

The logo features the year '2020' in a large, light blue, sans-serif font. Overlaid on the '20' is the text 'FAIR HOUSING' in a smaller, blue, sans-serif font. Overlaid on the '20' is the text '+ CIVIL RIGHTS' in a bold, dark blue, sans-serif font. Overlaid on the '20' is the text 'CONFERENCE' in a blue, sans-serif font. A large, dark blue 'X' is drawn over the entire logo.

FAIR HOUSING + CIVIL RIGHTS CONFERENCE

COVID-19 Workshop
Series

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How to Write a Language Access Plan: *A Primer*

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Upcoming FHCR COVID-19 Virtual Workshops Link:
<https://www.fhcrconference.com/virtual>

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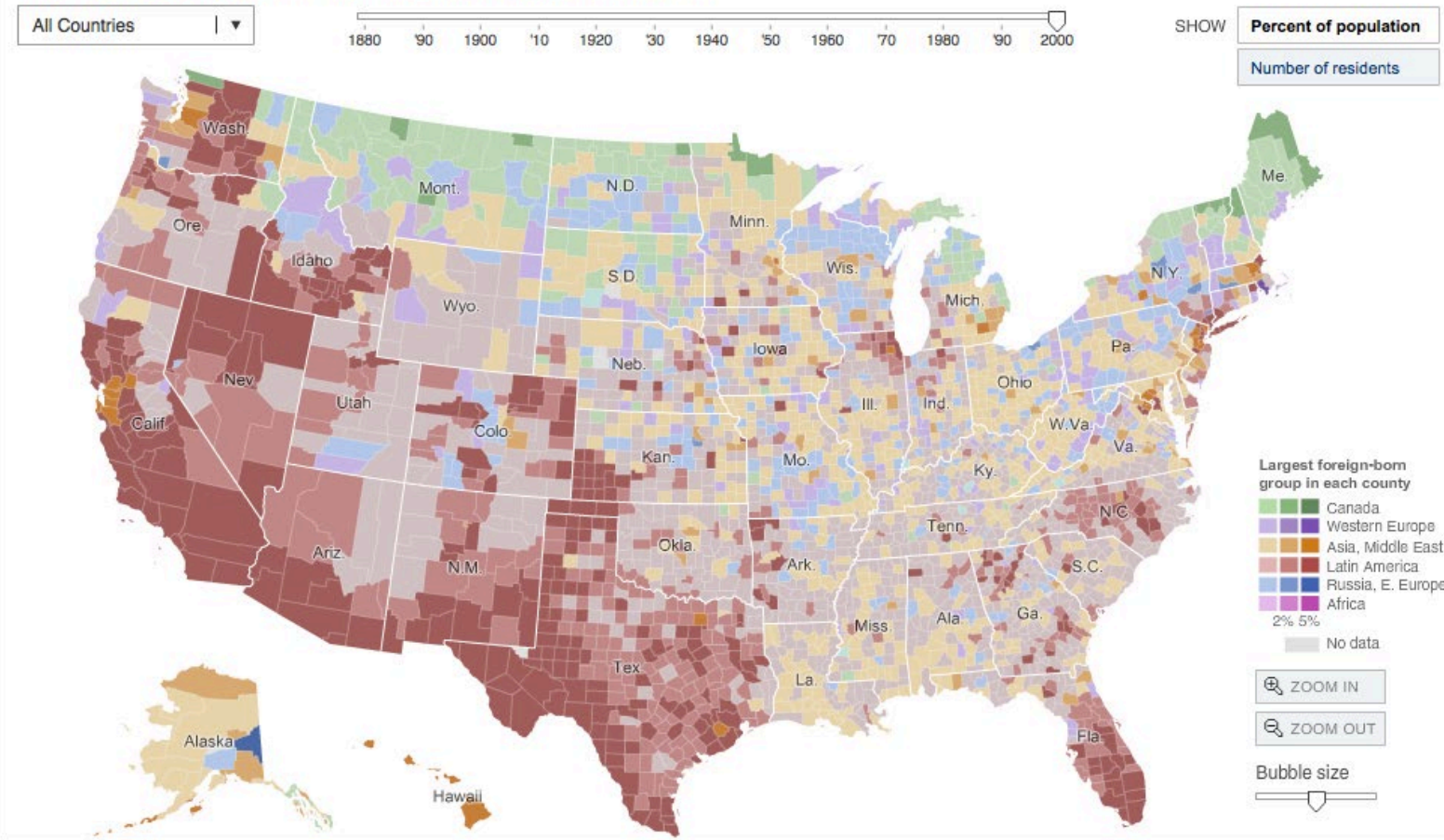
What Does Language Access Mean?

1. Understanding your service population and having staff that meets that service population's needs both culturally and linguistically.
2. Having staff that can – even if they don't speak an individual's language – interact with that person in a respectful way and can connect him/her/them with the appropriate resources efficiently.
3. Providing a welcoming and safe place for people of all backgrounds.
4. Publishing documents in plain language and translated into as many languages as possible.
5. Outreach and engagement in multiple languages.

Everybody is from Somewhere Else: *Look at the demographics...*

Immigration Explorer

Select a foreign-born group to see how they settled across the United States.



Why Do Language Rights Matter?

- U.S. becoming a “majority minority” country.
- In Massachusetts, for example, 22% of the population speaks a language other than English at home.
- Provides access to decision making.
- Without them a person may unknowingly waive rights to services.
- It is discrimination, same law as if person is not provided services due to color of skin or race.
- Because it's the right thing to do.

Massachusetts as an Example:

But the Picture is Similar Wherever You Are

From 2010 Census Data:

Overall state population: 6,191,000

LEP population: 547,000

8.8% of the state population does not speak English or has a limited ability to read, write or understand English.

(Why did I just say 22% in the last slide? Because a much higher percentage of people speak a language other than English in the home, but consider themselves to be English proficient.)

Common Languages in Massachusetts:

- Spanish
- Portuguese
- Chinese
- Russian
- Vietnamese
- Haitian Creole
- Italian
- Cambodian
- Also, a high concentration of Arabic and Korean speakers in the Boston area, a high concentration of Polish speakers in Hampden and Worcester Counties, along with growing populations of Arabic, Russian and Vietnamese speakers.

What Languages do New Yorkers speak?

- 49% of New York City residents speak a language other than English. (4.2 million).
- 200 languages
- 1.7 million speak English “less than well”. (See, Teaching Toward Equity Report. Make the Road. The Importance of English Classes to reducing Economic Inequality in NY. Prepared by Center for Popular Democracy, 2016).

New York City Demographics

Population: 8,550,405, as of July 2015 (est. U.S. Census Bureau)

- 44% White
- 28.6% Hispanic
- 25.5% African American
- 12.7 % Asian

37.1% of New York City's population is foreign born (3.16 million)

Areas of origin of the foreign born population:

- 32.1% Latin America
- 27.5% Asia
- 19.4% Caribbean (non Hispanic)
- 4.2% Africa
- 15.9 % Europe
- 0.9 % other



Sources: QuickFacts, US Census; <http://www.census.gov/quickfacts/table/PST045215/3651000,36>; retrieved 7/13/16.

The Newest New Yorkers. Dept. of City Planning 2013 edition; <http://www1.nyc.gov/site/planning/data-maps/nyc-population/current-future-populations.page>

Why are we talking about language access?

- It's the law!
- Title VI of the Civil Rights Act of 1964: “No person in the United States shall, on the ground of race, color or **national origin**, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving **Federal financial assistance**.”
- In 1974 in *Lau v. Nichols*, the U.S. Supreme Court said that a recipient's failure to take affirmative steps to ensure that LEP persons have meaningful access to federally funded programs can be a violation of Title VI.
- And a whole bunch of other stuff.
- **And now we're going to quickly skip through a whole bunch of slides, but they're there if you want to refer back to them.**

Title VI of the Civil Rights Act of 1964

Title VI (the Civil Rights Act of 1964) prohibits discrimination based on race, color, or **national origin** in programs or activities **that receive federal financial assistance**. 42 USC § 2000d

Title VI's requirement to provide information in appropriate languages to LEP persons codified at 28 C.F.R. § 42.405(d)(1)

Lau v. Nichols

414 US 563 (1974)

In *Lau v. Nichols* (1974), the Supreme Court held that **language is a proxy for national origin** and that national origin discrimination includes failing to provide LEP individuals “meaningful access” to recipient programs.

In 1976, the U.S. Department of Justice issued a regulation providing that where a significant portion of a population eligible for a federal assisted program **needs information in a language other than English** to effectively participate in the program, the recipient of federal funds should take reasonable steps to provide information in appropriate languages.

In 2000, President Clinton issued **Executive Order 13166**, which instructed federal agencies to develop and implement systems by which LEP persons are served, as well as work with recipients of the agency's money to ensure those entities are also providing meaningful language access.

Alexander v. Sandoval

532 U.S. 275 (2001)

- No private right of action to enforce disparate impact regulations under Title VI unless there is intentional discrimination.
- Supreme Court established that private right of actions need to be established by Congress.
- Some states have restored this right by passing laws that provide a private right of action.

And Also...

- **Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act)** – prohibits discrimination in housing because of national origin.
- **AFFH:** Implies a duty to “affirmatively further fair housing” – “taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity...”
 - A recipient of HUD money must take “proactive steps beyond simply combating discrimination to foster more inclusive communities and access for all persons protected by the fair housing act...” (2015 rule)
 - Proposed change (2020): AFFH defined as “advancing fair housing choice within the program participant’s control or influence.” Fair housing choice defined as allowing “individuals and families [to] have the opportunity and options to live where they choose, within their means, without unlawful discrimination related to race, color, religion, sex, familial status, national origin, or disability.”

Massachusetts Also Prohibits Discrimination

- Chapter 151B of the Massachusetts General Laws prohibits discrimination due to race, color, religious creed, **national origin**, ancestry or sex.
- MA Executive Order 526 prohibits discrimination in all state agencies and programs funded by the state, including language access.
- MA Language Access Guidelines (ANF Administrative Bulletin #16) created to:
 - (a) Improve access for LEP persons;
 - (b) Reduce disparities and delays, in the provision of state services/programs to LEP persons;
 - (c) Increase agency effectiveness and public satisfaction.

HUD/DHCD (Massachusetts): For Municipalities & Agencies

- Massachusetts has Language Access Plans for various state agencies available online:
 - <https://search.mass.gov/?page=1&q=language%2Baccess%2Bplan>
- Requires municipalities & grantees to have an LAP.
 - Covers **ALL programs** regardless of whether they directly receive HUD/state monies.
- Subgrantees need to comply.
 - Grantees need to ensure subgrantee compliance.

Enforcement:

- Complaints alleging violations of Title VI or Title VIII (Fair Housing Act) can be filed administratively at HUD.
 - May also be filed with state agencies such as the Massachusetts Commission Against Discrimination (MCAD).
 - Check with your local Fair Housing Initiatives Program (FHIP), Legal Aid or other local fair housing for guidance.
- Complaints alleging a fair housing violation can also be filed directly in court.
- Must first analyze whether the failure to provide language access constitutes discrimination “because of national origin.”

What Do we Mean by a Recipient?

- Any Entity that receives federal financial assistance and/or operates a program or activity.
- Title VI coverage **extends to all recipient and sub-recipient operations** – not just the specific program that gets the funding.
- And this includes grants, sub-grants, loans, equipment, federal property (whether it is leased or provided), personnel.
 - **If you need to comply, your subgrantee does too!**

Examples of Recipients:

Just who is subject to language access requirements?

- Housing authorities.
- Regional non-profits that administer federal and state rental assistance and stabilization assistance.
- Housing consumer education centers.
- Municipalities.
- State agencies.
- Community action agencies administering LIHEAP and other similar programs.
- Developer/borrowers/management companies of private housing with public subsidies involved. (eg MassHousing)
- And a whole lot more.

In Conclusion

- Title VI requires recipients to provide meaningful access to LEP individuals.
- Recipients should have written LEP plans, policies, and procedures.
- Federal agencies can investigate complaints and enforce Title VI protections.
- In MA, and other states, a person can also make complaint at state level with the funding agency or with a state enforcement agency such as the Massachusetts Commission Against Discrimination.

Limited English Proficiency (LEP) Defined:

- Individuals with **Limited English Proficiency (LEP)** are defined as those “who **do not speak** English as their primary language and who have a **limited ability to read, speak, write**, or understand English.”

(From: Federal Limited English Proficiency website.)

Who is an LEP person?

- As I just said, it's an "individual with a limited ability to read, write, speak, and understand English."
- It can also be the family member of an English speaker who is involved in the care of that person.
- That person "does not have to be limited in all speaking, reading, writing and comprehending."
- Although you are allowed a degree of "Flexibility" in addressing that person's needs, it "should not diminish, and should not be used to minimize the obligation that those needs be addressed." The recipient must take "reasonable steps" to ensure access.

From Executive Order 13166

LEP Persons have the same right as anyone else to be able to use public programs in **their** language.

In all:

- ✓ schools,
- ✓ courts,
- ✓ public housing,
- ✓ public programs like EI
- ✓ and Head Start

In most:

- ✓ hospitals,
- ✓ doctors' offices

- **Staff of public programs must:**

- ✓ Talk in the person's language
- ✓ Help them as quickly as they can
- ✓ Respect the client's culture

What are their Rights & Obligations?

An Individual with a limited ability to read, write, speak, and understand English has the right to:

- Use **public** programs and **communicate in the preferred language without cost or delay.**
- Set a **language preference** to receive vital written materials.
- **Right to an interpreter** that is free, qualified, trained in subject, impartial, and ensures person understands what everyone says.
- Receive **vital documents** in the most common languages of LEP clients likely to be served.

Even if the person has some command or knowledge of the language, if they understand their own language better, they can ask for services!

What is a Language Access Plan (LAP)?

- It's a **ROADMAP** that outlines the steps that the recipient entity needs to take to be in compliance with federal (and state) language access requirements when dealing with someone with Limited English Proficiency.
 - You do it because it's required...
 - But you also do it because it helps you serve your clients.
 - **It's your guide!**

Be Prepared.

Imagining a Language Access Plan

- Start out by imagining that:
 1. At at 9:00 AM this morning all of the staff in your agency have suddenly been replaced by Klingons, and...
 2. You've just walked in the door looking for help with a highly technical issue of life and death importance, and...
 3. You have none of the required documentation, which BTW must also be in Klingon.
 4. So are all of the forms they want you to fill out – as are the instructions.
 5. P.S., you're not sure whether you've parked your car somewhere it will be towed while you're in there.
 6. And be careful. You've heard that Klingons are easily offended!
- Think about everything that could go wrong and what you would like them to do so that you can access the help you need. That's your Language Access Plan.

Take a look around you before you begin drafting an LAP:

- ▶ **Review guidance from federal websites and the guidance provided by your funding sources:**
 - <http://www.lep.gov/13166/eolep.pdf>
 - http://www.lep.gov/demog_data/demog_data.html
 - <http://www.hud.gov/offices/fheo/promotingfh/final-lep-guidance.pdf>
 - http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq
- ▶ **Take a look at your agency/municipality/entity.**
 - What are your principal strengths and weaknesses?
 - Who are your primary client groups?
 - What documents do you presently have in languages other than English?
 - What translation/interpretation capacities do you have in house?
- ▶ **Think in terms of Affirmative Marketing.**
 - **Affirmative Marketing** differs from general marketing activities in that it **seeks to identify and reach out to those who are least likely to be aware of and/or avail themselves of your services.**
- ▶ **Cultural issues.**
 - “Insular” groups
 - Staff insensitivity to cultural issues – “no one like me”
- ▶ **Look at what similar entities have done**, along with other less-similar entities that are located in your area.

Basic LAP Components:

- ▶ Client notification of LEP rights.
 - Signage in lobby.
 - Notification with “**Vital Documents.**”
 - Telephone message line.
 - TTY/Video Remote Interpreting (VRI) for hearing impaired.
 - **Your duty to inform people of LEP rights.**
- ▶ **Translation vs. interpretation** as defined *for the purposes of the LAP:*
- ▶ **Translation** can be simply defined as: *rendering (a) document as faithfully as possible into the LEP language in written form.*
- ▶ **Interpretation** can be simply defined as: *the act of communicating and explaining the content of a document or conversation in an LEP language as clearly as possible, either verbally or in writing.*

Vital Documents

- ▶ **Vital Documents** can be considered as being ***any document that is critical for ensuring meaningful access to the entity's activities and programs by beneficiaries generally and LEP persons specifically.***
- ▶ As per **Safe Harbor Analysis**, Vital Documents need to be **translated** for LEP populations representing:
 - 1,000 or more of the eligible population in the region served (or among current beneficiaries of services);
 - or more than 5% of the eligible population (or beneficiaries) and more than 50 in number.
- ▶ LEP populations of more than 5% of the eligible population (or beneficiaries) and 50 or less in number get a **notification of their right to receive free oral interpretation** of those documents. (No requirement for less than 5% of eligible population (beneficiaries) or less than 50 individuals.)

Examples of Vital Documents:

- Depending on the frequency of the language, important written information that **must** be translated!
- These include:
 - Applications to participate
 - Complaint and intake forms
 - Notices of rights or program administration
 - Written notices of rights
 - Appeal letters
 - Assessments used to determine eligibility or services
 - School documents
 - Standard forms that are considered “vital” to a program
 - Content on website

It if is a “vital” notice, it usually must be provided in a native language. If the person self-identifies as LEP, *offer it!*

Elements that an LAP might include (1)

- ▶ Statement of purpose.
- ▶ Programs/divisions affected by the LAP.
- ▶ Definition of an LEP population.
- ▶ Methods for determining LEP populations.
 - Census data.
 - Analysis of client populations.
 - Input from community.
 - Intake surveys.
 - Staff input/Etc.
 - Don't forget the hearing impaired.
- ▶ Description of services to be provided to LEP populations.
 - Interpretation.
 - Translation.
 - Other...

Elements that an LAP might include (2)

- ▶ Method(s) for determining what services need to be provided to various LEP groups.
 - Four-Factor Analysis.
 - Other.
- ▶ Definition of “Vital Documents.”
 - Who is responsible for translating them?
 - Maintain list for agency.
- ▶ Services to be provided.
 - Interpretation.
 - Translations.
 - Maintain list of interpreters/translators.
 - Informing clients of their rights!
 - Notice with document: ***“This is an important document. Please contact (agency) at (phone number) for free language assistance.”***
 - ***“I-Speak”*** card.
 - Signage in lobbies.

Elements that an LAP might include (3)

- ▶ Identification of LEP clients by staff.
- ▶ Resources to be used for interpretation and/or translation.
 - In-house.
 - Area agencies/nonprofits.
 - Commercial translators.
 - In-person/phone/video/VRI/TTY.
- ▶ Client use of interpreters.
 - Kids should not interpret for parents (unless parents insist.)
 - Offer interpreter.
 - Rights of refusal – DOCUMENT THIS – ***especially with hearings!!!***
- ▶ Staff training.
 - Existing staff.
 - New Hires.
- ▶ Responsible parties.
 - Supervisory staff.
 - LAP officer.
- ▶ Hearing/grievance process.
- ▶ Other...

Again: Interpretation and Translation:

- **Interpretation:** involves the oral communication from one language (the source language) into another (the target language).
- **Translation:** rendering of written text from the source language into the target language.

Determining who to serve:

The Four-Factor Analysis

- ▶ The “Four-Factor Analysis” is used to determine if there is a need for services (agency and program responsibility to determine):
 - 1. Number or proportion of LEP individuals eligible to be served or likely to be served by the agency.
 - 2. Frequency within which LEP persons come into contact with the agency and its programs, activities or services.
 - 3. Determination of the importance of the service or benefit provided to the LEP individual.
 - 4. Resources available to the agency and the costs associated with those resources.
- ▶ **The “Safe Harbor” concept is for translations** (HUD *Final Guidance to Federal Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Individuals.*)
 - **N.b. There are no Safe Harbors for oral interpretation.**
- ▶ Review this analysis at regular intervals - and as needed by individual programs that serve an LEP-concentrated population. (Your plan should include how & how frequently this is done.)

The Four-Factor Analysis - “Safe Harbor” Factors

<u>Size of Language Group</u>	<u>Recommended Provision of Written Language Assistance</u>
a. 1,000 or more in the eligible population in the market area or among current beneficiaries.	Translated vital documents.
b. More than 5% of the eligible population or beneficiaries and more than 50 in number.	Translated vital documents.
c. More than 5% of the eligible population or beneficiaries and 50 or less in number.	Translated written notice of right to receive free oral interpretation of documents.
d. 5% or less of the eligible population or beneficiaries and less than 1,000 in number.	No written translation is required.

Interpretation:

How will you provide it?

- ▶ Every reasonable effort should be made to provide oral interpretation assistance free of charge for any LEP individual who is, or who might be, a beneficiary or potential beneficiary of its services by:
 1. Making use of bilingual agency staff capabilities;
 2. Making use of bilingual staff from area agencies or other nonprofits if no bilingual staff are available within the agency; or
 3. Making use of an external translation service.
 4. This can include telephone, internet, VRI or remote video translation.
 5. New/upgraded conference rooms: Do they have the capacity for wireless translation headsets?

Who is an appropriate interpreter?

Appropriate:

- Professional
- Trained in subject
- Qualified
- Impartial
- *Don't assume all staff who speak a particular language meet these criteria!*

NOT Appropriate:

- Minor children
- Doesn't know subject or terms
- Unqualified to translate
- Partial

Understand Your Service Population and Hire Staff with Cultural and Linguistic Competency:

- **Hire staff with language skills** and relationships with diverse communities across the city;
- **Outreach to communities that have had not historically had strong ties to the your organization**, for example:
 - Immigrant communities, particularly those who are undocumented;
 - Religious minority communities;
 - Transgender communities.
- **Track the languages the service population speaks** and tailor resources to those needs.
- **And do not automatically assume that familiarity with basic English interchange implies understanding of all of the fine points of the specialized program language.**

RE: Signing:

Remember that

1. ASL and other visual languages are: (1) languages with their own syntax and culture, and (2) not all the same.
2. “Put it in writing” is not necessarily a sufficient solution.

Document Translation:

- Vital Documents only.
 - Is the document available from the funding source?
 - Advocate for it / join with other service providers.
- As much as possible, write in Plain Language!
- Maintain a Translated Document Bank.
 - Easily accessible to staff
 - I.e. informational materials for clients, retainers, letter templates, etc.
- Use in-house & volunteer translators – only if you're sure of their ability!
- Borrow from sister agencies – share translation costs.
- Have multiple people review the document – does it make sense to clients?
- Pay for proofreading – less expensive.

Interpreters & Translators:

- Maintain a list of interpreters and translators.
 - Easily accessible by all staff.
 - Updated annually by language compliance officer.
 - List qualifications & skills (translation vs. interpretation).
 - Individuals and translation services.
- Quality Control.
 - Application/Initial Screening.
 - Meeting/Interview with LAP officer.
 - Interpreter Protocol & Code of Ethics (2006).
- Negotiated lower rate for phone interpreter and video remote interpreter services.

LAP Implementation

Key points...

- “I-Speak” cards.
- Signage in lobbies.
- *This is an important document*” notice with mailings of Vital Documents:
 - ***“This is an important document. Please contact (name of entity) at (contact number) for free language assistance”***
- Translation of **Vital Documents (where required)**.
- Free interpretation service for clients.
 - N.b. There may still be “Four-Factor Analysis” considerations as to when this service must be offered and how to handle it.
 - Remember, kids should not translate for their parents – unless the parents insist.
 - **Hearings – legal implications.** Document all refusals.
- VRI/Video Relay – TTY (preferred term) number on email signatures & cards (less common).

Notification with all Mailings & Notices When Client Comes into the Office:

- “This is an important document...”
 - Massachusetts DHCD: <https://www.mass.gov/doc/staff-protocol-exhibit-6/download>
- “This is an important document. Do you need an interpreter? We can provide...”
 - Gary Hanes & Associates: <https://www.gehanes.com/offers-to-interpret-in-24-languages/> (Nice webpages for you to explore.)
- Your right to an interpreter...& we provide...
 - Massachusetts DHCD: <https://www.mass.gov/doc/staff-protocol-exhibit-1/download>

“I-Speak” Cards:

Census cards are readily available:

<https://www.lep.gov/sites/lep/files/resources/ISpeakCards2004.pdf>

Laminate them and distribute them to all staff.

2004 Census Test	United States Census 2010
LANGUAGE IDENTIFICATION FLASHCARD	
<input type="checkbox"/> وضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic
<input type="checkbox"/> Քննարկ՝ հնդկ հայտնի արտադրանքներ, հին խոսքի կամ կարգավիճակ:	2. Armenian
<input type="checkbox"/> যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	3. Bengali
<input type="checkbox"/> ឈ្មោះរបស់អ្នកប្រើប្រាស់: ប្រើប្រាស់ ឬ ប្រើប្រាស់ ឬ ប្រើប្រាស់	4. Cambodian
<input type="checkbox"/> Mokka i kahhon ya yangin òntòngnu' manaitai pat òntòngnu' kumentos Chamorro.	5. Chamorro
<input type="checkbox"/> 如果你能读中文或讲中文，请选择此框。	6. Simplified Chinese
<input type="checkbox"/> 如果你能读中文或讲中文，请选择此框。	7. Traditional Chinese
<input type="checkbox"/> Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8. Croatian
<input type="checkbox"/> Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
<input type="checkbox"/> Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
<input type="checkbox"/> Mark this box if you read or speak English.	11. English
<input type="checkbox"/> اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.	12. Farsi

08-2009 U.S. DEPARTMENT OF COMMERCE
Economic and Statistics Administration
U.S. CENSUS BUREAU

Lobby Signs:

- If you need an interpreter, please let us know by pointing to your language on the card at the reception desk.
- الاستقبال مكتب في بطاقة على لغتك إلى قبل، مشيراً من نعرف أن لنا مترجم، واسمحوا إلى بحاجة كنت إذا.
- **Arabic**
- ប្រសិនបើអ្នកត្រូវការការកម្មវិធីបកប្រែមួយសូមអនុញ្ញាតឱ្យពួកយើងដឹងដោយចង្អុលទៅជាភាសារបស់អ្នកនៅលើកាតនៅលើតុទទួលភ្ញៀវនោះទេ។
- **Cambodian (Khmer)**
- 如果您需要翻译，请让我们知道通过指向您的语言卡在前台桌子上。
- **Chinese**
- Se avete bisogno di un interprete, fatecelo sapere scegliendo la lingua sulla carta alla reception.
- **Italian**
- Se você precisar de um intérprete, por favor, avise-nos, apontando para a sua língua no cartão na recepção.
- **Portuguese**
- Если вам нужен переводчик, пожалуйста укажите в приемной нашего офиса на каком языке вы разговариваете.
- **Russian**
- Haddii aad u baahan tahay turjubaan, fadlan noo sheeg oo tilmaan afkaaga ku qoran kaadhka miiska soo dhaweynta.
- **Somali**
- Si necesita un intérprete, por favor, avísenos apuntando a su idioma de la tarjeta en el mostrador de recepción.
- **Spanish**
- Nếu bạn cần thông dịch viên, xin vui lòng cho chúng tôi biết bằng cách chỉ ngôn ngữ của bạn trên thẻ ở quầy tiếp tân.
- **Vietnamese**



What will this mean for staff?

- Staff are the entity's interface with the LEP community!
- There should preferably be someone charged with oversight of compliance, although all supervisory personnel should also look to insure compliance. *Staff should inform them of any language needs or problems that they may encounter.*
- Inclusion of notice of LEP rights when sending Vital Documents.
- Inclusion of a translation when mailing Vital Documents (when appropriate under Four-Factor Analysis).
 - English version is still the operative version.
 - It's wise to maintain a List of Vital Documents.
- Staff should use the I-Speak card when they encounter someone who has difficulty communicating with them.
 - Communicate/let them know that they will seek assistance for them.
 - Staff should contact their supervisor or the Language Compliance Officer if they need help.
- Staff are the agency's eyes and ears. Reports of any LEP languages that they encounter help to determine what languages Vital Documents must be translated into.
- Staff should promptly refer complaints to their supervisors.

Remember That:

- All persons, no matter the language they speak, must be treated with dignity and respect and their language limitations must be immediately accommodated.
- The terms “illegal” and “illegal immigrant” are **NOT** acceptable and should **NEVER** be used. Individuals may be referred to as “not having documents” or “undocumented.”
- The term “alien” is **NOT** acceptable and should **NEVER** be used. Individuals may be referred to as immigrants.

Interpretation in the Era of COVID:

Special Considerations

- Look Ma – No Office:
 - Informing people of their rights online without posters or I-Speak Cards.
 - Zoom and the like (<https://support.zoom.us/hc/en-us/articles/206618765-Zoom-Video-Tutorials>)
 - Automatic website translation
- Telephonic translation – 3-way conversation logistics.
 - Sign-language - zoom and the like
- Translation with virtual meetings.
- Lip reading when everyone is wearing a mask.
- And what have we forgotten?

Who is the Party Responsible for Seeing that all this Happens?

- *The need for a Language Access Officer with appropriate enforcement authority.*



Remember that...

- Title VI is an unfunded mandate.
 - Think of it as an operating cost.
 - **Line item for language services in budget.**
- Include it in all grant proposals and apply for grants specifically for language access work
 - Use data (in online materials) to show why it matters
- Hire qualified bilingual staff

Thank you

- Gracias
- Спасибо
- Obrigado
- cảm ơn bạn
- Grazie
- Danke schön
- Merci

- Mahadsanid
- 谢谢
- شكرا لك.
- Saum arkoun anak
- ευχαριστώ



Some Other Useful Links Not Found Elsewhere in the Presentation:

- USDA Rural Development LEP Implementation Strategy for Federally Assisted Programs (Manual):
<https://www.rd.usda.gov/files/RDLEPImplementationStrategyforFederallyAssistedPrograms.pdf>
- Intermountain Fair Housing Council (Boise, Idaho) Language Access Guide: <https://ifhcidaho.org/language-access-guide/lep-table-of-contents/>

Questions



*"I say to hell with it. If it can't be said
in English, it ain't worth saying at all."*