster Recovery (CDBG-DR) grant funding from the Alabama Department of Economic and Community Affairs (ADECA); and

WHEREAS, the Baldwin County Commission (the “Commission”) executed Subrecipient Agreement No. DR-21-001 with ADECA on December 19, 2023 concerning the CDBG-DR funding; and


WHEREAS, the Commission will follow a detailed CDBG-DR Language Access Plan For Limited English Proficiency Persons (“Plan”) in compliance with regulations and Federal Register Notices (FRN) for the CDBG-DR grants awarded to the State of Alabama in response to Hurricanes Sally and Zeta, including Federal Register Notice Vol. 87, No. 23 (Feb. 3, 2022), Federal Register Notice Vol. 87, No. 100 (May 24, 2022), and Title VI of the Civil Rights Act of 1964; and

WHEREAS, the Plan was created to comply with the requirements specified in Executive Order 13166, whereby the County has completed a Four-Factor Analysis to determine language needs as part of the Baldwin County Local Recovery Plan (LRP) for DR-4563 in response to Hurricanes Sally and Zeta, pending public comment.

NOW, THEREFORE, BE IT RESOLVED BY THE BALDWIN COUNTY COMMISSION, that the Baldwin County Commission CDBG-DR Language Access Plan For Limited English Proficiency Persons, a copy of which is attached as Exhibit “A” and incorporated herein by reference, is hereby **APPROVED**.

IN WITNESS WHEREOF, the Baldwin County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 20th day of August 2024.




Billie Jo Underwood, Chairman
Baldwin County Commission

ATTEST:

Roger H. Rendleman
County Administrator

**LANGUAGE ACCESS PLAN
FOR LIMITED ENGLISH PROFICIENCY
PERSONS**



Purpose

In compliance with Executive Order 13166 and consistent with the Alabama Department of Economic and Community Affairs (ADECA) Language Access Plan, March 2024, Baldwin County has developed the following Language Access Plan (LAP) for Limited English Proficiency (LEP) persons based on the Four-Factor Analysis completed as part of the 2024 Local Recovery Plan (pending public comment).

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.

Baldwin County Four-Factor Analysis

The following Four-Factor Analysis will serve as the guide for determining which language assistance measures the Baldwin County will undertake to guarantee access by LEP persons to the Baldwin County's Community Development Block Grant – Disaster Recovery (CDBG-DR) Program and its other federal grant programs that are funded by the U.S. Department of Housing and Urban Development (HUD) through the Alabama Department of Economic and Community Affairs (ADECA). Additionally, all of the Baldwin County's future funds received from HUD's and ADECA's CDBG and CDBG-DR Programs and other federal grant programs that are funded by HUD through ADECA will be required to use the same four-factor analysis for LEP persons.

To determine language needs, the County conducted a four-factor analysis that balances the following factors:

- The number or proportion of LEP persons served or encountered in the eligible service population;
- The frequency with which LEP persons come into contact with the program;
- The nature and importance of the program, activity, or service provided by the program; and
- The resources available and costs to the recipient.

Factor 1: Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population

The table below provides information about the distribution of LEP populations. If the analysis determines that a population exceeding 1,000 LEP persons exists within the service area, the entity must develop a Language Access Plan. From the table below, Baldwin County meets the 1,000 LEP persons threshold for Spanish. Three percent of the total population in Baldwin County speaks Spanish as their primary language.

Table 1: LEP Populations, Baldwin County

Primary Language Spoken	Total	Percent	Speak English less than "very well"
English	210,501	95.1%	
Spanish	6,474	2.9%	2,760
Other Indo-European languages	1,709	0.8%	571
French, Haitian, or Cajun	762	0.3%	199
Russian, Polish, or other Slavic languages	508	0.2%	64
Other Asian and Pacific Island languages	378	0.2%	293
German or other West Germanic languages	278	0.1%	23
Chinese (incl. Mandarin, Cantonese)	184	0.1%	125
Korean	152	0.1%	117
Other and unspecified languages	143	0.1%	0
Vietnamese	120	0.1%	61
Tagalog (incl. Filipino)	90	0.04%	0
Arabic	17	0.01%	7

Source: U.S. Census Bureau, 2022 American Community Survey 5-Year Estimates, Table S1601

Table 2: HUD Translation Threshold Recommendations

Size of language group	Recommended provision of written language assistance
1,000 or more in the eligible population in the market area or among current beneficiaries	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

Factor 2: The Frequency with which LEP Persons Come into Contact with the Program

Frequency of contact with LEP persons depends on the specific program or geographic area being served.

Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Program

Determine whether the project will provide critical improvements that serve low- and moderate-income people with a significant number of LEP persons or a primary focus on LEP persons.

Factor 4: The Resources Available and Costs to the Recipient

The last factor to consider is the cost of providing various services balanced against the resources available, such as activities that require one-on-one contact with clients may require oral and written translation.

Overall Program Factor Assessment for 2024 LRP

Housing: High

Factor	LEP Assessment - Housing
Factor 2: The Frequency with which LEP Persons Come into Contact with the Program	High
Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Program	High
Factor 4: The Resources Available and Costs to the Recipient	Medium

Housing programs provide direct benefits to individuals and households, involve frequent outreach and marketing, and ongoing communication. The housing activities proposed in this Plan will have high community engagement provided by the County and partners. This is a county-wide program, so translating critical program documents will provide greater opportunity for LEP persons to be involved and understand the services being provided.

Infrastructure: Medium

Factor	LEP Assessment - Infrastructure
Factor 2: The Frequency with which LEP Persons Come into Contact with the Program	Low
Factor 3: The Nature and Importance of the Program, Activity, or Service Provided by the Program	Medium

**Factor 4: The Resources Available and
Costs to the Recipient**

Low

Infrastructure programs are primarily public works projects that provide area benefits. The program proposed in this Plan will be led by the County, with implementation by County departments and municipalities. Engagements with LEP persons will depend on the geographic area being served by the project. The County will consider the location and community impacts of projects and determine the need for translation on an as-needed basis to ensure communications on any important updates, such as service disruptions, detours, or impacts to the community, are made accessible.

Language Access Plan

As a result of the preceding Four-Factor Analysis, Baldwin County has identified the following types of language assistance to be provided in Spanish on an as-needed basis by Baldwin County throughout the implementation of the CDBG-DR LRP program:

- The CDBG-DR LRP and amendments will be published in the LEP language identified and provided on the County's CDBG-DR website with notices provided on social media and to community service providers and advocacy groups.
- Program documents and project-related outreach that impacts LEP persons will be published in the LEP language identified and provided on the County's CDBG-DR website, social media, and through outreach to the community.
- All CDBG program citizen participation notices will include a statement that language translators will be available at public meetings upon prior request.
- If needed, a language translator may be retained to provide oral translation throughout the community/in the field during the implementation of the CDBG program project activities.

Baldwin County intends to make reasonable efforts to provide language assistance to ensure meaningful access for Limited English Proficiency (LEP) persons to the County's recovery programs. This LAP will be implemented for all of the County's CDBG-DR programs and other federally-funded projects. This includes providing materials in Spanish, or other languages as requested, and translation services at public meetings when requested by citizens.

If, in the future, other populations of LEP persons are identified, then Baldwin County will consider additional measures to serve the language access needs of those persons.

The County will consider the overall need, cost, and time required for program information to be provided in additional languages based on the overall program assessments. Additionally, specific requirements related to translation needs will be described in the policies for each program supported by federal funds.

Baldwin County may also partner with community service providers and advocacy groups serving LEP persons, such as the Hispanic and Immigrant Center of Alabama (HICA), to support with outreach and engagement for programs as necessary to disseminate information on CDBG-DR services, eligibility, and/or project impacts.

Adopted:



8/20/2024

Date Adopted

A handwritten signature in blue ink that reads "Billie Jo Underwood".

Billie Jo Underwood, Chairman
Baldwin County Commission

Attest

A handwritten signature in blue ink that reads "Roger H. Rendleman".

Roger H. Rendleman
County Administrator