

PHA BOARD of COMMISSIONERS MEETING MINUTES

Thursday, November 21, 2013, 3 p.m., at 12 S. 23rd St., Philadelphia, PA 19103

The regular meeting of the Board of Commissioners was brought to order at approximately 3:05 p.m. by the Chair, Lynette M. Brown-Sow, with Commissioners Diaz, Jackson, Camarda, Markman, Tate and Wetzel in attendance, as well as President & CEO Kelvin A. Jeremiah ("CEO Jeremiah") and Board Secretary and General Counsel, Barbara Adams. The Chair requested a moment of silence, noting the recent passing of PHA employee Craig Rucker.

CEO Jeremiah reviewed the procedure for public comment and announced that: 1) thirty-seven (37) resident council elections have been completed; 2) maintenance request forms are available at this meeting and requests should be made through this procedure, as making them in the public comment period generally will not expedite their resolution; 3) PHA has exceeded its Minority Business Enterprise ("MBE") and Women Business Enterprise ("WBE") goals, with 30% participation for MBEs and 26% for WBEs; 4) PHA's new pre-apprenticeship program is progressing well; 5) Thanksgiving celebrations for PHA will include a senior luncheon, offered in cooperation with Calvary Chapel of North Philadelphia and Philly Seeds, and giving away 2,000 turkeys to PHA residents (double what was provided last year); and 6) Vice Chair Judge Nelson Diaz was recently selected as the Most Influential Hispanic in the Delaware Valley for 2013, for which there was a round of well-deserved applause.

The Chair inquired whether there were any corrections to the minutes of the Board meeting of October 17, 2013, and hearing none, declared the minutes approved as submitted.

Seven resolutions were presented, all of which were approved.

Resolution 11654, attached in Appendix 1, was presented by Heather McCreary, Executive Vice President – Supply Chain Management ("EVP – Supply Chain"), to authorize PHA to contract with Kelly's Janitorial Service, Inc. for the supply and delivery of janitorial products to PHA's central warehouse, in an amount not to exceed two hundred forty-two thousand six hundred nineteen dollars and forty-five cents (\$242,619.45). Ms. McCreary noted that the contract was based on lowest price, as it is an IFB, and geographic location of any offeror was not a factor. Following a motion to approve by Commissioner Diaz, a second and discussion, including the opportunity for public comment, the resolution was approved, after a roll call vote. Commissioners Brown-Sow, Jackson, Markman, Tate and Wetzel voted in favor of and Commissioners Camarda and Diaz voted against the motion.

Resolution 11655, attached in Appendix 1, was presented by Heather McCreary, EVP – Supply Chain, and Faisal Hassan, Chief Information Technology Officer, to authorize PHA to continue its existing contract with Emphasys Computer Solutions through its second year, in an amount not to exceed three hundred thirteen thousand dollars (\$313,000.00). Following a motion to approve by Commissioner Diaz, a second and discussion, including the opportunity for public comment, the resolution was unanimously approved.

Resolution 11656, attached in Appendix 1, was presented by Heather McCreary, EVP – Supply Chain, and Clare Ann Fitzgerald, Deputy General Counsel, to authorize PHA to conclude and to execute the second one-year option renewal of an existing contract and insurance policy with Liberty Mutual Insurance Company to provide PHA with Workers' Compensation and Employers' Liability Insurance, in an amount not to exceed ten million four hundred ninety-eight thousand six hundred sixty-three dollars (\$10,498,663.00). Following a motion to approve by Commissioner Diaz, a second and discussion, including the opportunity for public comment, the resolution was unanimously approved.

Resolution 11657, attached in Appendix 1, was presented by Heather McCreary, EVP – Supply Chain, and Erik Soliván, Executive Vice President of Community Operations and Resident Development ("EVP-CORD") to authorize PHA to contract with CATCH, Inc., the DREAM Program, Boys & Girls Clubs of Philadelphia and Education Works for a pilot program of after-school tutoring, career counseling, life skills, and recreation programming for PHA residents at eleven (11) PHA multi-family development sites. The total amount for all contracts, including all option periods, is in an amount not to exceed one million six hundred fifty-three thousand five hundred dollars (\$1,653,500.00). Following a motion to approve by Commissioner Diaz, a second and discussion, including public comment, the resolution was unanimously approved.

Resolution 11658, attached in Appendix 1, was presented by Clare Ann Fitzgerald, Deputy General Counsel, to authorize PHA to pay one hundred eighty-seven thousand five hundred dollars (\$187,500.00) to settle litigation, based on allegations of discrimination, brought by a former PHA employee. Following a motion to approve by Commissioner Markman, a second and, there being no discussion, the resolution was unanimously approved.

Resolution 11659, attached in Appendix 1, was presented by Janea Jordon, Executive Vice President - Office of Audit and Compliance, to have the Board approve the appointment of Kia Buckner, as an independent member of PHA's Audit Committee. Ms. Buckner was present and introduced. Following a motion to approve by Commissioner Diaz, a second and, there being no discussion, the resolution was unanimously approved.

Resolution 11660, attached in Appendix 1, was presented by Erik Soliván, EVP-CORD, and Martin LaMar, Senior Vice President – Office of Policy, Research and Enterprise Planning, to approve an updated Limited English Proficiency ("LEP") policy for PHA, to ensure that PHA's programs, services, and activities will be accessible to LEP persons. . Following simultaneous motions to approve by Commissioners Camarda and Markman, a second, and discussion that included public comment and multiple speakers from community organizations who were positive about the passage of the resolution, the resolution was unanimously approved.

The public comment period was then held, beginning at approximately 4:10 p.m., after which the meeting was adjourned by Chair Brown-Sow at approximately 4:30 p.m.

Respectfully submitted,



Barbara Adams
Secretary
Philadelphia Housing Authority

APPENDIX 1

RESOLUTION NO. 11654

RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO CONTRACT WITH KELLY'S JANITORIAL SERVICE, INC. FOR THE SUPPLY AND DELIVERY OF JANITORIAL PRODUCTS TO THE CENTRAL WAREHOUSE

WHEREAS, the Philadelphia Housing Authority ("PHA") has identified a need for the supply and delivery of janitorial products to PHA's central warehouse; and

WHEREAS, a solicitation was developed according to established procedures and all applicable laws regarding public contracts and the Request for Proposal was mailed to the appropriate companies on PHA Bidders' List and distributed to those who responded to the invitation through the publications; and

WHEREAS, the proposals were reviewed and evaluated by the evaluation committee appointed for such purpose and the supporting documents were reviewed by the Contracting Officer; and

WHEREAS, based upon the evaluation, it was recommended that a contract be awarded to Kelly's Janitorial Service, Inc.; and

WHEREAS, the Supply Chain Management Department recommends that a contract be awarded to Kelly's Janitorial Service, Inc. for a one (1) year base period with two (2) one-year option periods, in a per year amount not to exceed eighty thousand eight hundred seventy-three dollars and fifteen cents (\$80,873.15) for each of the three years; for a total contract amount, if all options are exercised, not to exceed two hundred forty-two thousand six hundred nineteen dollars and forty-five cents (\$242,619.45);

BE IT RESOLVED, that PHA's President & CEO or his authorized designee is hereby authorized to conclude and execute a contract with Kelly's Janitorial Service, Inc., subject to the availability of funds therefor, as set forth above, for a total contract amount not to exceed two hundred forty-two thousand six hundred nineteen dollars and forty-five cents (\$242,619.45), and to take all necessary and appropriate actions relating to such contract, including determining whether the options available under the contract shall be exercised.

I hereby certify that this was
APPROVED BY THE BOARD ON 11/21/13
Barbara Adams, General Counsel
ATTORNEY FOR PHA

RESOLUTION NO. 11655

**RESOLUTION AUTHORIZING CONTINUATION OF THE PHILADELPHIA HOUSING AUTHORITY'S
CONTRACT WITH EMPHASYS COMPUTER SOLUTIONS THROUGH ITS SECOND YEAR,
PURSUANT TO BOARD RESOLUTION # 11566**

WHEREAS, the Philadelphia Housing Authority ("PHA") entered into an agreement with Emphasys Computer Solutions ("Emphasys"), pursuant to Board Resolution # 11566, approved by the Board on October 26, 2012, for the maintenance and support of PHA's "Elite" platform, which is a proprietary product developed solely by Emphasys that is compatible with PHA computer software; and

WHEREAS, Board Resolution # 11566 stated "that the second year of the contract shall be contingent upon a verification that Emphasys Computer Solutions is still the only vendor that can provide the services to PHA;" and

WHEREAS, Board Resolution # 11566 also stated that the contract "shall be for a two (2) year period for a total contract amount not to exceed **THREE HUNDRED THIRTEEN THOUSAND DOLLARS (\$313,000.00)** per year" to Emphasys; and

WHEREAS, the Supply Chain Management Department has verified that Emphasys is still the only vendor that can provide the required services to PHA;

BE IT RESOLVED, that PHA's President & CEO or his authorized designee is hereby authorized to take any necessary actions to continue PHA's existing contract with Emphasys through its second year, pursuant to the terms of Board Resolution # 11566 and subject to the availability of funds therefor, in an amount not to exceed three hundred thirteen thousand dollars (\$313,000.00) for the second year.

I hereby certify that this was
APPROVED BY THE BOARD ON 11/21/13
Suzanne Adams, General Counsel
ATTORNEY FOR PHA

RESOLUTION NO. 11656

RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO EXERCISE THE SECOND ONE-YEAR OPTION RENEWAL OF ITS CONTRACT AND INSURANCE POLICY WITH LIBERTY MUTUAL INSURANCE COMPANY FOR WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE AND PAY DEDUCTIBLE AMOUNTS

WHEREAS, the Philadelphia Housing Authority ("PHA") entered into an agreement with Liberty Mutual Insurance Company ("Liberty Mutual"), pursuant to Board Resolution # 11482, approved by the Board on September 29, 2011, for Workers' Compensation and Employers' Liability Insurance; and

WHEREAS, PHA's contract and policy with Liberty Mutual, pursuant to Board Resolution # 11482, was for a one-year base period, with two one-year options to renew, with the amount for each one of three years (the base year and each of the two one-year options) not to exceed eleven million seven hundred thirty-nine thousand fifty-three dollars (\$11,739,053.00) for that year, including PHA's requirement to provide cash collateral to Liberty Mutual to secure PHA's obligations to pay deductibles and certain other expenses; and

WHEREAS, on October 26, 2012, the Board approved Resolution # 11565, to exercise the first of the two one-year options; and

WHEREAS, the existing coverage is scheduled to expire on November 22, 2013; and

WHEREAS, it is recommended by the Supply Chain Management Department that the Board approve:
1) the exercise of PHA's second one-year option to renew the contract and policy with Liberty Mutual;
2) payments of premiums and cash collateral; and 3) maintenance of an appropriate reserve to be used to pay deductible amounts on claims as necessary during the policy period;

BE IT RESOLVED, that PHA's President & CEO or his authorized designee is hereby authorized to take all necessary actions to conclude and to execute the second one-year option year of the contract with Liberty Mutual, pursuant to the terms of Board Resolution # 11482 and subject to the availability of funds therefor, to pay premiums and cash collateral and to maintain an appropriate reserve to be used to pay deductible amounts on claims, as necessary during the policy period, all in a total amount not to exceed ten million four hundred ninety-eight thousand six hundred sixty-three dollars (\$10,498,663.00).

I hereby certify that this was

APPROVED BY THE BOARD ON 11/21/13

Barbara Adams, General Counsel

ATTORNEY FOR PHA

RESOLUTION NO. 11657

RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO CONTRACT WITH CATCH, INC, THE DREAM PROGRAM, BOYS & GIRLS CLUBS OF PHILADELPHIA AND EDUCATION WORKS FOR YOUTH ENRICHMENT PROGRAMMING

WHEREAS, the Philadelphia Housing Authority ("PHA") has identified a need for supplying after-school tutoring, career counseling, life skills, and recreation programming for PHA residents at the following eleven (11) of PHA's multi-family development sites: Harrison Plaza, Wilson Park, Cambridge and Richard Allen at the John F. Street Center, Raymond Rosen, Johnson Homes, Norris Apartments, Bartram, West Park Apartments, Abbottsford, and Fairhill; and

WHEREAS, a solicitation was developed according to established procedures and all applicable laws regarding public contracts and the Request for Proposal was mailed to the appropriate companies on PHA Bidders' List and distributed to those who responded to the invitation through the publications; and

WHEREAS, the proposals were reviewed and evaluated by the evaluation committee appointed for such purpose and the supporting documents were reviewed by the Contracting Officer; and

WHEREAS, based upon the evaluation, it was recommended that contracts be awarded to CATCH, Inc., the DREAM Program, Boys & Girls Clubs of Philadelphia and Education Works; and

WHEREAS, it is recommended that the contract with CATCH, Inc., for 25 slots, be for one (1) one-year base period, with one (1) one-year option period, with each year (one base and one option) to be in an amount not to exceed fifty-six thousand seven hundred fifty dollars (\$56,750.00), for a total contract amount not to exceed one hundred thirteen thousand five hundred dollars (\$113,500.00);

WHEREAS, it is recommended that the contract with the DREAM Program, for 50 slots, be for one (1) one-year base period, with one (1) one-year option period, with each year (one base and one option) to be in an amount not to exceed forty-five thousand dollars (\$45,000.00), for a total contract amount not to exceed ninety thousand dollars (\$90,000.00);

WHEREAS, it is recommended that the contract with Boys & Girls Clubs of Philadelphia, for 100 slots, be for one (1) one-year base period with one (1) one-year option period, with each year (one base and one option), to be in an amount not to exceed two hundred twenty-five thousand dollars (\$225,000.00), for a total contract amount not to exceed four hundred fifty thousand dollars (\$450,000.00); and

WHEREAS, it is recommended that the contract with Education Works, for 200 slots, be for one (1) one-year base period with one (1) one-year option period, with each year (one base and one option), in an amount not to exceed five hundred thousand dollars (\$500,000.00), for a total contract amount not to exceed one million dollars (\$1,000,000.00); and

BE IT RESOLVED, that PHA's President & CEO or his authorized designee is hereby authorized to conclude and execute a contract with CATCH, Inc., the DREAM Program, Boys & Girls Clubs of Philadelphia and Education Works, in an amount not to exceed one million six hundred fifty-three thousand five hundred dollars (\$1,653,500.00), subject to the availability of funds therefor, as set forth above, and to take all necessary actions relating to such contracts, including determining whether the options available under the contracts shall be exercised.

I hereby certify that this was

APPROVED BY THE BOARD ON 11/21/13

Barbara Williams, General Counsel

ATTORNEY FOR PHA

RESOLUTION NO. 11658

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION, PURSUANT TO A BRIEFING TO THE BOARD IN EXECUTIVE SESSION ON OCTOBER 17, 2013

WHEREAS, a former employee of PHA ("Plaintiff") has brought an action against the Philadelphia Housing Authority ("PHA"), alleging discrimination and violation of Plaintiff's rights; and

WHEREAS, based on an evaluation of the case made by PHA's Office of General Counsel ("OGC"), as discussed with the Board of Commissioners in executive session, held in accordance with the Sunshine Act, 65 Pa. C.S.A. §§ 701 *et seq.*, PHA has reached a comprehensive settlement agreement with the Plaintiff, pursuant to which PHA will pay Plaintiff and Plaintiff's attorney one hundred eighty-seven thousand five hundred dollars (\$187,500.00), in exchange for Plaintiff's release of all claims against PHA, including any claims for attorneys' fees and the parties further agreed as to confidentiality; and

WHEREAS, the settlement was determined by OGC and represented to the Board in executive session to be in the best interests of PHA; and

WHEREAS, this resolution authorizes execution of the comprehensive settlement described above;

BE IT RESOLVED, that authority is granted to PHA's President & CEO or his authorized designee to settle the claim as referenced above and in the amount of one hundred eighty-seven thousand five hundred dollars (\$187,500.00), following receipt of the approval of such settlement from the U.S. Department of Housing and Urban Development.

I hereby certify that this was
APPROVED BY THE BOARD ON 11/21/13

Suzanne Adams, General Counsel
ATTORNEY FOR PHA

RESOLUTION NO. 11659

RESOLUTION APPOINTING ONE INDEPENDENT MEMBER TO THE PHILADELPHIA HOUSING
AUTHORITY AUDIT COMMITTEE

WHEREAS, the Philadelphia Housing Authority ("PHA") created an Audit Committee, by Resolution Number 11571 ("Audit Resolution"), on November 30, 2012; and

WHEREAS, pursuant to the Audit Resolution, there are to be seven members of the Committee: five (5) voting members, which shall be the Vice Chair of the PHA Board and four (4) independent members who will not be PHA employees, and two (2) advisory members, which shall be the Director of PHA's Office of Audit and Compliance and PHA's Deputy Executive Director of Finance; and

WHEREAS, under the Audit Resolution, the Interim Executive Director/Interim Administrative Receiver (hereinafter referred to as "CEO", as that position is now that of the President & Chief Executive Officer, pursuant to Resolution 11596, adopted on March 28, 2013) is authorized to identify the four (4) independent members, who are required to be "audit committee financial experts," to serve two-year renewable terms on the Committee, with the approval and consent of the Board; and

WHEREAS, pursuant to Board Resolution Number 11643, as approved by the Board on September 20, 2013, three independent members were approved for the Audit Committee and one position remains unfilled; and

WHEREAS the President & the CEO has identified and proposes for Board approval and consent Kia Buckner, a Principal in the Audit Practice of Heffler, Radetich & Saitta LLP, to fulfill the fourth position of the four (4) independent Audit Committee members;

BE IT RESOLVED, that the PHA Board of Commissioners does hereby approve and consent to the appointment of Kia Buckner, as an independent member of PHA's Audit Committee, pursuant to the terms and conditions set forth in the Audit Resolution, Resolution Number 11571, as approved by the Board on November 30, 2012.

I hereby certify that this was
APPROVED BY THE BOARD ON 11/21/13

Barbara Adams
General Counsel
ATTORNEY FOR PHA

RESOLUTION NO. 11660

RESOLUTION APPROVING THE PHILADELPHIA HOUSING AUTHORITY'S ADOPTION OF A LIMITED ENGLISH PROFICIENCY LANGUAGE POLICY, TO BE IMPLEMENTED ON OR BEFORE APRIL 1, 2014

WHEREAS, the Philadelphia Housing Authority ("PHA") recognizes that it is desirable and appropriate for PHA to take reasonable measures to ensure that Limited English Proficiency ("LEP") persons are not precluded from access to opportunities for housing, programs and services that are provided by PHA; and

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD"), in its Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, dated January 22, 2007, indicated that housing authorities, such as PHA, should develop a plan for providing programs, benefits and services to people, regardless of their ability to speak, read, write or understand English; and

WHEREAS, PHA wishes to update its previous language policy, to ensure that PHA's programs, services, and activities are reasonably accessible to LEP persons; and

WHEREAS, adoption of an updated language policy for LEP persons is consistent with PHA's goal to provide qualified applicants and residents with equal housing opportunities and not to discriminate based on national origin, race, or ethnicity; and

WHEREAS, PHA intends to develop further procedures consistent with this policy for its implementation, subject to the review and approval of PHA's President & CEO;

BE IT RESOLVED, that PHA hereby adopts the Language Access Policy for Limited English Proficiency, in substantially the form attached hereto, and authorizes PHA's President & CEO or his designee(s) to take all necessary and appropriate actions for effective implementation of this policy, on or before April 1, 2014.

I hereby certify that this was

APPROVED BY THE BOARD ON 11/21/13

Barbara Adams, General Counsel

ATTORNEY FOR PHA



Philadelphia Housing Authority
Building Beyond Expectations

**PHILADELPHIA HOUSING AUTHORITY LIMITED ENGLISH
PROFICIENCY LANGUAGE POLICY**

April 1, 2014

1. STATEMENT OF PURPOSE

The Philadelphia Housing Authority (“PHA”) shall take all reasonable steps to ensure that PHA’s programs, services, and activities are accessible to persons with Limited English Proficiency. This is consistent with PHA’s goal to provide equal housing opportunities for all qualified applicants and residents and its commitment to allowing no discrimination on the basis of national origin, in PHA’s selection of families and provision of services.

This policy applies to all PHA departments that provide services or programs to PHA residents, applicants, or Housing Choice Voucher (“HCV”, formerly Section 8) participants. PHA shall offer the services provided under this Policy at no charge to residents or applicants.

2. BACKGROUND

In accordance with the direction provided by the U.S. Department of Housing and Urban Development (“HUD”), in its Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, dated January 22, 2007, PHA is to develop a plan for providing programs, benefits and services to people, regardless of their ability to speak, read, write or understand English. Also, Pennsylvania Act 172 of 2006 (2 Pa. C.S. § 561 *et seq.*; “Act 172”) requires the appointment of certified or otherwise qualified interpreters for limited English proficient persons in all administrative proceedings held at Commonwealth and local agencies. Because PHA is a Commonwealth agency, Act 172 applies to PHA’s admission hearings, tenant grievance hearings, and HCV appeal hearings.

HUD requires PHA to perform an assessment of the persons with limited English proficiency that are eligible to be served or likely to be encountered by PHA through its programs. Therefore, PHA has reviewed the limited data available from its system and data from the U.S. Census Bureau’s American Community Survey.

According to the U.S. Census Bureau's 2007-2011 American Community Survey 5-Year Estimates, more than one in five Philadelphians speak a language other than English at home. Among them, 53,763 persons in Philadelphia are Spanish-speakers who speak English less than "very well." Additional predominant languages spoken by persons in Philadelphia who speak English less than "very well" are Chinese (all dialects – 15,984 persons), Vietnamese (9,959 persons), and Russian (7,824 persons).

PHA's internal survey of families served showed that, as of June 13, 2013, there was a total of 32,608 residents living in PHA conventional and scattered site properties. Of these, 8,829 households identified themselves as English-speaking (27%); 2 households identified themselves as Spanish-speaking; and 23,777 households (73%) did not identify their language preference.

Another 4,372 residents reside in Philadelphia Asset & Property Management Corporation ("PAPMC")/Tax Credit Properties. Of these, 82 households identified themselves as Hispanic (2%), and none identified Spanish as their primary household language. In addition, 2,401 residents reside in Alternately Managed Entities ("AME"), which are facilities managed by an outside contractor and are primarily PHA senior housing locations. Of these, only 2 households identified Spanish as their primary language. Finally, 44,223 active participants are in the HCV program. Of these, 44,082 identified English as the primary language spoken in their household (99%); 21 households identified themselves as Spanish-speaking and 22 identified themselves as Russian-speaking.

3. DEFINITIONS

Bilingual: The ability to communicate in two (2) languages fluently. Being bilingual does not necessarily mean that a person has the skills and training to serve as an interpreter for other staff. Bilingual staff must be trained and authorized to serve as interpreters.

Client: Reference to any individual who comes into contact with PHA (i.e. potential applicant, applicant, client) in order to access PHA services, programs or housing.

Common Languages: Spanish, Chinese, Russian and Vietnamese. These are the primary four languages currently spoken by PHA residents or participants and by LEP persons in the Philadelphia community, based on survey data collected by PHA as of June of 2013 and data from the U.S. Census Bureau's 2007-2011 American Community Survey 5-Year Estimates.

HUD: United States Department of Housing and Urban Development

Interpretation: The act of listening to a communication in one language and orally converting it to another language, while retaining the same meaning.

Interpreter: One who facilitates communication by converting what is said in one language to another language, while retaining the same meaning. An interpreter may translate a written document or provide verbal translation.

Language Need: A condition or situation for which PHA must make an accommodation by providing language access services.

Language Identification Card: Card presented at initial point of contact with a client that states “point to your language. An interpreter will be called. The interpreter is provided at no cost to you.”

LEP: Limited English Proficiency, which means the limited ability to speak, read, write or understand English. LEP persons may be competent in certain types of communications (e.g., speaking or understanding) but still be considered LEP for other purposes (e.g. reading or writing). LEP can also be specific to the context: an individual may possess sufficient English language skills to function in one setting but the skills may be insufficient for communication in other situation.

PHA: Philadelphia Housing Authority

Primary Language: An individual’s native tongue or the language in which an individual most effectively communicates.

Resident: Individual who resides in a PHA- owned dwelling unit.

Sight Translation: Providing an oral translation of a written document. Sight translation involves reading the text of a document in the language presented and communicating the text orally in a second language. Sight translation is not merely summarizing the document.

Telephonic Interpreter Service: Interpreter services available to staff via telephone from a contracted vendor.

Translation: The replacement of written text from one language into an equivalent written text in another language.

Vital Document: In accordance with the HUD guidance, a vital document is a document that solicits or contains information for establishing or maintaining eligibility to participate in PHA’s programs or services or a document that creates or defines legally enforceable rights or responsibilities. PHA may designate other types of documents as “vital” at any time. See Paragraph 6(a)(i), below, for a listing of some records currently identified as vital documents.

4. PROVIDING LANGUAGE SERVICES

a. Identification of LEP Coordinator

- i. PHA will select an employee to act as point person for this policy. This person will be able to answer questions and explain how to use the available language services, handle complaints about services, and troubleshoot LEP problems.

b. Determining Language Access Need of a PHA LEP Client

- i. At the first point of contact, PHA staff shall identify the primary language of each potential client.
- ii. The client shall be asked at the time of application or initial interview, whichever comes first, to designate his or her primary language for both written and oral

communication. The primary language shall be recorded in the PHA database and the client file.

- iii. Residents of PHA-owned dwellings shall be asked at the time of each annual review to designate their primary language for both written and oral communications. The primary language shall be recorded in the PHA database and the participant/resident file.
 1. Resources to identify language preference include a Language Identification Card.
 2. The language preference of all clients and residents shall be recorded at the initial point of contact and annually thereafter.

5. ORAL COMMUNICATION IN PERSON OR ON THE TELEPHONE

a. Bilingual Staff

- i. Insofar as possible and appropriate, PHA may use existing bilingual staff to deliver services in the LEP person's primary language.

b. Interpretation Services

- i. Each PHA department, office or location that provides programs or services must offer oral interpretation, at no charge, to persons identified as LEP at all points of contact.
- ii. PHA staff will directly provide or secure, as needed and as reasonably feasible, oral interpretation services to ensure compliance with Section 5(b)(i).
- iii. PHA staff may determine that language services appear necessary in order to communicate effectively, even if an individual has not indicated that they are LEP, and offer language services.
- iv. In notices of scheduled appointments with PHA, PHA shall notify all clients and residents of their right to request an interpreter and provide instructions for how to make a request for an interpreter.

(1) Appointments/Interviews may be rescheduled to a later date to provide appropriate language assistance services, such as a bilingual staff person who can communicate directly with the LEP person in his/her language or a qualified interpreter for hearings, and shall not be used to delay the application for services or provisions of services when appropriate language services as described in this document are available.

- v. Types of activities for which interpretation services will be offered under this policy to LEP persons, pursuant to Section 5 (b)(i), above, include, but are not limited to the following:

- (1) Eligibility Interview
 - (2) Admission Hearings
 - (3) Voucher Briefing
 - (4) Housing Offer and Lease Signing
 - (5) Resident/Applicant/Voucher holder private conferences and hearings
 - (a) Grievance Hearings
 - (b) HCV Informal Hearings
 - (6) Interviews regarding annual and interim recertification
- c. PHA staff is strictly prohibited from requiring or asking LEP persons to bring their own interpreter. Except for proceedings covered by Act 172 or other applicable law, regulation or policy, an LEP person may only use an adult family member or friend to provide interpretation if:
- i. The LEP person has been informed of the availability of free in-person or telephonic interpretation and it is LEP person's choice not to use the service, and
 - ii. The family member/friend is 18 years or older.
- d. PHA may utilize a telephonic interpreter services vendor to provide interpretation services for certain activities, such as, but not limited to:
- i. Eligibility Interview
 - ii. Rental Interview
 - iii. Voucher Briefing
 - iv. Grievance and Housing Choice Voucher Informal Hearings
 - v. Annual and Interim Recertification

6. WRITTEN COMMUNICATIONS

- a. Translation of Vital Documents
- i. Under this policy, PHA's vital documents shall include, but are not limited to:
 - (1) Applications to receive services, benefits, or participate in program or activities
 - (2) Annual Reviews/Income Recertification

- (3) Notice of Public Hearings
 - (4) Notices containing information regarding eligibility or participation criteria
 - (5) Notices advising customers of free language assistance
 - (6) Leases
 - (7) 30-Day Notices to Vacate
 - (8) Notices of rights, denial, loss or reduction of benefits or services
 - (9) Discrimination complaint forms
 - (10) Resident Grievance Process
 - (11) Employment Applications
 - (12) Section 214 Eligibility Form
 - (13) Admissions and Continued Occupancy Policy
 - (14) A Synopsis of – The Annual Moving to Work Plan
 - (15) Resident Programs, Services and Scholarship Opportunities
- ii. PHA's vital documents shall be available in translation into the Common Languages. PHA will take reasonable steps to ensure timely translation of PHA's vital documents into non-Common Languages for LEP persons.
 - iii. For all correspondence related to the vital documents, as defined in Section 6(a)(i), above, PHA shall include a reference sheet for translation assistance, written in the Common Languages, that provides a number to call for translation information and for a brief explanation of the correspondence and any related documents.
 - iv. Wherever possible, translation of the vital documents, as defined in Section 6(a)(i), above, into the language required by the most clients (currently Spanish) shall be printed on the reverse side of the English version. Translation into additional languages may be printed as separate documents.
 - v. On an annual basis, PHA shall review available demographic data regarding the potentially eligible client population and PHA resident data to assess the need for document translation into languages other than those currently identified as Common Languages.
 - vi. An LEP client or resident shall receive any vital document, as well as PHA's Admissions and Continued Occupancy Policy ("ACOP"), the Housing Choice Voucher Program Administrative Plan ("Admin Plan"), the Moving to Work

("MTW") Plan and Agreement, and any relevant addenda to the Lease Agreement, in his/her language, provided that:

- (1) The client or resident has stated a need or staff observes a difficulty communicating in English or PHA has determined that the resident would benefit from translation and a non-English language preference is identified; and
- (2) PHA has a copy of the vital document translated into the language of the client or resident, otherwise PHA will provide the client with sight translation via a qualified bilingual staff member or a staff member who reads the document aloud, using PHA's telephonic interpreter services vendor. In the event PHA's telephone interpreter services are unable to accommodate the specific language in question, PHA will take reasonable steps to ensure timely translation into the language in question.

b. Correspondence and Other Written Communications

- i. When the client or participant has been identified as LEP, written communications from PHA shall note that translation of the communication is available, upon request, in accordance with Section 5(b), above.

7. PROVIDING NOTICE OF LANGUAGE SERVICES

- a. At each PHA office with direct client/resident/public access, signs shall be posted in the most commonly spoken Common Language(s) at each public access point or lobby stating that interpreters are available free of charge to LEP individuals.
- b. Notification of the availability of Common Language translated forms and documents will be posted in the public areas. Forms that are available translated into the Common Languages will be made available wherever English- language forms are distributed.
- c. If materials have not been translated into the language needed, such forms and documents will be sight translated and read to the individual in their primary language, in accordance with Section 5 (b)(i), above.
- d. Information about this policy shall be made available to the public through posting on the PHA website and the posting of notices in offices in the appropriate Common Language(s) for the population served by each office.

8. TRAINING OF ALL PHA EMPLOYEES WHO ENGAGE WITH PHA CLIENTS

- a. PHA shall provide training for staff about the Language Assistance Services policy and procedures. Training shall be provided to all new staff as a component of orientation and to existing staff on an ongoing basis. Training shall include:
 - i. An overview of this policy

- ii. Distribution of and instruction on how to use the Language Identification Card provided by PHA to identify the language in which the customer needs assistance
- iii. How and when to access language services through bilingual staff or telephonic interpreter services
- iv. How to work with LEP persons and an interpreter
- v. Prohibition against requiring or asking an LEP person to bring his or her own interpreter
- vi. Cultural sensitivity
- vii. Contacting the LEP Coordinator for assistance implementing this policy

9. PHA ANNUAL PERFORMANCE ANALYSIS

- a. PHA will outline benchmarks for compliance with and the success of this policy, to include, but not be limited to, an annual review of:
 - i. Utilization of telephonic interpreter services vs. the number of customers identifying that language as their primary language;
 - ii. Survey of PHA staff regarding issues and/or suggestions regarding implementation of the policy;
 - iii. Opportunity for feedback from resident leadership on the policy.