Four-Factor Analysis Worksheet

Assessing Your Organization's Language Access Obligations

Under Title VI and Section 1557

A Compliance Planning Tool by Translation Excellence, Inc.

How to Use This Worksheet

The **Four-Factor Analysis** is the most widely used framework for determining the nature and scope of your organization's language access obligations. It is based on federal guidance that the **U.S. Department of Justice** withdrew in 2025, and remains a sound starting point for any Language Access Plan (LAP).

This worksheet guides you through each factor with structured prompts, data collection guidance, and a summary assessment. Complete all four factors before moving to the gap analysis and planning stages of your LAP.

Who Should Use This Worksheet

This assessment is designed for cross-functional stakeholders responsible for compliance, safety, and workforce operations:

Compliance & Risk Officers
Oversight of regulatory compliance and audit readiness

General Counsel / Legal Operations
Interpretation of Title VI obligations and risk exposure

EHS / OSHA Program Leaders
Implementation of safety protocols and training programs

Operations & Site Management
Day-to-day execution and workforce oversight

HR & Workforce Development
Training delivery and employee communication

When to Conduct This Analysis

Organizations should complete this analysis at key compliance and operational milestones:

Initial LAP Development
Establish baseline compliance and identify gaps

Annual Review Cycle
Maintain compliance and update risk assessments

Operational or Workforce Changes
Reassess when demographics or services shift

Compliance Insight

*OSHA-regulated organizations with **multilingual workforces** should treat this analysis as part of their **broader safety risk assessment**; not just a language access exercise.*

Organization Information

Organization Name	
Department/Division *(if applicable)*	
Primary Contact Name and Title	
Date of Analysis	
Date of LAST Analysis *(if applicable)*	
Completed By	
Reviewed By	

*This analysis should be completed based on **current operational practices** and actual service delivery conditions. Inputs should reflect how language access is **implemented in practice**, not solely how it is defined in policy.*

*Where operations vary across departments or locations, responses should prioritize the **highest-risk** or **most representative** scenarios.*

*Incomplete or overly generalized responses may result in gaps in language access planning and **increased compliance risk**. This assessment is most effective when completed collaboratively across operational, compliance, and leadership teams.*

Factor 1 LEP Population Size & Proportion

Why This Factor Matters

The size of the LEP population your organization serves — both in absolute numbers and as a proportion of your total service population — is the primary driver of the scope of your language access obligations. A larger or more linguistically diverse LEP population generally requires a more comprehensive and formally documented language access program.

Step 1A: Identify Your Service Area and Population

What geographic area does your organization serve?
(e.g., a specific country, metropolitan area, state, or national service area)

_____

What is the total population of individuals eligible for or currently receiving your programs and services? _____

Step 1B: Identify LEP Populations in Your Service Area

Use U.S. Census Bureau American Community Survey (ACS) data, your organization's own intake records, or local demographic reports to answer the following questions.

Primary Data Source(s) Used:
(e.g., ACS 5-Year Estimates, client intake records, community needs assessment)

_____

Data Publication Year _____

Language	Estimated Number of LEP Speakers in Service Area	% of Total Service Population	Currently Served (Y/N)	Data Source
Spanish				
Chinese (Simplified)				
Chinese (Traditional)				
Vietnamese				
Arabic				
Tagalog/Filipino				
French				
Haitian Creole				
Portuguese (Brazilian)				
Korean				
Russian				
Other:				
Other:				
Other:				

Total LEP Population:_____

Step 1C: Set Translation Priorities

*Identify the languages in which **vital written documents** should be translated first. Federal numeric thresholds for this step were withdrawn in 2025; apply the tests below and any state, grant, or contract rules.*

Priority Test	Met (Y/N)	Languages That Qualify
Health programs (Section 1557): one of the top 15 LEP languages in your state		
Your own data shows frequent contact with speakers of this language		

Priority languages for translation:
(List all languages that meet one or both tests)

1. _____
2. _____
3. _____
4. _____
5. _____

Interpreting Your Results

Review your language data to identify which languages meet one or both **priority tests** and where **translation of vital documents** is needed first. Consider the **number of languages** that qualify and whether your organization has the **capacity to support** them through structured, multi-language access services.

Compliance Insight

*These tests set **priorities, not limits**. Additional languages **may still require support** based on **frequency of contact**, **program importance**, and state or local law.*

Step 1D: Factor 1 Summary Assessment

Based on the data gathered above, how would you characterize the size and diversity of the LEP population your organization serves?

Large and Diverse
LEP individuals represent a significant proportion of our service population across multiple language groups. Our language access obligations are broad in scope.

Moderate
LEP individuals represent a meaningful but more limited portion of our service population, concentrated in a smaller number of language groups.

Limited
LEP individuals represent a small portion of our service population. Our obligations, while real, are more narrowly scoped.

Uncertain
We do not currently have reliable data on the LEP population we serve.

ACTION REQUIRED: DATA COLLECTION MUST BE A PRIORITY BEFORE PLAN DEVELOPMENT CAN PROCEED.

Factor 1 Notes:

Factor 2 Frequency of Contact

Why This Factor Matters

*The more frequently your organization interacts with LEP individuals **across any channel**, the greater the need for formal, **reliable language access services**. Infrequent contact may allow for flexible, on-demand solutions; while high frequency contact requires structured, consistently available support.*

Step 2A: Map Your Contact Points

For each program or service area, estimate the frequency and nature of contact with LEP individuals.

Program / Service Area	Type of Contact *(In-person/Phone/Written/ Digital)*	Frequency of LEP Contact *(Daily/Weekly/ Monthly/Rarely)*	LEP Languages Encountered	Current Language Access Available *(Y/N/Partial)*

Step 2B: Identify High-Frequency Contact Points

Which of your programs or service areas have the highest frequency of contact with LEP individuals?
(These areas should be prioritized in your Language Access Plan.)

1. _____
2. _____
3. _____
4. _____
5. _____

Are there any programs or service areas where LEP contact is currently going unserved or underserved?

1. _____
2. _____
3. _____
4. _____
5. _____

Step 2C: Communication Channel Assessment

Review each communication channel your organization uses and assess its current language accessibility.

Communication Channel	In Use *(Y/N)*	Available in languages other than English? *(Y/N)*	Languages Available	Gap Identified? *(Y/N)*
In-person service delivery				
Telephone / Call center				

Website / Online portal				
Written correspondence (mail)				
Email Communications				
Social media / Public outreach				
Emergency / Crisis communications				
Forms and applications (print)				
Forms and applications (digital)				
Signage and posted notices				

Interpreting Contact Frequency

Review your responses above to identify where **LEP interactions are most frequent** and where **gaps in language access** may exist across programs and communication channels. Consider how these patterns **impact** consistency, timeliness, and effectiveness of communication.

Compliance Insight

*Even with **moderate overall frequency**, gaps in **critical contact points**, such as: intake; safety communication; or emergency response, may require **structured language access** support.*

Step 2D: Factor 2 Summary Assessment

Based on the contact mapping above, how would you characterize the frequency of your organization's contact with LEP individuals?

High Frequency
LEP individuals interact with out programs on a daily or near-daily basis. Formal, readily available language access services are essential.

Moderate Frequency
LEP contact occurs regularly, but not daily. Structured on-demand services are required.

Low Frequency
LEP contact is occasional or irregular. Flexible, case-by-case access may be appropriate, supplemented by written materials in priority languages.

Factor 2 Notes:

Factor 3 Program Importance & Impact

Why this factor matters

Not all programs carry the same stakes. A language access failure in a healthcare consent process or a criminal proceeding carries profoundly different consequences than a language access gap in a community newsletter. This factor requires your organization to assess the ***impact of exclusion****: what is at risk for an LEP individual if they cannot access your program or service effectively?*

Step 3A: Program Importance Assessment

For each program or service area, assess its importance using the criteria below.

Program / Service Area	**Stakes of Exclusion** *(Health/Safety/ Legal/Financial/ Informational)*	**Urgency Level** *(Emergency/High/ Moderate/Low)*	**Regulatory Screening Level** *(High/Medium/Low)*	**Overall Importance Rating** *(Critical/High/ Medium/Low)*

Step 3B: High-Stakes Program Identification

Review the following categories and check all that apply to your organization's programs or services:

CRITICAL IMPORTANCE – Highest Language Access Priority:

- ☐ Healthcare diagnosis, treatment, or consent
- ☐ Mental health or substance use services
- ☐ Emergency response or crisis services
- ☐ Criminal or civil legal proceedings
- ☐ Immigration or asylum-related services
- ☐ Child welfare or protective services
- ☐ Benefits eligibility determination *(housing, food assistance, income support)*
- ☐ Educational placement or IEP processes

HIGH IMPORTANCE – Significant Language Access Priority

- ☐ Financial Services, loans, or credit determinations
- ☐ Insurance coverage explanations and claims
- ☐ Employment services or workforce development programs
- ☐ Voting or civic participation support
- ☐ Public housing applications and tenant rights

MODERATE IMPORTANCE – Standard Language Access Priority

- ☐ Community education and outreach programs
- ☐ Non-emergency informational services
- ☐ General public communications and newsletters

Step 3C: Consequence Analysis

What are the potential consequences for an LEP individual unable to effectively access your organization's programs or services due to a language barrier? ***(check all that apply)***

- ☐ Physical harm or compromised health outcomes
- ☐ Loss of legal rights or due process
- ☐ Loss of financial benefits or income support
- ☐ Housing instability or loss
- ☐ Educational disadvantage for a child
- ☐ Inability to navigate a safety or emergency situation
- ☐ Exclusion from civic participation
- ☐ Financial loss or predatory terms accepted without understanding
- ☐ Emotional distress or re-traumatization
- ☐ Other:_____

What are the potential consequences for your organization if a language access failure occurs in one of your high-stakes programs?

- ☐ *OCR complaint or Federal investigation*
- ☐ *Loss of Federal funding*
- ☐ *Civil litigation*
- ☐ *Regulatory sanction or corrective action requirement*
- ☐ *Reputational harm*
- ☐ *Loss of community trust*
- ☐ *Other:*_____

Interpreting Program Importance and Risk

Review your responses above to identify which programs carry the highest consequences if language access is inadequate. Consider how the **stakes of exclusion**, **urgency of interaction**, and **regulatory context** combine to create risk for both the individuals you serve and your organization.

Programs involving **health**, **safety**, **legal rights**, or **financial stability** typically require the most comprehensive and reliable language access support, particularly where consequences are immediate or irreversible.

Compliance Insight

*Language access obligations are driven not only by how many LEP individuals you serve, but by what is at **risk** if **communication fails**. Even lower-frequency programs may require robust language access if the **consequences of misunderstanding** are severe.*

Step 3D: Factor 3 Summary Assessment

Based on the program assessment above, how would you characterize the importance and stakes of your organization's programs as they relate to language access?

Critical

Our programs directly affect the health, safety, legal rights, or financial security of the individuals we serve. Language access failures carry severe consequences. This factor strongly supports a comprehensive, formally documented language access program.

High

Our programs have significant impact on participants' lives, though immediate physical or legal harm is less likely. A structured language access program is clearly warranted.

Moderate

Our programs are informational or supportive in nature. Language access is important for equity and inclusion, though the immediate consequences of a gap are less severe.

Factor 3 Notes:

Factor 4 Available Resources

Why This Factor Matters

*The four-factor framework recognizes that organizations operate with varying levels of financial and staffing resources, and that the standard of "reasonable steps" must be calibrated accordingly. This factor does not reduce or eliminate your **language access obligations**; but it does inform how you prioritize and sequence your **implementation efforts**.*

Step 4A: Current Resource Inventory

Staffing Resources

Does your organization have bilingual or multilingual staff currently providing language assistance?

- ☐ ***Yes*** *– Formally assessed and qualified as interpreters or translators*
- ☐ ***Yes*** *– Not formally assessed for interpreter/translator competency*
- ☐ ***No***

If yes, list the languages represented and the number of qualified staff:

Language	Number of Qualified Staff	Program Areas Covered

Vendor and Contract Resources:

Does your organization currently have contracts or service agreements with the following?

Service Type	Current Vendor	Languages Covered	Contract Expiration	Performance Adequate *(Y/N)*
In-person Interpretation				
Telephonic Interpretation				
Video Remote Interpretation (VRI)				
Document Translation Services				
Localization Services				
Language Training for Staff				

Financial Resources

Does your organization have a dedicated budget line for language access services?

- ☐ ***Yes*** *– Specify approximate annual budget: $_____*
- ☐ ***No*** *– Language access costs are absorbed informally*
- ☐ ***In development***

Are Federal or Grant funds available that can be applied to language access program costs?

- ☐ ***Yes*** *– specify funding source:_____*
- ☐ ***No***

☐ ***Unknown***

Step 4B: Cost-Benefit Framing

Use the table below to document known or estimated costs associated with language access gaps in your organization. This analysis supports the business case for language access investment.

Risk Scenario	Estimated Cost if Unaddressed	Estimated Cost of Prevention
OCR complaint investigation and response		
Corrective action plan implementation		
Civil litigation defense		
Loss or suspension of federal funding		
Document retranslation after compliance finding		
Reputational damage / Community trust restoration		

Total Estimated Risk Exposure: $_____

Step 4C: Resource Gap Identification

Based on your resource inventory, what are the most significant gaps between your current language access resources and what your obligations require?

1. _____
2. _____
3. _____
4. _____
5. _____

What resources would your organization need to acquire or develop to address these gaps?
(financial, staffing, vendor)

1. _____
2. _____
3. _____
4. _____
5. _____

Interpreting Resource Capacity

Review your responses above to assess whether your current staffing, vendor relationships, and financial resources are sufficient to support your language access obligations. Consider how existing resources align with the **scale** of your LEP population, the **frequency of contact**, and the **stakes** of your program.

Where gaps exist, prioritize resources toward **high-frequency interactions** and **high-stakes programs**, and identify opportunities to **phase implementation** based on **risk** and **available capacity**.

Compliance Insight

*Limited resources do not eliminate language access obligations, but they do shape how implementation is prioritized. Organizations are expected to take **reasonable steps** based on their capacity, with particular emphasis on **preventing harm** and ensuring **meaningful access** in high-risk contexts.*

Step 4D: Factor 4 Summary Assessment

Based on the resource analysis above, how would you characterize your organization's current resource capacity for language access?

Well-Resourced
We have dedicated budget, qualified staff, and vendor agreements sufficient to support a comprehensive language access program.

Partially Resourced
We have some language access resources in place, but significant gaps remain. A phased implementation plan is appropriate.

Under-Resourced
We have minimal dedicated resources for language access. We must prioritize the highest-stakes gaps first and develop a resource acquisition plan.

Factor 4 Notes:

Four-Factor Summary and Overall Assessment

Complete this section after finishing all four factors.

Summary Table

Factor	Assessment Level	Key Findings	Priority Rating
Factor 1: Size and Proportion of LEP Population			
Factor 2: Frequency of Contact			
Factor 3: Nature and Importance of Programs			
Factor 4: Available Resources			

Overall Language Access Obligation Assessment

Based on the combined findings of the Four-Factor Analysis, select the overall assessment that best describes your organization's language access obligation:

- **Comprehensive Program Required**
  Our LEP population is large and diverse, contact is frequent, our programs carry high stakes, and resources are available. A fully documented, formally implemented Language Access Plan is both legally required and operationally essential. Immediate development or update of our LAP is a priority.

- **Structured Program with Phased Implementation**
  Our obligations are clear and significant, but resource constraints require a phased approach. We will prioritize the highest-stakes gaps, particularly in vital document translation and oral interpretation access, and decelop a 12-month roadmap for full program implementation.

Targeted Program Required

Our LEP population is smaller or our programs carry lower immediate stakes, but our legal obligations are real. We will develop targeted language access measures focused on the priority languages and contact points identified in this analysis.

Further Assessment Required

Insufficient data exists to complete a reliable Four-Factor Analysis. We will prioritize data collection, including LEP population research and program contact analysis, before completing this worksheet.

Recommended Next Steps

Based on this analysis, the following actions are recommended:

IMMEDIATE (0–30 days)

- [ ] Share Four-Factor Analysis findingd with organizational leadership and legal counsel.
- [ ] Identify and prioritize the top three language access gaps requiring immediate remediation
- [ ] Assign a Language Access Coordinator or working group to own the LAP development process

SHORT-TERM (30–90 days)

- [ ] Draft or update the organization's written Language Access Plan
- [ ] Audit and update vital document translation inventory in priority languages
- [ ] Confirm or establish interpretation service agreements for all high-frequency contact points

ONGOING

- [ ] Schedule annual Four-Factor Analysis review
- [ ] Implement staff training on language access policies and procedures
- [ ] Establish a complaint and feedback mechanism for LEP individuals to report language access gaps

Role	Name	Signature	Date
Completed By			
Reviewed By			
Approved By			

Need expert guidance on interpreting your Four-Factor Analysis results?

Translation Excellence, Inc. offers ***Language Access Planning Consultations*** *to help your organization translate this analysis into a compliant, actionable Language Access Plan, including: vital document translation, interpretation service agreements, staff training, and ongoing compliance monitoring.*

Schedule your Language Access Consultation today!

Translation Excellence, Inc. is not a law firm and does not provide legal advice. This worksheet is intended as a general compliance planning tool and does not constitute legal counsel. Organizations should consult qualified legal counsel regarding their specific obligations under Title VI, Section 1557 of the Affordable Care Act, the ADA, and applicable state and local laws.

Note on federal guidance (updated October 2026): Executive Order 14224 (March 1, 2025) revoked Executive Order 13166, and in July 2025 the U.S. Department of Justice withdrew its earlier guidance to federal financial assistance recipients on limited English proficiency. Title VI still applies to recipients of federal funds, and the language access requirements of the Section 1557 rule (45 CFR Part 92) remain in force for health programs.