



## FOUR-FACTOR ANALYSIS AND LANGUAGE ACCESS PLAN

**Purpose:** In compliance with Executive Order 13166, Western Reserve Community Fund, Inc. (WRCF) has developed the following Four-Factor Analysis and Language Access Plan (LAP) for Limited English Proficiency (LEP) persons.

**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.

### FOUR-FACTOR ANALYSIS

The following Four-Factor Analysis helped determine reasonable steps WRCF will undertake to guarantee LEP persons access to its programs.

#### 1. Number or Proportion of LEP Persons in WRCF's Service Area

The first factor in determining sufficient language assistance is analyzing the language demographics within WRCF's service area. Doing this provides an estimate for the potential number of people who WRCF could serve, assuming that the LEP population received sufficient outreach, education, and language assistance.

Because WRCF is a Community Development Financial Institution (CDFI) serving Summit County, it used two county-wide U.S. Census datasets to analyze LEP populations: specifically, Tables S1601 and B16001, each ACS 5-Year Estimates capturing "Languages Spoken at Home."

You may view the 2022 ACS 5-Year Table S1601 for Summit County here:

<https://data.census.gov/table/ACSST5Y2022.S1601?t=Language%20Spoken%20at%20Home&g=050XX00US39153&moe=true&tp=false>

You may view the 2015 ACS 5-Year Table B16001 for Summit County here:

<https://data.census.gov/table/ACSST5Y2015.B16001?q=b16001&g=050XX00US39153&moe=true>

Table S1601 captures data from 2022. Per this survey, Summit County's population of speaking age (5 years and over) was about 510,205. 495,958 people (97.21%) either spoke English only or spoke English "very well." The remaining 14,247 people (2.79%) who spoke English "less than very well" is WRCF's LEP population. Within this group, 6,529 people (1.28%) spoke Other Indo-

European languages, 3,836 (0.75%) Asian and Pacific Island languages, 2,290 (0.45%) Spanish, and 1,592 (0.31%) other languages.

Table S1601 captures recent data but uses broad categorizations of non-English languages. So, for a thorough analysis, WRCF also referenced B16001, an older but more detailed table that captures data from 2015. Per this survey, Summit County’s population of speaking age (5 years and over) was about 510,940. 499,920 people (97.21%) either spoke only English or spoke English “very well,” which left WRCF’s LEP population of 11,020 people (2.16%) who spoke English “less than very well.” Unlike Table S1601 that only divided non-English languages into four groups, Table B16001 divides them into 39; the top four most spoken languages in WRCF’s LEP population were Spanish/Spanish Creole (1,830 people or 0.36%), Other Indic (1,796 people or 0.35%), Other Asian (1,031 people or 0.20%), and Chinese (922 people or 0.18%).

Most of WRCF’s transactions to date (6/30/24) have been in Akron (89.80% by volume, and 87.86% by dollar). Given that Akron is the county seat and largest city within Summit County, one can consider Akron language demographics as a rough proxy. When contacted by WRCF staff, the Akron Municipal Court’s Language Access Coordinator stated that the Court has provided LEP assistance to Nepali, Spanish, French, Bengali, Swahili, Karen, Arabic, Urdu, Uzbek, Russian, Romanian, and Ukrainian speakers. Similarly, Akron Public Schools’ contact person shared that Nepali, Spanish, Swahili, Burmese, Arabic, Pashto, and Karen were the most common non-English languages.

According to LEP Guidance published by HUD, organizations face the following “safe harbor” thresholds for the provision of written translated materials:

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 <i>and</i> more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> 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.

From both Table S1601 and B16001, Spanish clearly falls into the first category, since 2,290 and 1,830 people exceed the “1,000 or more” threshold. Thus, **WRCF will provide translated vital documents in Spanish.**

Table B16001 lists a population of 922 Chinese people, and though that falls just below the threshold, the survey’s margin of error could leave the Chinese population estimate at 1,196, which would meet the threshold. Though it is not required, **WRCF will provide translated vital documents in (Mandarin) Chinese** in the abundance of caution.

Without access to the Census methodology of categorizing languages, it is impossible to estimate Table B16001's population counts for categories including multiple languages ("Other Indic" and "Other Asian" being most significant, in that each exceeded 1,000 people). One immediate problem is that the continent of Asia includes Nepal, which is on Britannica's list of countries whose primary language group is categorized as Indo-Aryan / Indic. Akron and Summit County have a significant Nepali population, but because the Census has categories for both "Other Indic" and "Other Asian," it is impossible to know which one Nepali falls under. This is further complicated by the fact that Indo-Aryan / Indic is a subcategory of the Indo-European language family, when the Census considers them distinct categories. In any case, it is unlikely that Summit County's Nepali population (or any frequent language the Court provided that is not listed individually on Table B16001) exceeds 1,000 people. Thus, **WRCF will not provide translated vital documents in other languages** until there is a demonstrated need to do so. However, should a need arise, WRCF will make every effort to meet the needs of specific borrowers.

## **2. Frequency of WRCF's Contact with LEP Persons**

While the first factor analyzed WRCF's potential contact with LEP persons, the second factor only looks at WRCF's historical contact with LEP persons. Frequent interactions in non-English languages could warrant the need to provide enhanced language assistance beyond translated vital documents; this could entail hiring permanent translators or providing potential borrowers with an in-person translator to walk through each step of WRCF's lending process. On the other hand, less frequent or unpredictable interactions would not warrant the same level of language assistance; this could entail contacting a local community organization to provide translation as needed or being prepared to use on-demand commercial telephonic interpretation service.

Since its inception in March of 2019, none of WRCF's transactions have been made to businesses or nonprofits whose owners or leadership were LEP individuals. Additionally, no member of WRCF's staff can recall 1) ever having been contacted in non-English language, or 2) having been asked if WRCF offered translation assistance. With this in mind, WRCF has scheduled meetings with community agencies that, among other things, assist LEP persons and offer translation services to businesses and individuals. In these meetings, WRCF will determine what specific services would most optimally meet WRCF's needs.

## **3. Nature and Importance of WRCF's Services to LEP Persons**

The third factor that federal funds recipients are asked to consider when developing a LAP is the relative importance of the recipient's services provided. Viewed another way, it asks WRCF to consider what would happen to a LEP person if they were not provided sufficient language assistance. Several points of comparison include a LEP tenant being evicted from their apartment or facing foreclosure on their home, or a LEP patient with a critical health condition visiting an emergency room. In the first case, lack of sufficient language assistance would lead to the renter or homeowner losing their place of residence, and improper communication in the second case could lead to serious injury or even death. On the other end, a LEP person visiting a movie theater may suffer only minor inconvenience when trying to purchase a ticket.

By providing flexible, low-cost financing and technical assistance, WRCF works to promote equity and expand economic opportunity for disadvantaged communities and businesses by

providing financial products and services, striving to foster economic opportunity and revitalized neighborhoods. For a myriad of reasons, some within and others firmly outside of the business owners' control, a significant portion of the businesses WRCF finances have not previously received commercial credit. While other options for business financing exist within, there are few alternatives that can provide both financial support and technical assistance services as flexible, low-cost, and hands-on as WRCF. Lives are not at risk if a prospective business is unable to secure financing with WRCF, but the positive impact financing can have on business owners' livelihood, their families, employees, and any end-beneficiary of potential goods and services provided, cannot be understated. For this reason, WRCF is committed to providing language assistance measures needed to serve its LEP constituents.

#### **4. Resources Available and Overall Costs to WRCF**

The final factor to consider when developing a LAP is the overall resource and cost burden of providing language assistance. Title VI asks that federal funds recipients take "reasonable steps" to ensure LEP persons receive meaningful access to services; a solution where the cost of providing language assistance imposed substantially exceeds the benefits would not be considered reasonable. Excluding regular partners and consultants, WRCF only had about 6.5 dedicated FTEs on staff as of year-end 2023; more accurately, however, WRCF has no employees because the above FTEs are provided via a Management Service Agreement with the Development Finance Authority of Summit County. At this time, WRCF does not believe that creating an on-staff interpreter/translator is either tenable or necessary; pooling resources with community partners and using qualified interpretation/translation services as needed is more reasonable.

As stated earlier, WRCF has engaged community partners to explore practical options for providing translation services. Most immediately, this will entail the translation of all written vital documents into both Spanish and Mandarin Chinese; long-term, WRCF will determine which translation services these community partners provide, from over-the-phone translation to providing an in-person translator to assist during the intake/underwriting process (and as needed throughout the life of LEP business owners' financing term).

#### **Conclusion**

Based on the four factors above:

1. Summit County has LEP populations large enough to require the translation of vital documents into Spanish (and possibly Mandarin Chinese).
2. From a historical perspective, there is no evidence of any unmet demand for WRCF to provide language assistance.
3. The financial and technical assistance provided by WRCF are important enough to justify the necessary language assistance.
4. Partnering with community agencies is currently more practical than hiring staff to provide language assistance services, so WRCF is exploring options with those agencies to best meet its needs.

## LANGUAGE ACCESS PLAN

As a result of the preceding Four-Factor Analysis, Western Reserve Community Fund, Inc. (WRCF) has identified the following types of language assistance to be provided:

- With the collaboration and guidance of qualified third-party community agencies that provide language assistance services, WRCF will develop language access policy directives, implementation plans, and procedures.
- WRCF will post this Four-Factor Analysis and Language Access Plan (LAP) to its website, adding to the non-discrimination notice and instructions on how to file a Civil Rights / Equal Opportunity complaint that have already been posted.
- A language assistance translation document will be provided at WRCF's intake areas, along with the non-discrimination notice and instructions on how to file a Civil Rights / Equal Opportunity complaint.
- WRCF will partner with third-party community agencies to translate vital documents into Spanish and Mandarin Chinese, to be available upon request. Vital digital content, including but not limited to the intake form, will be translated on WRCF's website. Requests from Limited English Proficiency (LEP) persons to translate vital documents into languages other than Spanish and Mandarin Chinese will be referred to those third-party community agencies.
- If needed, interpreters/translators will be provided by third-party community agencies to assist LEP business owners with the intake, underwriting, and loan servicing processes. WRCF will incur the cost of any such language assistance on either a contractual or reimbursement basis.
- WRCF staff will review this Four-Factor Analysis and Language Access Plan on an annual basis. Significant changes to WRCF's Four-Factor Analysis will entail WRCF exploring any additional measures to meet updated language access needs.

Approval: \_\_\_\_\_



Rachel Bridenstine  
Executive Director, WRCF

Date: \_\_\_\_\_

07/30/24



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