
Language Access Plan

Preface: The Plan was developed to enhance access for all and establish guidance to better ensure individuals with limited English proficiency (LEP) may meaningfully access federal programs, activities, and services in a timely and effective manner. The Plan was developed to be consistent with:

- City of McKinney’s commitment to provide meaningful access to LEP individuals.
- The City’s mission to protect our public health and natural resources consistent with sustainable economic development.
- [Title VI of the Civil Rights Act of 1964](#);
- Title VI implementing regulations and guidance documents.

Introduction for programs receiving federal funding. : Under federal law, recipients receiving federal financial assistance, must comply with Title VI of the Civil Rights Act of 1964 and implementing regulations, including [Title 40, Code of Federal Regulations \(CFR\), Part 7](#), which covers nondiscrimination in programs receiving federal assistance from the U.S. Department of Housing and Urban Development (HUD) and U.S. Department of Transportation. These regulations prohibit discriminating and limiting participation on the basis of race, color, national origin, sex, disability, and age by programs and activities receiving federal financial assistance.

The City is committed in providing the best customer services as possible for residents This includes providing timely, reasonable, and effective language assistance to LEP individuals. This Plan details the framework to coordinate and improve meaningful access to LEP individuals by:

- Decreasing language barriers.
- Enhancing customer service.
- Guiding staff; and
- Communicating effectively with linguistically diverse audiences.

Applicability:

- All HCD (Housing & Community Development) HUD programs and employees must comply with this Plan.
- The Transit Services Program will follow the comprehensive Title VI program : [City of McKinney Title VI and ADA Plan - Transit Services \(mckinneytexas.org\)](#)

Table of Contents

1. Plan Summary.....	3
2. Definitions.....	3
3. Department/ Agency Overview	4
4. Elements of a Language Access Plan.....	4
5. Four-Factor Analysis	4
6. Prioritization Standard.....	6
7. Providing Notice to LEP Individuals.....	6
8. Selecting Language Assistance Services.....	7
9. Nondiscrimination Coordinator Contact Information.....	9
10. Plan Access	9
11. Training	10
12. Monitoring and Updating the Plan.....	10
13. References.....	11
Appendix A: Title VI Public Notices, Grievance Notices - HUD Programs.....	12

1. Plan Summary

This Plan identifies reasonable methods for ensuring meaningful access to HCD programs, activities, and services for LEP individuals and highlights opportunities for continuously improving our customer service.

2. Definitions

- A. Bilingual staff member** - A staff member who has demonstrated proficiency in and ability to communicate information accurately in English and at least one other language. A bilingual staff member has the ability to speak or write directly to an LEP individual in a language other than English.
- On staff: Department Administrative Assistant**
- B. Interpretation** - The act of listening to a communication in one language and orally converting it to another language while retaining the same meaning.
- C. Interpreter** - A person who interprets orally from one language to another.
- D. Limited English proficiency (LEP) individuals** - Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.
- E. Meaningful access** - Accurate, effective, and timely language assistance for programs, activities, and services, provided at no cost, so that LEP individuals' opportunity for participation may be substantially equal to that of English speakers', to the extent reasonably possible.
- F. Primary language** - The language in which an individual most effectively communicates.
- G. Translation** - The replacement of written text from one language to an equivalent written text in another language.
- H. Translator** - A person who translates written words or writing from one language to another.
- I. Vital document** - Paper or electronic material that is critical to access programs, activities, and services. Classification of a document as "vital" depends upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP individual if the information in question is not provided accurately or in a timely manner.

3. Department/Agency Overview

The Housing and Community Development Department is the oversight department that implements programs under the U.S. Department of Housing and Urban Development (HUD) and the Federal Transit Administration (FTA).

The department's key program areas include Housing Services, Community Services, Neighborhood Services and Transit. The Divisions that receive federal funds are Community Services, Housing Services and Transit. Jurisdiction includes development of rules, enforcement of applicable regulations, implementing applicable programs and activities, and responding to inquiries from the public.

4. Elements of a Language Access Plan

A brief description of each of these elements follows.

A. Identifying LEP individuals.

HCD interacts with the public in a variety of ways. HCD programs use multiple methods to identify LEP individuals including use of demographic information, public hearings and notices, stakeholder outreach, which will include holding meetings gathering stakeholder input, and reviewing public comments.

B. Providing effective language assistance.

The city takes reasonable steps to ensure meaningful access to its programs and activities by LEP persons.

C. Training staff.

Staff will be trained on nondiscrimination policies and procedures and LEP requirements, included in this plan and within and the city's federal obligations. Staff will also annually complete general training on fair housing and resources for residents.

D. Communicating with LEP individuals.

After LEP populations have been identified, the City of McKinney will develop strategies, which involve the impacted community, to inform LEP individuals of a HCD program, service, or activity.

5. Four-Factor Analysis

The city will apply a four-factor analysis in taking reasonable steps to ensure LEP individuals have meaningful access to its programs, activities, and services. The four-factor analysis is an assessment that balances the following four factors: (1) demographics; (2) frequency; (3) nature and importance; and (4) available resources and costs. The city will use information provided in the four-factor analysis to anticipate, to the extent possible, the need for language services.

- A. **Factor 1:** Number or proportion of LEP individuals in the immediate area eligible to be served or likely to encounter HCD services.

The greater the number of LEP individuals, the more likely language services will be needed. The City/HCD should consider minority populations that are eligible for its programs, activities, and services but may be underserved because of language challenges.

The U.S. Census Bureau has four classifications of how well people speak English:

- “very well”
- “well”
- “not well”
- “not at all”

HCD considers individuals in within McKinney City Limits who speak English less than “very well” as LEP, which is in line with how the [U.S. Census Bureau](#) defines linguistic isolation as living in a household in which all members aged 14 years and older speak a non-English language and do not speak English very well.

As of May, 2024: According to data from the U.S. Bureau of the Census, 2018-2022 for Language spoken other than English, ages 5 and older - approximately 25.2% of the population in McKinney, Texas, spoke a language other than English at home.

B. Factor 2: The frequency with which LEP individuals encounter a HCD program, activity, or service.

The Department assesses, as effectively as possible, the frequency it has or expects to have contact with LEP individuals seeking assistance. HCD staff who interact with community members on a regular basis will gather information. The need for enhanced language services will be based on:

- The frequency of staff contacts with the language group.
- How often LEP individuals seek services; and
- The type of language services needed.

Program Directors under HCD will gather information annually regarding interactions with LEP individuals. Information may include surveys, review of contact with LEP individuals, stakeholder outreach, and/or other appropriate methods.

- C. **Factor 3:** The nature and importance of HCD programs, activities, and services to the LEP population.

The programs, activities, and services offered may directly assist or impact LEP individuals and families; therefore, the actions in this Plan may be critical in providing meaningful access to LEP individuals and families. The city considers the importance and/or urgency of the program, activity, or service undertaken when assessing the need for alternative language services. The need for LEP services could vary significantly, as actions by city programs cover a broad spectrum in terms of urgency and potential consequences. As this Plan is implemented, it will provide more data on this element.

- D. **Factor 4:** The resources available to the City of McKinney and its federal programs, as well as the overall cost to provide LEP assistance.

This will be defined as ‘reasonable steps’ may cease to be reasonable where the costs substantially exceed the benefits. The city seeks cost-effective options, such as technology-based solutions, to promote effective LEP programs and services. The City of McKinney will continue to assess the availability of resources and costs associated with this Plan. In reviewing resources and efforts, The City of McKinney will identify interpreters and translators within its departments and programs and determine availability internally, as well as external resources that include the cost of contracting interpretation and translation services; appropriate documents, forms, and releases, that need translation; and available assets.

6. Prioritization Standard

The City of McKinney will utilize the following prioritization standard when providing written translation of vital documents or portions of vital documents, as applicable.

- For significant federal program decisions, it will be determined under a question - is 5% or more of the affected (or expected to be affected) population comprised of LEP individuals who share a common non-English language?

7. Providing Notice to LEP Individuals

The City of McKinney provides the public information on how to receive language assistance through the following services:

- Translating information and documents in plain language when reasonable.
- Providing information in languages other than English, as appropriate, through the City’s website, whereby the viewer can use Google Translate or the City’s “Ask Me” portal, and/or social media outlets.
- Publishing the Plan and other materials, including a Frequently Asked Questions document answering questions about the Plan, in English and Spanish.
- In public notices, explaining in English and in Spanish; and

- Providing training to staff on requirements for providing meaningful access to programs, activities, and services for LEP individuals in languages other than English.

8. Selecting Language Assistance Services

Language services are typically provided by (1) oral interpretation in person or via telephone interpretation service and/or (2) written translation. The city determines the necessary and reasonable balance between interpretation and translation services by considering multiple factors, including but not limited to, the demographics of the proposed location and/or participants, the requests of stakeholders, the vitalness of information, as well as available resources.

The program per area informs LEP individuals that the city provides free interpretation and translation services for interaction upon request (or an alternative reasonable accommodation).

The City considers and employs the following reasonable methods of providing effective interpretation and translation services as needed or requested:

- Using interpreters and translators - Using bilingual staff members, contract with and hire interpreters and translators, as well as use online translation services, if needed.
- Partnering with other agencies and community organizations that provide services - may partner with others to maximize resources and to ensure that the language services provided fit the need of the community being served.
- Using telephone or electronic interpreter services - may use telephone or electronic interpreter services when holding events, webinars, and virtual meetings.

- Using electronic devices – May use electronic translation and interpretation devices to better understand the needs of LEP individuals for the first contact, when needed.

Interpretation

Staff evaluates the need for oral interpretation based on the following:

- Intended audience.
- Information being presented.
- Forum in which information is presented; and
- Purpose of the presentation.

When encountering LEP individuals who need services, employees do not require or rely on an LEP individual's family or friends to act as an interpreter. However, The City of McKinney will respect an LEP individual's choice to provide their own interpreter or use one provided by someone else in place of the free language services offered.

Translation

HCD programs determines vital documents by considering the following factors and focuses on translation of vital documents in this order:

- Denial or delay of access to Housing or Community Services or information could have serious implications for the LEP individual.
- Required to provide an activity, warning, notice, or information in an alternative language; and
- Information critical for obtaining services or access to Housing or Community Service programs.

HCD will translate vital documents if the population eligible to be served or likely to be directly impacted by the program, activity, or service *(1) meets the prioritization standard or (2) after consideration of the four-factor analysis*, requires translation to meaningfully access the program, activity, or service. The Department may determine to only translate the vital information contained in a document that contains both vital and non-vital information; documents need not be translated in their entirety unless the entire document is considered vital. The Department may communicate the information in vital documents through oral or written translation. When a document is very large or when the target audience speaks different languages, The Department may provide information on where to obtain interpretation or translation of the vital information.

9. Nondiscrimination Contact Information

The City of McKinney, its contractors, sub recipients, and consultants (direct or indirect recipients of any federal funds) are required to comply with the following regulations and laws:

1. Title VIII of the Civil Rights Act of 1968 (The Fair Housing Act as amended)
2. Title II of the American with Disabilities Act of 1990 · Executive Order 11063, Non-Discrimination (1962)
3. Executive Order 12892, Equal Opportunity in Housing (1994)
4. Title VI of the Civil Rights Act of 1964
5. The Architectural Barriers Act of 1968

6. Section 504 of the Rehabilitation Act of 1973
7. Section 109 of the Community Development Act of 1974
8. The Age Discrimination Act of 1975
9. Executive Order 12898, Environmental Justice (1994)

Reasons an individual may contact the city's ADA Coordinator, Fair Housing Coordinator, or the Title VI Coordinator, but are not limited to, requesting an accommodation, filing a discrimination complaint, and/or to ask questions about the programs and requirements.

Contact information:

Community Services Administrator
Title VI Administrator
Housing & Community Development
City of McKinney
P.O. Box 517,
222 North Tennessee St.
McKinney, TX 75070
Email: TitleVICoordinator@mckinneytexas.org

10. Plan Access

The City of McKinney will make the plan available. Additional interpretation or written translation can be provided if requested. Individuals that are without internet access may receive a copy of the Plan at no cost, by contacting the City's Housing and Community Development Department.

11. Training

The Housing & Community Development Department will receive and provide training to all staff, as well as provide training to the subrecipients of funding, in regard to non-discrimination policies and procedures, as applicable, at best, on an annual basis. Compliance for non-discrimination policies will also be references within applicable subrecipient grant agreements. Training will be a regular part of the on-boarding process for new departmental employees. Subsequent trainings will be offered when available as refresher training to departmental employees, when there are changes to regulatory requirements, as notified.

12. Monitoring and Updating the Plan

The City of McKinney reviews its Plan on an annual basis or more frequently as needed. In particular, the City of McKinney will evaluate the information collected through encounters with LEP persons as well as public outreach efforts to determine if adjustments should be made to the delivery of programs and services to ensure meaningful access to minority and LEP persons.

As programs serve residents in need, it is imperative to review and update the plans for programs, services, and activities. The department will amend this plan as needed. The evaluation will include but is not limited to:

- Evaluating feedback from engaging with LEP individuals and community-based organizations that serve LEP individuals.
- Identifying LEP populations impacted by HCD programs, activities, and services through stakeholder outreach and provide an opportunity for public comments on the Plan;
- Assessing the current level of program-related services delivered to LEP individuals in HCD programs, activities, and services; and
- Reviewing LEP training received by HCD employees.

To better evaluate whether HCD is meeting the needs of LEP individuals, the department will:

- Deliver one community meeting and one webinar to explain the Plan and to answer questions regarding the Plan.
- In addition, the City of McKinney will meet with the transit provider on an annual basis to ensure that the Title VI requirements are met.
- Review and consider all public comments.

13. References

- “Executive Order 13166-Improving Access for Persons with Limited English Proficiency.” *The United States Department of Justice*, Last updated June 5, 2024. [Title VI & Executive Order 13166 | US Department of Transportation](#)
- “Glossary.” *U.S. Census Bureau*. 10 May 2021, <https://www.census.gov/glossary/>
- *Texas Department of Transportation*, 2022
[Transportation Planning and Programming: Title VI Monitoring Activities Process \(txdot.gov\)](#)
- “Nondiscrimination in Programs Receiving Federal Assistance from the U.S. Department of Housing and Urban Development (HUD): [Nondiscrimination in community development and housing programs](#)
- “Language Spoken at Home by Ability to Speak English for Population 5 Years and Over.” United States Census Bureau, 2022, McKinney [U.S. Census Bureau QuickFacts: McKinney city, Texas](#)
- “Public Participation Plan.” *City of McKinney*
- *Section 504 – FAQs Section 504 of the Rehabilitation Act of 1973*
- [Section 504 | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#)
- “Title VI of the 1964 Civil Rights Act.” The United States Department of Justice, 8 Mar. 2021, <https://www.justice.gov/crt/fcs/TitleVI>

•
Resources:

- [Title VI of the Civil Rights Act of 1964](#)
- [Americans with Disabilities Act of 1990](#)
- [Disadvantaged Business Enterprise program](#)
- [Equal Employment Opportunity program](#)

City Website Sections:

- [Housing & Community Development | McKinney, TX - Official Website \(mckinneytexas.org\)](#)
- [Transit Services | McKinney, TX - Official Website \(mckinneytexas.org\)](#)
- [Fair Housing | McKinney, TX - Official Website \(mckinneytexas.org\)](#)
- [ADA Information | McKinney, TX - Official Website \(mckinneytexas.org\)](#)

Appendix A: Example of Public Notice of Title VI Program Rights



Public Notice of Title VI Program Rights

The CITY OF MCKINNEY gives public notice of its policy to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities. Title VI and related nondiscrimination authorities stipulate that no person in the United States of America shall on the grounds of race, color, national origin, sex, age, disability, income level, or limited English proficiency be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.

Any person who desires more information regarding the City of McKinney Title VI program can contact its Title VI Program Coordinator at the address noted below.

Any person who believes they have individually, or as a member of any specific class, of persons been subjected to discrimination on the basis of race, color, national origin, sex, age, disability, income level, or limited English proficiency has the right to file a formal complaint. Any such complaint must be in writing and submitted within 180 days following the date of the alleged occurrence to:

Title VI Program Coordinator/Civil Rights Officer
City of McKinney
Housing & Community Development Department
406 North Tennessee Street
McKinney, TX 75069
Office: 972-547-7572
Email: TitleVICoordinator@mckinneytexas.org



Aviso Público de los Derechos del Programa del Título VI

La CIUDAD DE MCKINNEY da aviso público de su política para mantener y asegurar el pleno cumplimiento de los requisitos de no discriminación del Título VI de la Ley de Derechos Civiles de 1964 y las autoridades relacionadas con la no discriminación. El Título VI y las autoridades relacionadas contra la discriminación estipulan que ninguna persona en los Estados Unidos de América por motivos de raza, color, origen nacional, sexo, edad, discapacidad, nivel de ingresos o dominio limitado del inglés será excluida de la participación, se le negarán los beneficios o será objeto de discriminación en cualquier programa o actividad que reciba asistencia federal.

Cualquier persona que desee obtener más información sobre el programa Título VI de la Ciudad de McKinney puede comunicarse con su Coordinador del Programa Título VI en la dirección que se indica a continuación.

Cualquier persona que crea que individualmente, o como miembro de una clase específica, ha sido objeto de discriminación por motivos de raza, color, origen nacional, sexo, edad, discapacidad, nivel de ingresos o dominio limitado del inglés tiene derecho a presentar una queja formal. Cualquier queja de este tipo debe hacerse por escrito y presentarse dentro de los 180 días siguientes a la fecha del presunto suceso a:

Coordinador del Programa del Título VI/Oficial de
Derechos Civiles
Ciudad de McKinney
Departamento de Vivienda y Desarrollo Comunitario
406 Calle Norte de Tennessee
McKinney, TX 75069
Oficina: 972-547-7572
Correo electrónico:
TitleVICoordinator@mckinneytexas.org

**Grievance Procedure for THE CITY OF MCKINNEY TEXAS
Section 504 – Nondiscrimination (HUD programs)**

Section 504 prohibits discrimination on the basis of disability in any program or activity that receives federal financial assistance. This means, for example, that persons with disabilities may not be denied the opportunity to participate in a program or activity because of their disability; may not be required to accept a different kind or lesser program or service than what is provided to others without disabilities, and may not be required to participate in separate programs and services from those available to persons without disabilities, even if separate programs and services exist.

The following grievance procedure is established to meet the requirements of Section 504 of the Rehabilitation Act as amended and the Americans with Disabilities Act of 1990 (ADA) and as amended. According to these laws, THE CITY OF MCKINNEY as a recipient of an federal funds, certifies that all citizens shall have the right to submit a grievance on the basis of disability in policies or practices regarding employment, services, activities, facilities, or benefits provided by THE CITY OF MCKINNEY.

When filing a grievance, citizens must provide detailed information to allow an investigation, including the date, location, and description of the problem. The grievance should be in writing and should include the name, address, and telephone number of the complainant. ***Upon request, alternative means of filing complaints, such as personal interviews or a tape recording, will be made available for individuals with disabilities upon request.*** The complaint should be submitted by the complainant or his/her designee as soon as possible, but no later than 60 days after the alleged violation. Complaints must be signed and sent to:

Name/Title of Coordinator
Address
Telephone number (both voice and TDD)

Within 15 calendar days after receiving the complaint, The City’s Title VI Coordinator or ADA Coordinator will meet with the complainant to discuss the complaint and possible resolution. Within 15 calendar days after the meeting, the Title VI Coordinator or ADA Coordinator will respond in writing. Where appropriate, the response shall be in a format accessible to the complainant (such as large print or audio tape). The response will explain the position of (name of city/county) and offer options for resolving the complaint.

If the response by the Title VI Coordinator or ADA Coordinator does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision of the Title VI Coordinator or ADA Coordinator. Appeals must be made within 15 calendar days after the receipt of the response. Appeals must be directed to the chief elected official or his or her designee.

Within 15 calendar days after receiving the appeal, the chief elected official or his or her designee will meet with the complainant to discuss the complaint and to discuss possible resolution. Within 15 calendar days after the meeting, the chief elected official or his or her designee will provide a response in writing. Where appropriate, the response shall be in a format accessible to the complainant. The response shall be accompanied by a final resolution of the complaint.

The Title VI Coordinator or ADA Coordinator shall maintain the files and records of the City of McKinney pertaining to the complaints filed for a period of three years after the grant is closed out.

Other Complaint Procedures

All individuals have a right to a prompt and equitable resolution. Individuals or classes of individuals who believe they have been subjected to discrimination based on disability have several ways to file a grievance:

- Use the grievance procedure provided by the public entity.
- File a complaint with any agency that provides funding to the public entity.
- File with one of the eight federal agencies designated in the Title II regulations.

Under Title II, filing a grievance with the public entity's ADA coordinator, filing a complaint with a federal agency, or filing a lawsuit may be done independently of the others.

Individuals are not required to file either a grievance or complaint to bring a lawsuit. Lawsuits may be filed at any time.

The following are agencies where a Title I, Title II or Section 504 complaint can be filed:

For Title I Complaints (Employment)

Equal Employment Opportunity Commission
1-800-669-4000
1-800-669-6820 (TTY)

For Title II Complaints

Department of Justice (DOJ)
Civil Rights Division
Disability Rights Section – NYAV
950 Pennsylvania Avenue, NW
Washington, DC 20530
<http://www.usdoj.gov/disabilities.htm>
1-800-514-0301
1-800-514-0383 (TDD)

For Section 504 Complaints

Department of Housing and Urban Development (HUD)
Community Planning and Development
451 7th Street, SW
Washington, DC 20410
<http://www.hud.gov/offices/fheo/disabilities/sect504complaint.cfm>
1-202-708-1112
1-202-708-1455 (TTY)