

DO YOU SPEAK MY LANGUAGE?

Language Inclusivity & Belonging
in My Community

Wednesday, December 8, 2021 | 10:00 AM – 12:00 PM

Presented by



WELCOME - THANK YOU FOR JOINING US!



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ILG IS NON-PROFIT, NON-PARTISAN & HERE TO SUPPORT LOCAL GOVERNMENTS

- ILG is the non-profit training and education affiliate of three statewide local government associations
- Together with our affiliates, we serve over 2,500 local agencies – cities, counties and special districts
- We provide practical and easy-to-use resources so local agencies can effectively implement policies on the ground



**California Special
Districts Association**
Districts Stronger Together

OUR PROGRAMS AND SERVICES

Program Areas

Leadership & Governance

Civics Education & Workforce

Public Engagement

Sustainable & Resilient Communities



Services

Education & Training

Technical Assistance

Capacity Building

Convening

Our mission is to help local government leaders
**navigate complexity, increase capacity
& build trust** in their communities

SESSION AGENDA

Welcome & Instant Polling (20 min)

Language Access: Context Setting (10 min)

Language Access Legal Framework (35 min)

Q&A (15 min)

Providing Language Access: Practical Tips (20 min)

Community Engagement & Language Access (10 min)

Q&A (15 min)

Wrap Up & Adjourn

INSTANT POLLING – LOG INTO MEETING SIFT

Please Participate

- 1 open smartphone browser
- 2 go to **sift.ly**
- 3 enter participant code **7NAA**



LANGUAGE ACCESS: SETTING THE CONTEXT



LANGUAGE ACCESS

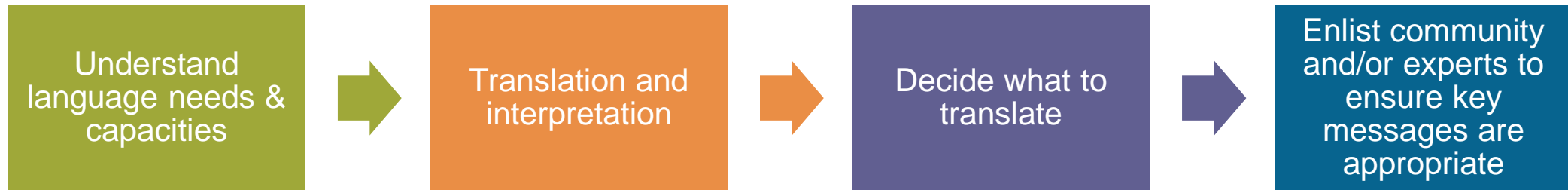


27 percent of California residents are foreign-born

44 percent speak a language other than English at home

Of this population...
18 percent speak English less than “very well” in 2019

WHAT DOES LANGUAGE ACCESS MEAN?



Proving language access allows limited English proficient individuals access to a wide range of services.

WHY LANGUAGE ACCESS?

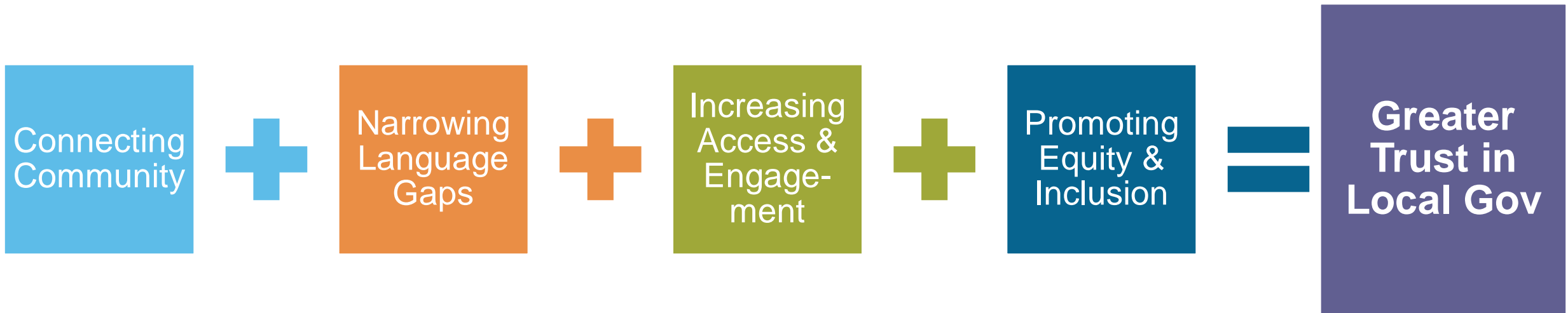
LOCAL GOV'T

Enabling people to use their own language helps them access public services and helps to increase effectiveness & efficiency of local governments.

COMMUNITY

Providing language access increases residents' opportunities to communicate with their local leaders & public service providers.

WHY LANGUAGE ACCESS?



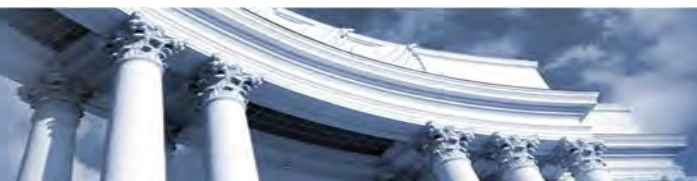
LANGUAGE ACCESS: A LEGAL FRAMEWORK



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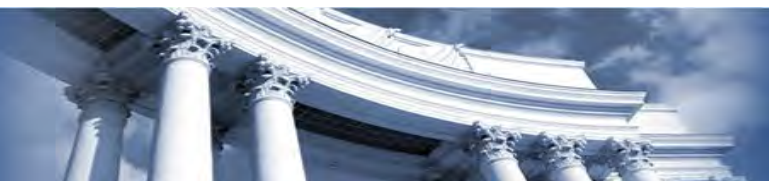
Language Access Legal Framework

- History
- U.S. Constitution
- Federal Law
- California Law
 - Services generally
 - Public participation at public meetings
- Example Policies

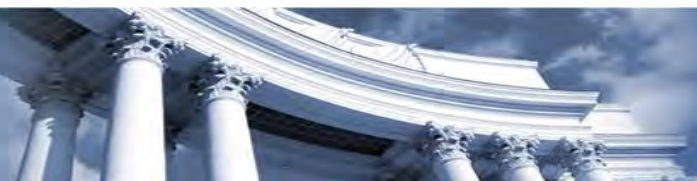


History

- United States does not have an official language.
- Declaration of Independence and U.S. Constitution did not establish English as official language
- While nation-states are usually homogeneous societies with common culture and language, U.S. is a heterogeneous society where the unifying culture is politics not culture/language
- *Castro v. State of California* (1970) – CA Supreme Ct held that English literacy requirement to vote unconstitutional under U.S. Const. equal protection clause



- California's Constitution does make English the state's official language. It does not prevent local agencies from choosing to provide access to services and programs for limited English-proficient speakers, or from complying with federal or state laws that mandate language access



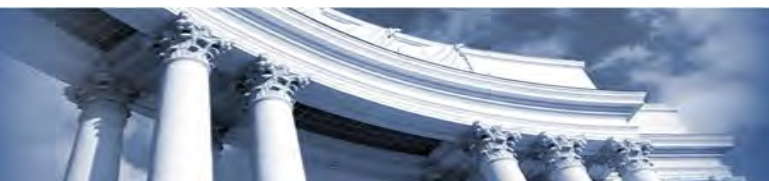
Federal Law

- Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance.
- Executive Order 13166 interprets and enforces Title VI. According to the Order, denying limited English-proficient speakers access to federal programs because of their national original discriminates against them and violates Title VI.
- The Order requires programs receiving federal dollars to take reasonable steps to insure limited English-proficient speakers have meaningful access



What is a “program or activity receiving federal financial assistance?”

- A program that receives any form of federal financial assistance, including grants, training, use of equipment, donations of surplus property, and so on.
- If a recipient of federal financial assistance passes on that assistance to another entity, Title VI’s requirements apply to that entity as well.
- Every federal agency providing federal financial assistance has a guidance document. See <http://www.lep.gov>



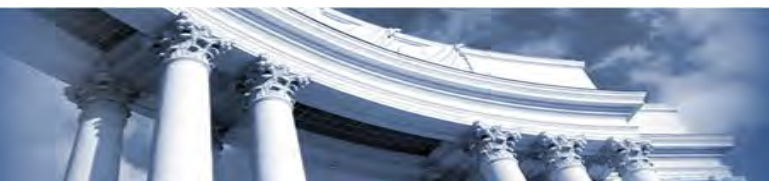
U.S. DOJ's Guidance – 4 questions to assess Title VI compliance

- Question 1: How many limited English-proficient speakers does the program serve or encounter?
- Determine how many of the people a program serves cannot communicate effectively in English. Then determine what languages those people speak
- See California Speaks publication.
<https://www.migrationpolicy.org/content/california-speaks-language-diversity-and-english-proficiency-legislative-district>
- See US census data, data gathered by school districts, and/or consult with community orgs



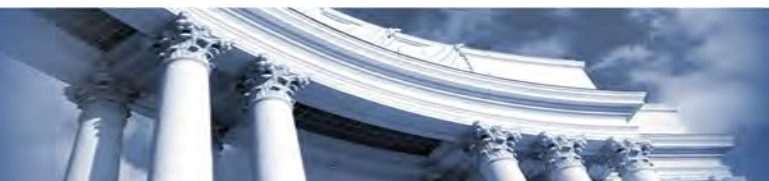
Question 2: How often do limited English-proficient speakers come into contact with the program?

- Intake procedures that record contacts with limited English-proficient speakers can accurately assess what language access services are necessary
- Tracking the type of encounter involved (telephone, in person, email) can also be an important guide to the kind of language access services that will be most effective



Question 3: What kind of program, activity, or services does the agency provide and how important is it to people's lives?

- The more important a service is to people's lives (example: disaster response), the greater the obligation to provide language access services
- If an application procedure is needed in order to collect a benefit, language assistance services are important in order to assure meaningful access



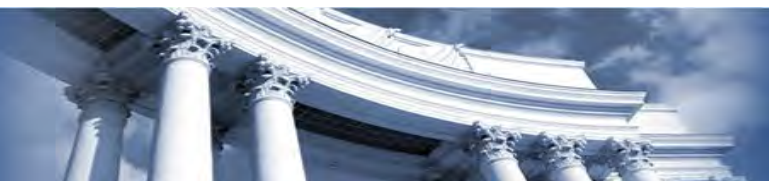
Question 4: How much will it cost to provide language access services and what resources are available to the recipient agency's program?

- If a service's cost greatly outweighs the benefit to be gained, the recipient agency is not expected to provide that service.
- However, a claim that scarce resources preclude providing language services must be carefully documented and weighed equally with the other 3 questions/factors.
- Seek cost-saving resources. See <https://www.migrationpolicy.org/pubs/LEP-translationtechnology.pdf>



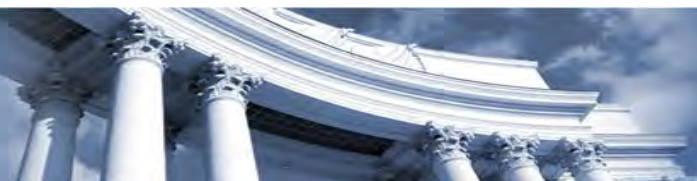
Does an agency need to prepare a formal plan assessing the need for language access services?

- No, but the Justice Department highly recommends adopting a Limited English Proficiency (“LEP”) Plan.
- Example (City of Oakland): https://cao-94612.s3.amazonaws.com/documents/Title-VI-LEP-Plan_English_2.25.19.pdf
- Example (City of Los Angeles): <https://accessla.org/uploads/files/LEP-LAP.pdf>

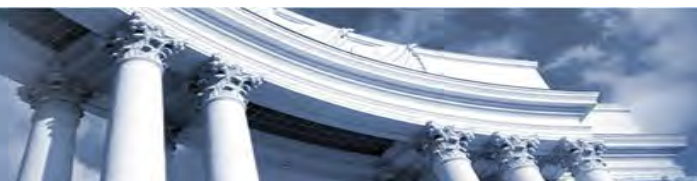


What specific language access services must a local agency provide?

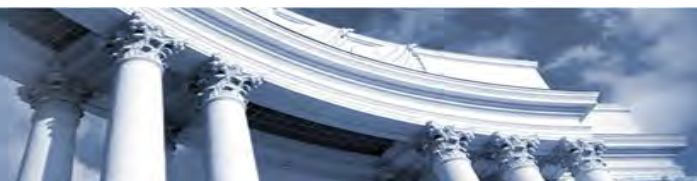
- Interpreting services (see below options)
 - Hiring bilingual staff
 - Hiring professional interpreters
 - Contracting with interpreters for services as needed
 - Recruiting volunteer interpreters
 - Contracting for telephonic interpretation services
 - Arranging for local community groups to provide interpreters



- Translation of written documents
- Factors to consider:
 - Whether the document creates legally enforceable rights or responsibilities (leases, waivers, rules of conduct, etc.)
 - Whether the document solicits important information required to establish or maintain eligibility to participate in a federally-assisted program (application/certification forms)
 - Whether the document itself is a core benefit or service provided by the program



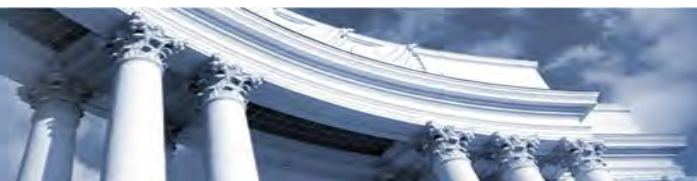
- Translation of written documents
- Determine how many of the limited English-proficient speakers the program affects are from a particular language group. Translate all vital written documents into a language if:
 - It is the primary language for more than 1,000 limited English-proficient speakers who are eligible for or likely to be affected by the program; or
 - It is the primary language for between 50 and 1,000 limited English-proficient speakers who are eligible for or likely to be affected by the program, and that number constitutes 5% of the total population the program affects



- Translation of written documents
- For documents that are not vital, or for language groups that do not meet the numerical threshold, it is sufficient to provide written notice in that group's primary language that limited English-proficient speakers have the right to have an interpreter read the document to them
- For especially important documents, consider using professional translators

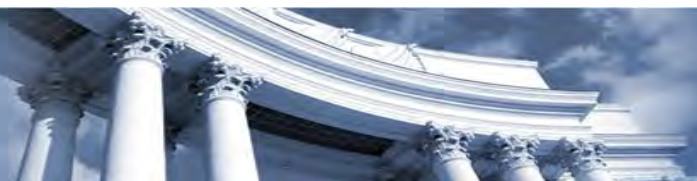


- Translation of written documents
- Instead of translation application forms, an agency may decide to ask for the information being sought in the forms orally
- Some languages (Hmong) are oral rather than written
- Fluency in a language may not mean literacy in that same language



Consequences of non-compliance

- Individuals cannot sue to enforce Title VI unless they can prove intentional discrimination but they can complain to federal funding agencies
- Federal funding agencies can investigate and submit the matter for an administrative hearing and move to cut off funding, or may sue to achieve compliance



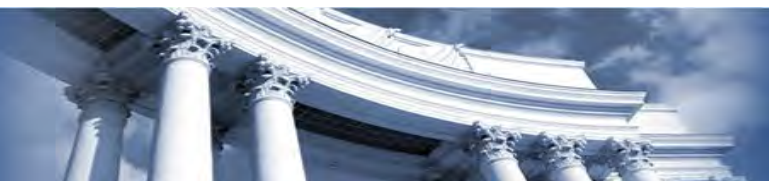
California Laws

- California Civil Rights Act prohibits discrimination by agencies that receive state funds and required them to provide equal access to benefits without regard to the beneficiary's race, color, national origin, or ethnic group identification among other factors
- Local agencies should provide interpreting and/or written translation services where needed just like under federal law
- Consequences for non-compliance can be losing state funding

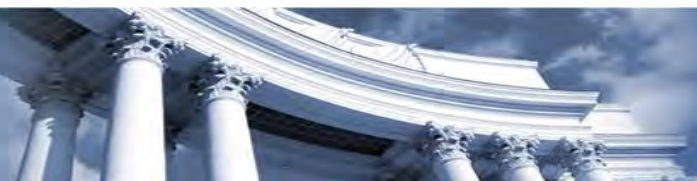


California Bilingual Services Act

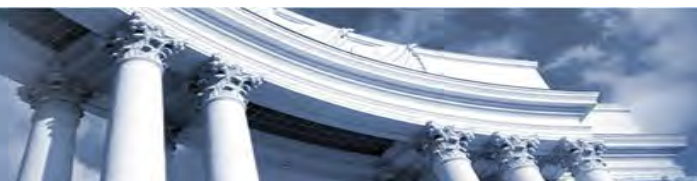
- Requires local agencies to provide language access services to limited English-proficient speakers
- If a local agency serves a substantial number of non-English speakers, must:
 - Either employ enough qualified bilingual speakers in public contact positions or employ enough interpreters to ensure limited English-proficient speakers are provided with benefits and services
 - Translate materials explaining services available into any non-English language spoken by a substantial number of non-English-speaking people, and provide notice in the non-English languages that translations are available



- Local agencies retain discretion to determine:
 - Whether it serves a substantial number of non-English speaking people (State standard is 5% or more)
 - How many bilingual people in contact positions or interpreters it will take to ensure provision of services and information to non-English speakers
 - Whether translated materials are necessary (State standard of when soliciting/providing information and when affecting individual's rights, duties, or privileges with regard to agency's services)

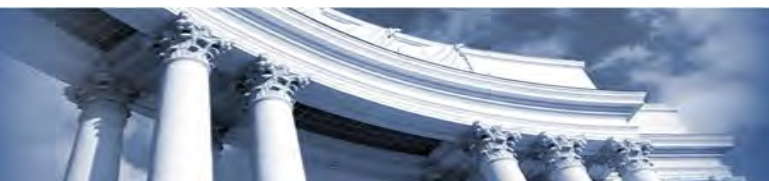


- Don't dismiss employees to make room for bilingual speakers. Must still comply with federal law and civil service law.
- Obligation to implement language access services arises only if funds are available
- At public meetings
 - Should have translation services available for public hearings affecting rights/privileges/benefits
 - For public comment, the Brown Act imposes no duty to provide translation services but does require the agency to provide double the amount of time normally allotted



Excerpts from Oakland Ordinance

- Defines “substantial number of Limited English-Speaking Persons Group” as “at least 10,000 limited English-speaking city residents who speak a shared language other than English.” The city planning department must also determine whether a group meets the threshold on an annual basis based on U.S. Census Data
- Requires oral interpretation at public meetings and hearings (if requested at least 48 hours in advance) and specifies which documents must be translated for the public



AUDIENCE Q&A

What questions or comments do you have for us about **language access law and regulations**?



PROVIDING LANGUAGE ACCESS: LESSONS LEARNED

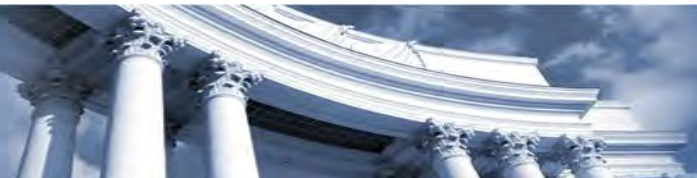


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Language Access Lessons Learned

Knowing how it feels to be in a meeting where everyone is speaking a language you don't understand.

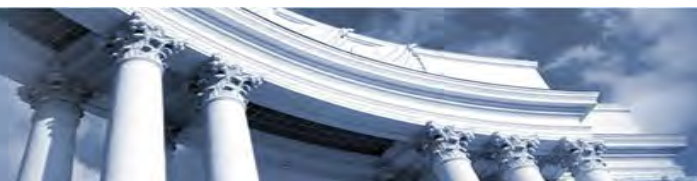
- Don't make assumptions
- Plan ahead
- Ask questions about the audience
- Don't be afraid to speak up



Language Access: Public Hearings

Assist departments and make sure they are prepared to hold lawful public hearings.

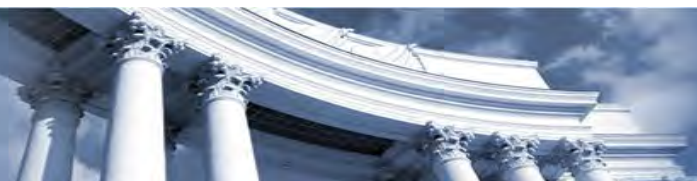
- *Applicants for certain land use approvals are entitled to fair hearings and due process.
- *What if the applicant requires interpretation of technical information?
- *Should staff be permitted or required to interpret?
- *What are possible consequences for failure to provide a fair hearing?



Language Access: Technical Issues

Communicate with your Interpreter

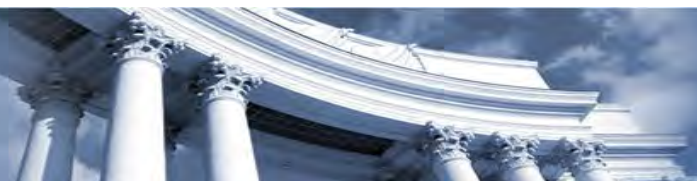
- *Advise the regular interpreter when you have an upcoming technical agenda item
- *Redistricting process and maps, for example
- *How should you resolve disputes regarding interpretation services? Who gets to decide who is correct?



Language Access: Contracting Issues

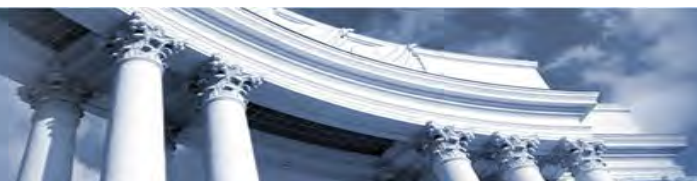
Contractor and Contractor's employees (interpreters/translators) shall meet the following minimum requirements:

1. Interpreter/translator shall be able to communicate fluently and effectively in both English and the language of which interpretation/translation services are being provided.
2. Interpreters/translators shall be competent not only with (medical) terminology but also current behavioral health terminology, which includes mental health and substance use, in a nonstigmatizing language interpretation.
3. Interpreter/translator shall be capable and diligent in following directions provided by staff or contract provider.
4. Interpreter/translators shall be physically and emotionally capable and diligent. Interpreter/translators must be capable of and willing to communicate sensitive health related issues as directed regardless of personal beliefs.
5. Interpreters/translators shall be culturally competent.
6. Interpreters shall wear appropriate professional attire during the performance of In-Person Verbal Language Interpretation Services in performance of this Contract.
7. Contractor and Contractor's interpreters/translators shall maintain if applicable, appropriate certification and receive on-going training as needed during the term of this Contract.
8. Contractor's interpreters/translators shall be professionally recruited/hired by Contractor.
9. Contractor shall conduct professional reference checks for all interpreters/translators recruited/hired by Contractor.
10. Contractor shall be responsible for obtaining current computer software to read and edit documents in a variety of languages and fonts.
11. Contractor shall provide reports on a monthly basis and upon request the following: monthly and/or year to date reports itemizing, by type of service, account or facility name, name of language in which the service was provided, number of minutes interpreted, number of documents translated and total dollar expenditure.



Language Access: Contracting Issues

Acholi, Afrikaans, Akan, Albanian, Amharic, Arabic, Armenian, Asamese, Assyrian, Azerbaijani, Bambara, Basque, Behdini, Belorussian, Bengali, Berber, Bosnian, Bulgarian, Burmese, Burmese dialects, Cantonese, Catalan, Chaldean, Chaochow, Chamorro, Chavacano, Cherokee, Chinese Simplified (for written translation services), Chuukese, Croatian, Czech, Danish, Dari, Dinka, Dutch, English, Estonian, Ewe, Farsi, Fijian Hindi, Finnish, Flemish, French, French Canadian, Fukienese, Fula, Fulani, Fuzhou, Ga, Gaddang, Gaelic, Georgian, German, Greek, Gujarati, Haitian Creole, Hakka, Hakka–China, HakkaTaiwan, Hausa, Hebrew/Yiddish, Hindi, Hmong, Hungarian, Ibanag, Ibo, Icelandic, Igbo, Ilocano, Indonesian, Italian, Jakartanese, Japanese, Javanese, Karen, Kashmiri, Khmer (Cambodian), Korean, Kosovan, Krio, Kurdish, Kurmanji, Lakota, Laotian, Latvian, Lingala, Lithuanian, Luganda, Luxembourgeois, Maay, Macedonian, Malagasy, Malay, Malayalam, Malaysian, Maltese, Mandarin, Mandingo, Mandinka, Mankon, Marathi, Marshallese, Maori, Mien, Mina, Mixteco, Mongolian, Navajo, Neapolitan, Nepalese, Nepali, Nigerian Pidgin English, Norwegian, Nuer, Oromo, Pampangan, Papiamiento, Pashto, Patois, Pidgin English, Polish, Portuguese, Portuguese Creole, Punjabi, Romanian, Russian, Samoan Serbian,, Sanskrit, Shanghainese, Spanish, Sicilian, Sinhalese, Sindhi, Slovak, Slovenian, Somali, Sorani, Spanish, Swahili, Swedish, Sylhetti, Szechuan, Tagalog, Taiwanese, Tamil, Telugu, Thai, Tibetan, Tigre, Tigrinya, Toishanese, Tongan, Tshiluba, Turkish, Twi, Ukrainian, Urdu, Vietnamese, Visayan, Welsh, Wolof, Yiddish, Yoruba, Yupik, Zulu.



Language Access: Contracting Issues

Service fees for In-Person Verbal Language Interpretation Services:

Language standard hourly rates (7:00AM – 5:00PM PT)

Emergency Hourly Rate

After Hours Rate

1 Spanish \$83.00 \$103.75 \$95.45

2 Vietnamese \$83.00 \$103.75 \$95.45

3 Hindi \$83.00 \$103.75 \$95.45

4 Arabic \$83.00 \$103.75 \$95.45



Language Access: Adopt a Policy

City Administrative Policy Manual

Language Access Policy 6.1.10

Effective Date:

PURPOSE

The purpose of this policy is to ensure City employees make reasonable efforts to minimize barriers to accessing City programs or services for customers with limited English proficiency and ensure equal access regardless of language proficiency and cultural background.

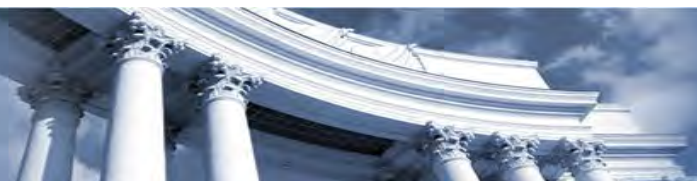
POLICY

The City will make reasonable efforts to notify the public about its limited English proficiency policies for department programs and services and how to access language assistance services through departmental websites, translated documents, and community-focused outreach.

OPERATIONAL GUIDELINES

It may be determined that a customer with limited English proficiency needs language assistance based on:

- Self-identification
- By a companion of the customer
- Using an “I Speak” language identification card or poster from the U.S. Census Bureau available at <http://www.lep.gov/resources/ISpeakCards2004.pdf>



LANGUAGE ACCESS & COMMUNITY ENGAGEMENT



LANGUAGE ACCESS & COMMUNITY ENGAGEMENT

Who

- Residents with Limited English Proficiency keeping in mind various immigrant communities who will be impacted by the decision at hand.

What

- Written translation, oral interpretation – simultaneous, consecutive.

Where

- Brown Act meetings, community workshops/events & locations that make sense given who you are trying to reach. (Go to them)

When

- Legal requirements & stakeholder engagement

How

- Through intentional activities such as surveys, in person and/or online engagement, focus groups, tabling at community events, social media.

LANGUAGE ACCESS NEEDS IN CALIFORNIA

Selected Census Data

Language spoken at home other than English - 44.2%
17.8% (of 44.2%) speak English less than “very well”

Foreign born - 26.8%
51.7% (of 26.8%) are naturalized citizens

Year of entry – 15% after 2010;
85% before 2010

2.9% Population with a hearing difficulty

1.9% Population with a vision difficulty

Households with a broadband internet subscription - 86.7%

Households with a computer - 93.0%

WHO TO CONNECT WITH TO INCREASE PARTICIPATION

Advocacy Organizations
and Coalitions

Community Foundations

Community-based Nonprofit
Service Providers

Clergy and
Inter-faith Groups

Neighborhood-based
Organizations

School Districts

DON'T IGNORE ETHNIC MEDIA

- Ethnic media is produced by and for immigrants, racial, ethnic and linguistic groups and/or indigenous populations
- Ethnic media can also be focused on cultural groups that speak English (e.g. Black newspapers)
- Ethnic media outlets and reports can provide critical insights and engagement with a targeted population
- Some ethnic media outlets can also help with translation services and outreach events



IMMIGRANT COMMUNITY OUTREACH STRATEGY RECOMMENDATIONS

One Size Does Not Fit All

Define targeted groups

Use culturally and demographic appropriate outreach methods and materials

Host focus groups to test messaging & visuals

Budget for traditional, digital, cultural and ethnic media outreach

Increase tailored outreach

Partner with CBOs

WAYS TO MAKE YOUR VIRTUAL MEETING MORE ACCESSIBLE

Think About

Using the simultaneous translation line on Zoom

Activating a call-in interpretation line, if available

Translating agendas and all other English materials

Using ADA-accessible formatting for visibility and readability, etc.

Using talk-to-text transcription – Live Captions

Weighing the pros and cons of live streaming on social media feeds – don't forget public comments

Mailing any required printed materials at least 72 hours before meeting date

PROVIDING TRANSLATION & INTERPRETATION SERVICES

TRANSLATION & INTERPRETATION OPTIONS

Translation
(written)

Simultaneous
Interpretation
*(oral without any
pauses)*

Consecutive
Interpretation
*(oral with pauses
& turns)*

Machine
Translations
*(Ex. Google Auto
Translate)*

MACHINE TRANSLATION



Ukrainian

ПОШУК ПОСЛУГИ

RESIDENTS

BUSINESSES

DEPARTMENTS

МЕШКАНЦІ

ПІДПРИЄМСТВА

ВІДДІЛИ

ДОСВІД

- + WHAT'S HAPPENING
- + NEW BUSINESSES AND PROJECTS
- COMMUNITY TOPICS
 - Addressing Homelessness
 - Climate Action Plan**
 - Community Questions
 - Fireworks Safety
 - Water Conservation Tips
- + COVID-19 CORONAVIRUS INFORMATION
- + COMMUNITY ENHANCEMENT & INVESTMENT FUND
- + RESIDENT SERVICES
- EDUCATION
- YOUTH RESOURCES
- CONTACT US

Residents » Community Topics »

Climate Action Plan

Font Size:

The City of Rancho Cordova is developing a Climate Action Plan to reduce city. The Climate Action Plan will set goals to reduce emissions and outline. The Climate Action Plan will also assess vulnerabilities to climate change in adapt to these impacts.

Through the Climate Action Plan, community members will have the opportunity to be more sustainable, save money, and promote a healthier environment.

The first public workshop on the city's Climate Action Plan was held virtually on October 21, 2020.

During the workshop, we learned about and discussed:

- What is a Climate Action Plan?
- What will be included in the Climate Action Plan?
- What is the process for preparing the Climate Action Plan?
- How can our community provide feedback and participate during the process?

[Presentation](#)
[Recording](#)

- + ШО ВІДБУВАЄТЬСЯ
- + НОВІ БІЗНЕСИ ТА ПРОЕКТИ
- ТЕМИ СПІЛЬНОТИ

Боротьба з бездомністю

План дій щодо клімату

Питання спільноти

Безпека феєрверків

Поради щодо збереження води

+ ІНФОРМАЦІЯ ПРО КОРОНАВІРУС COVID-19

+ ФОНД РОЗВИТКУ ГРОМАДИ ТА ІНВЕСТИЦІЙ

+ ПОСЛУГИ РЕЗИДЕНТІВ

ОСВІТА

МОЛОДІЖНІ РЕСУРСИ

ЗВ'ЯЖІТЬСЯ З НАМИ

Мешканці » Темі спільноти »

План дій щодо клімату

Розмір шрифту: [Поліпшити та створити закладки](#) [Зворотній зв'язок](#)

Місто Ранчо Кордова розробляє План дій щодо клімату для зменшення викидів парникових газів у нашому місті. План дій щодо клімату встановлюватиме цілі щодо скорочення викидів та окреслює політику та дії для досягнення цих цілей. План дій щодо клімату також оцінюватиме вразливість до впливу зміни клімату, а така визначатиме стратегії адаптації до цих впливів.

Завдяки Плану дій щодо клімату члени громади матимуть можливість зробити свої будинки та підприємства більш екологічними, заощадити гроші та сприяти здоровішому довкіллю.

У четвер, 21 жовтня, з 17:00 до 19:00 віртуально відбувся перший публічний семінар з Плану дій міста щодо клімату.

Під час семінару ми дізналися та обговорили:

- Що таке план дій щодо клімату?
- Що буде включено до Плану дій щодо клімату?
- Який процес підготовки Плану дій щодо клімату?
- Як наша спільнота може надавати зворотній зв'язок та брати участь у процесі планування?

[Запис презентації](#)

Запитання?

WORKING WITH INTERPRETERS

Share all materials in advance

Put together a cheat-sheet of commonly used words, acronyms, concepts, names

Speak slowly and in plain English

Pause often & check in

PROVIDING LANGUAGE ACCESS AT COMMUNITY WORKSHOPS

Enlist a co-facilitator who speaks the language (in appropriate dialect)

Have a prep session with interpreter and co-facilitator to ensure best results during live event

Plan out the time it takes for consecutive translation – speak slowly, pause as needed

If in person, arrange language-specific tables or small groups with an interpreter at each group

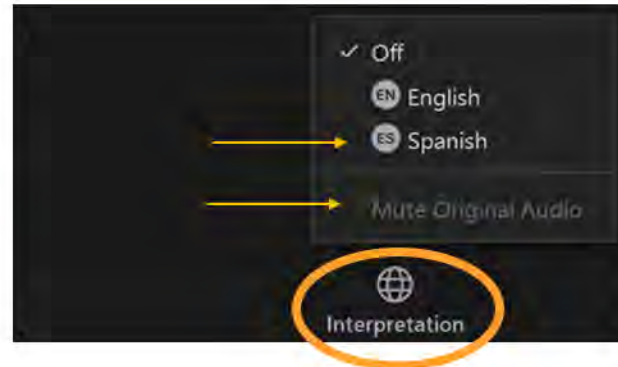
If online via Zoom, use Zoom simultaneous interpretation option or choose consecutive interpretation as needed

SAMPLE INSTRUCTIONS

Listening to Language Interpretation

1. In your Zoom controls, click **Interpretation**. It is located at the bottom of the screen.
2. Click the language that you would like to hear. For this meeting, you will have English and Spanish as your options.
3. To only hear the interpreted language, click **Mute Original Audio**.

If you have questions during the meeting, please use the **Chat** feature and type in your question.



Para participar solamente por teléfono en Español:

Llamada gratuita: **844-867-6169**

Código de acceso: **5083396#**

Cómo puede escuchar la interpretación al Español

1. En los controles de Zoom, haga clic en **Interpretación**. Esto se puede localizar en la parte de abajo.
2. Haga clic en el idioma que desee escuchar. Para esta reunión, va a poder ver la opción de inglés y español.
3. Para escuchar solo el idioma interpretado, haga clic en **Silenciar audio original**. (Mute Original Audio)

Si tiene preguntas durante la reunión, utilice la función de **Chat** y escriba su pregunta.

LANGUAGE ACCESS TIPS

Develop policies that clarify your city's responsibilities and commitments

Partner w/ CBOs & ethnic media

Translate print & online materials

Create easy to navigate webpages

Use bilingual employees effectively & appropriately

Provide printed materials when possible

AUDIENCE Q&A

What questions or comments do you have for us?



FREE PE RESOURCES FOR LOCAL GOVERNMENTS

TIERS Framework



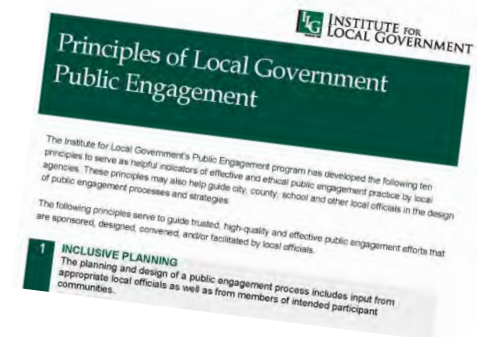
TIERS is a step-by-step approach to public engagement at any level.

Interpretation Equipment



Free interpretation equipment can be loaned out and used for simultaneous and consecutive translation with a live translator.

Tip Sheets & Resources



Dozens of tip sheets about effective, inclusive and ethical public engagement, describing successful public engagement processes and strategies.

www.ca-ilg.org/inclusive-public-engagement

**THANK YOU FOR
JOINING US!**

