



**MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION**

Michigan Economic Development Corporation CDBG-DR

LANGUAGE ACCESS PLAN



JULY 2022



Version History

Version	Date	Notes
1.0	8/29/2022	Publication of Version 1.0 of Michigan Language Access Plan for CDBG-DR Grant
2.0	1/3/2023	Update safe harbor language



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Introduction



1. Introduction

The State of Michigan is the recipient of the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant - Disaster Recovery (CDBG-DR) funds allocated in response to presidentially declared disasters. The Michigan Strategic Fund (MSF) is the grantee of HUD's CDBG-DR funds. The MSF has a memorandum of understanding with the Michigan Economic Development Corporation (MEDC) to administer the CDBG-DR funds on behalf of the state. The MEDC completed this Language Access Plan (LAP) in compliance with HUD's language access requirements (outlined in 72 FR 2732 ¹). The purpose of this LAP is to ensure that MEDC provides appropriate language assistance so that individuals with limited English proficiency (LEP) receive meaningful access to MEDC's CDBG-DR programs. LEP persons include individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English.

The MEDC and its subrecipients are committed to complying with HUD's language access requirements and will update this LAP as new Census data becomes available.

By completing a LAP, the MEDC describes the reasonable steps that the agency is taking to provide meaningful access for LEP persons to the MEDC CDBG-DR funded activities, programs, and services. Completing a LAP and incorporating language assistance measures into the MEDC operations achieves several goals:

1. LEP persons receive the language access services they need to access CDBG-DR funded activities and programs in the State.
2. LEP persons receive outreach in their native languages and are informed about CDBG-DR programs and language assistance.
3. The MEDC continuously monitors and evaluates LAP implementation.

As described in HUD's 72 FR 2732, the LEP requirement is flexible and fact dependent, and the starting point is a community-level assessment that balances the following four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the MEDC
2. The frequency with which LEP persons come in contact with the programs
3. The nature and importance of the program, activity, or service provided by the programs

¹ <https://www.govinfo.gov/app/details/FR-2007-01-22/07-217>



4. The resources available to the MEDC and the costs of LEP compliance



Four-Factor Analysis



2. Four-Factor Analysis

The Michigan Economic Development Corporation’s CDBG-DR service area includes the following five counties that were impacted by the 2020 disaster events— Midland, Saginaw, Gladwin, Arenac, and Iosco counties—as well as Wayne County, which was impacted by the 2021 disaster events.

As such, the MEDC completed a four-factor analysis for the six counties to determine the appropriate level of language access for each of its CDBG-DR programs and ensure meaningful access by LEP persons to critical services without imposing undue burdens on small business, small local governments, or small nonprofit entities. Some activities may be more important than others and/or have a greater impact on or contact with LEP persons, and thus may require more language assistance.

Factor 1

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the MEDC

The MEDC estimated the proportion of LEP persons in the service area using 2016-2019 American Community Survey (ACS) ² data (*Table C16001: Language Spoken at Home for the Population 5 Years and Over*).³ LEP persons are defined as those who speak English less than “very well” in the ACS data.

Tables 1 through 4 provide information about the distribution of LEP populations.

Table 1: Top 10 LEP Populations Across the 2020 Five-County Service Area

Primary Language Spoken	Number who speak English less than “very well”	Percentage who speak English less than “very well”
Spanish	1,749	0.54%
German	490	0.15%
Chinese	436	0.13%
Other Indo-European	386	0.12%
Arabic	211	0.06%

² United States. Census Bureau. (August 09, 2021). *American Community Survey 5-Year Data 2019*. Retrieved from <https://www.census.gov/data/developers/data-sets/acs-5year/2019.html>

³ C16001: LANGUAGE SPOKEN AT HOME FOR... - Census Bureau Table



Primary Language Spoken	Number who speak English less than “very well”	Percentage who speak English less than “very well”
Other Asian	143	0.04%
Russian	127	0.04%
Tagalog	92	0.03%
Vietnamese	77	0.02%
Korean	54	0.02%

Table 2: Top Three LEP Populations, by County, for the 2020 Service Area

Primary Language Spoken	Number who speak English less than “very well”	Percentage who speak English less than “very well”
Arenac County		
Spanish	47	0.33%
Vietnamese	13	0.09%
French, Haitian, or Cajun	4	0.03%
Gladwin County		
German or Other West Germanic Languages	283	1.18%
Spanish	27	0.11%
Russian, Polish, or Other Slavic Languages	20	0.08%
Iosco County		
Spanish	276	1.15%
Chinese (incl. Mandarin, Cantonese)	19	0.08%



Primary Language Spoken	Number who speak English less than “very well”	Percentage who speak English less than “very well”
German or Other West Germanic Languages	18	0.07%
Midland County		
Spanish	181	0.22%
Chinese (incl. Mandarin, Cantonese)	172	0.22%
Other Indo-European Languages	99	0.13%
Saginaw County		
Spanish	1,218	0.68%
Other Indo-European Languages	283	0.16%
Chinese (including Mandarin, Cantonese)	233	0.13%

Table 3: Top 10 LEP Populations Across the 2021 Wayne County Service Area

Primary Language Spoken	Number who speak English less than “very well”	Percentage who speak English less than “very well”
Arabic	36,275	2.21%
Spanish	23,298	1.42%
Other Indo-European Languages	16,356	0.99%
Russian, Polish, or Other Slavic Languages	3,845	0.23%
Other Asian and Pacific Islander Languages	2,356	0.14%
Chinese (including Mandarin, Cantonese)	2,219	0.14%



Primary Language Spoken	Number who speak English less than “very well”	Percentage who speak English less than “very well”
Other and Unspecified Languages	1,264	0.08%
Tagalog (including Filipino)	1,080	0.07%
Vietnamese	1,036	0.06%
French, Haitian, or Cajun	926	0.06%

Table 4: Top Three LEP Populations in the 2021 Wayne County Service Area

Primary Language Spoken	Number who speak English less than “very well”	Percentage who speak English less than “very well”
Wayne County		
Arabic	36,275	2.21%
Spanish	23,298	1.42%
Other Indo-European Languages	16,356	0.99%

HUD outlines “safe harbor” guidelines in 72 FR 2732, which are not requirements, but which grantees may follow to demonstrate compelling evidence of compliance with HUD’s LEP requirements (see Table 5 below).



Table 5: HUD’s LEP Safe Harbor Guidelines	
1,000+ of the eligible population in the service area, or among current beneficiaries	Translate vital documents
> 5% of the eligible population or beneficiaries, and 50+ in number	Translate vital documents
> 5% of the eligible population or beneficiaries, and 50 or less in number	Translate 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

None of the LEP populations analyzed in Factor 1 exceed the 5% safe harbor threshold. There are nine languages (e.g., Spanish, Arabic, Russian) that exceed the 1,000-person safe harbor threshold. The MEDC will not translate vital documents for these languages; however, individuals with disabilities requiring auxiliary aids or services, or persons who require translation services, may contact Bill Povalla via email at povallab@michigan.org. Further details on accessibility for LEP persons can be found in the Language Assistance Measures section.

Factor 2

Factor 2: The frequency with which LEP persons come in contact with the programs

HUD’s LEP requirements give grantees flexibility to tailor language assistance by CDBG-DR program based on the frequency with which LEP persons are likely to encounter each program.⁴ For example, programs that serve homeowners, renters, and small business owners may have more contact with LEP persons and require more robust language access services than infrastructure programs.

Table 6 categorizes the MEDC’s CDBG-DR programs by the frequency with which they and their subrecipients directly interact with members of the public. The MEDC provides meaningful language access across all the MEDC-administered CDBG-DR programs. Subrecipients will be required to

⁴ <https://www.federalregister.gov/documents/2007/01/22/07-217/final-guidance-to-federal-financial-assistance-recipients-regarding-title-vi-prohibition-against>



conduct a four-factor analysis and create a Language Access Plan following HUD's 72 FR 2732 guidance.

Tables 1 and 3: Top 10 LEP Populations' findings show that less than 0.5% of the two largest LEP populations speak English less than "very well"; therefore, the MEDC anticipates a low probability of contact with LEP persons. Nevertheless, the State and subrecipients are still responsible per the Federal Register Notice to provide meaningful access to the CDBG-DR program.

MEDC's subrecipients, who are directly implementing Multifamily Housing and Infrastructure Programs, have a greater probability of contact with LEP persons.

Table 6: Frequency of Contact With LEP Persons, by Program, for 2020

2020 CDBG-DR Program	MEDC's Frequency of Contact With LEP Persons	Subrecipient's Frequency of Contact With LEP Persons
CDBG-DR Grant Documents	High	High
Multifamily Rental Housing Program	Low	High
Infrastructure and Public Facilities Program	Low	Low
Hazard Mitigation Planning Program	Low	Low

Table 7: Frequency of Contact with LEP persons by Program

2021 CDBG-DR Program	MEDC Frequency of Contact with LEP persons	Subrecipient Frequency of Contact with LEP persons
CDBG-DR Grant Documents	High	High
Infrastructure Program	Low	Low



Factor 3

Factor 3: The nature and importance of the program, activity or service provided by the programs

The MEDC prioritizes language access services for programs, activities, and services with the greatest impact on LEP persons. The MEDC's LEP outreach focuses on the MEDC's CDBG-DR-funded activities that provide substantial direct benefits to participants when administered by the MEDC. Subrecipients who administer multi-family housing programs may encounter Spanish speaking LEP persons, in particular.

Factor 4

Factor 4: The resources available to the MEDC and costs of LEP compliance

The MEDC is taking all reasonable steps to ensure meaningful access for LEP persons to CDBG-DR programs and activities, including completing this four-factor analysis to better understand its jurisdiction's LEP needs. The following section outlines the reasonable steps that the MEDC is taking to provide appropriate language assistance.



Language Assistance Measures



3. Language Assistance Measures

The MEDC offers language assistance measures to ensure meaningful access by LEP persons to CDBG-DR programs, activities, and services. In all cases, the MEDC seeks to provide high-quality, accurate, and professional language services to LEP persons. The following sections describe the MEDC's language assistance measures categorized by high, medium, and low-level effort.

LAP COORDINATOR (MEDIUM EFFORT)

The MEDC designated a LAP Coordinator to oversee LAP implementation and compliance across its CDBG-DR programs. The LAP Coordinator monitors to ensure the provision of meaningful language assistance services. The MEDC's LAP Coordinator submits quarterly data on the level of language assistance requested by native language. **If MEDC staff or the public have questions about language access services, they should contact the LAP Coordinator:**

Bill Povalla, Senior Program Specialist
Michigan Economic Development Corporation
300 N. Washington Sq.
Lansing, MI 48913
Email: povallab@michigan.org
Phone: 517-241-6810

TRANSLATION OF VITAL DOCUMENTS (HIGH EFFORT)

A *vital document* is defined as a document that includes information regarding program eligibility requirements, applications, instructions, and appeals procedures, and documents such as the Public Action Plan and all amendments. Should the MEDC receive a request to translate a document into a language, the MEDC will weigh the program costs and benefits to determine the appropriate measures. Subrecipients administering CDBG-DR programs will be responsible for translating the vital documents, as necessary.

WEBSITE (LOW EFFORT)

The MEDC's CDBG-DR website at <https://www.miplace.org/cdbg-dr/> includes resources to help LEP persons access key information about its CDBG-DR programs, including the LAP Coordinator's email address and phone number. MEDC's CDBG-DR website includes an auto-translation module through Google Translate to translate website content into more than 100 languages. *



**Translation using the Google module includes coded website content only.*

LEP OUTREACH (MEDIUM EFFORT)

The MEDC conducts community outreach so that LEP populations know how to access CDBG-DR activities, programs, and services, such as:

- Working regularly with culturally specific organizations to provide information on any changes in programs or services.
- Encouraging culturally specific organizations' participation as subrecipients or contractors for outreach and intake.

See the MEDC's Citizen Participation Plan for more information on language access procedures related to public hearings and citizen participation periods.



Complaints Process



4. Complaints Process

MEDC reviews all comments or complaints received by citizens via email, phone, mail, or in-person. Any written complaints concerning MEDC's compliance with this LAP will be referred to the MEDC LAP Coordinator, and a written response will be provided within 15 working days upon receipt of the complaint. A copy of the written complaint and the response will be maintained by the MEDC. Complaints concerning the general provision of language assistance may be submitted via email to povallab@michigan.org or by mail to Michigan Economic Development Corporation, Attention: CDBG-DR, 300 N. Washington Sq., Lansing, MI 48913. Alternatively, complaints can be filed directly with the Fair Housing and Equal Opportunity (FHEO) Region V Office at the following address:

Chicago Regional Office, FHEO

U.S. Department of Housing and Urban Development
Ralph H. Metcalfe Federal Building
77 W. Jackson Blvd, Room 2101
Chicago, IL 60604-3507



Evaluating and Updating the LAP



5. Evaluating and Updating the LAP

The MEDC LAP Coordinator will update this LAP annually as needed to reflect any change in the plan based on the prior year's demographic changes and to ensure relevancy and quality control of language access services. MEDC will review the procedures for providing language access services, outreach activities, and the language access data to periodically update the language access program. This LAP can be updated as the needs of the LEP population and the demands on MEDC to service this population evolve. To inform future LAP updates, the LAP Coordinator will:

- Maintain data on the number of LEP persons who request language access services by the primary language spoken.
- Review updated Census data as it becomes available.
- Consider new resources, including funding, collaborations with other agencies, human resources, emerging technologies, and other mechanisms to improve language access.



Appendices



Appendix 1: Abbreviations and Resources

Abbreviations

ACS	American Community Survey
CDBG-DR	Community Development Disaster – Block Grant
DOJ	U.S Department of Justice
HUD	U.S. Department of Housing and Urban Development
LAP	Language Access Plan
LEP	Limited English Proficiency
MEDC	Michigan Economic Development Corporation

Applicable Regulations

- Title VI of the Civil Rights Act of 1964
- Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency
- 72 FR 22732; Federal Register, Volume 72, Issue 13 (January 22, 2007), U.S. Department of Housing and Urban Development

HUD's LEP Resources

- [HUD's website](#)



Appendix 2: ACS Data

NOTE: The data below has been filtered to show only the LEP persons in the 2020 five-county service area who speak English less than “very well” according to the ACS data.

		Spanish	French, Haitian, or Cajun	German or Other West Germanic Languages	Russian, Polish, or Other Slavic Languages	Other Indo-European Languages	Korean	Chinese (including Mandarin, Cantonese)	Vietnamese	Tagalog (including Filipino)	Other Asian and Pacific Islander Languages	Arabic	Other and Unspecified Languages
Arenac	#	47	4	3	0	0	0	0	13	0	0	0	0
	%	0.33%	0.03%	0.02%	0.00%	0.00%	0.00%	0.00%	0.09%	0.00%	0.00%	0.00%	0.00%
Gladwin	#	27	0	283	20	0	0	12	0	0	0	0	21
	%	1.11%	0.00%	1.18%	0.80%	0.00%	0.00%	0.05%	0.00%	0.00%	0.00%	0.00%	0.09%
Iosco	#	276	1	18	14	4	0	19	0	30	9	16	0
	%	1.15%	0.00%	0.07%	0.06%	0.02%	0.00%	0.08%	0.00%	0.12%	0.04%	0.07%	0.00%
Midland	#	181	21	71	8	99	54	172	17	22	69	0	7



		Spanish	French, Haitian, or Cajun	German or Other West Germanic Languages	Russian, Polish, or Other Slavic Languages	Other Indo-European Languages	Korean	Chinese (including Mandarin, Cantonese)	Vietnamese	Tagalog (including Filipino)	Other Asian and Pacific Islander Languages	Arabic	Other and Unspecified Languages
	%	0.23%	0.02%	0.09%	0.01%	0.13%	0.07%	0.22%	0.02%	0.03%	0.09%	0.00%	0.00%
	#	1,218	37	115	85	283	0	233	47	40	65	195	23
Saginaw	%	0.68%	0.02%	0.06%	0.05%	0.16%	0.00%	0.13%	0.03%	0.02%	0.04%	0.11%	0.01%

NOTE: The data below has been filtered to show only the LEP persons in the 2021 Wayne County service area who speak English less than “very well” according to the ACS data.

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		Spanish	French, Haitian, or Cajun	German or Other West Germanic Languages	Russian, Polish, or Other Slavic Languages	Other Indo-European Languages	Korean	Chinese (including Mandarin, Cantonese)	Vietnamese	Tagalog (including Filipino)	Other Asian and Pacific Island Languages	Arabic	Other and Unspecified Languages
	#	23,298	926	310	3,845	16,356	917	2,219	1,036	1,080	2,356	36,275	1,264
Wayne	%	1.42%	0.06%	0.02%	0.23%	1.00%	0.06%	0.14%	0.06%	0.07%	0.14%	2.21%	0.08%