EXECUTIVE ORDER NO. 9-08
ACCESS TO CITY PROGRAMS AND ACTIVITIES FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY

WHEREAS...

The City of Philadelphia has been evolving into a regional center of cultural diversity, and the City's growing language minority population has played an important role in the improvement of the City's economic, civic and cultural life; and

The growth of the City's immigrant population is credited in part with stemming the City's population loss during the 1990's and through the recent years of the new millennium, and a significant number of these new residents are of limited English proficiency; and

According to the 2006 American Community Survey, it is estimated that Hispanic American residents now compose approximately 10.5% of the City's population; Asian American residents now compose approximately 5.3% of the City's population; and 20% of the City's population 5 years and over speak a language other than English at home; and

Title VI of the Civil Rights Act of 1964 prohibits those who conduct programs or activities that receive federal funds from discrimination against persons on the basis of race, color or national origin; and

On August 11, 2000 President Clinton issued an Executive Order declaring that Title VI regulations require the recipient of federal funding to take reasonable steps to ensure that persons with limited English proficiency have meaningful access to the recipient's programs; and

Pennsylvania Act 172 of 2006 established a program requiring the certification, appointment and use of interpreters in all proceedings, including those in the courts of the City as well as City administrative agency hearings, for those parties or witnesses who have limited ability to speak or understand English; and

Ensuring that the City delivers services to all residents regardless of their English language ability is fundamental to discharging municipal functions; and

In 2001, Mayor John F. Street issued Executive Order No. 4-01, requiring all City agencies to assess their federally funded programs to determine the resources required to make such programs accessible to persons of limited English proficiency and to develop Compliance Plans to ensure the effective participation of such persons in federally assisted programs and activities; and

In 2003, the Office of the Managing Director for the City of Philadelphia launched "Global Philadelphia" to unify the City's efforts to strengthen the relationship between diverse linguistic communities and the City by improving Philadelphia's language accessibility; and

In 2005, the Grassroots Business Development Task Force, with the support of the William Penn Foundation, and comprised of 22 advocates and leaders of ethnic communities was formed to provide guidance and to help expand the City's capacity to facilitate grassroots entrepreneurship and neighborhood-based business development in culturally diverse communities and to create the Business Development Liaison position to help coordinate these efforts; and

In May 2006, the Task Force issued "Opening the Doors to City Services: The Grassroots Business Development Task Force Report" with recommendations focusing on 1) achievement of excellent customer service, 2) capacity building for business development outreach, 3) aggressive recruitment of bi/multilingual job applicants, and, 4) citywide language access compliance; and

On December 3, 2007, the Office of the Managing Director issued Directive 62: A Language Access Policy and Plan for City Operating Departments, which formally directed all City operating departments to develop, finalize and submit Language Access Plans to the Managing Director; and

On January 7, 2008 Mayor Michael A. Nutter appointed Israel Colon to lead the Office of Multicultural Affairs (OMA), to promote the full participation of Philadelphia's diverse cultural and linguistic communities in the economic, civic, social and cultural life of the City. The OMA seeks to strengthen the relationship between diverse cultural and linguistic communities and the City by improving the ability of these communities to access City services and opportunities; and

Ensuring the City of Philadelphia is a place welcoming to all residents including newcomers looking to live and work in the city is consistent with Mayor Nutter's mission for City government which is, "To provide quality leadership, partnership and services to improve pubic health and safety, economic vitality, education, neighborhood livability and civic engagement," for all residents of the City.

NOW, THEREFORE, by the power invested in me by the Philadelphia Home Rule Charter, it is hereby **ORDERED** that:

SECTION 1.
Consistent with the goals of this administration, the City, all City departments, agencies, City boards and commissions, regardless of whether they are recipients of federal financial support or are supervised by the Managing Director, shall:

(a) Ensure that they have a Language Access Plan in place to provide both policy direction and the necessary protocols to carry out the provision of language access services to Limited English Proficient residents and visitors; and

(b) Ensure that PhillyStat's "311," the City's customer service call center, develops and implements a Language Access Plan to meet the needs of Limited English Proficient residents and visitors; and

(c) Assess and expand the language access services they currently provide to Limited English Proficient residents and visitors, and provide appropriate notice to the public regarding the availability of such services; and

(d) Develop plans to increase the number of bi/multilingual personnel at all levels of City government including positions with extensive customer contact.

SECTION 2. The Office of the Managing Director shall provide guidance to all City departments, agencies, boards and commissions regarding compliance with Section 1 of this Order and shall cooperate with the Mayor's Office of Multicultural Affairs to provide oversight and support to all such entities. In addition:

(a) The Global Philadelphia project manager within the Office of the Managing Director will provide technical assistance and strategic oversight to City agencies in their provision of language access services and development of Language Access Plans, provide outreach and notice to the public generally about the availability of language access services, and serve as a liaison to the Director of Multicultural Affairs, and community stakeholders on issues related to the City's provision of language access service; and

(b) The Office of Multicultural Affairs shall convene and coordinate a public-private partnership that will host a policy conference in September 2009 which will engage public and private sector agencies, universities, community stakeholders, immigrant and language minority service providers, to develop strategies and policy recommendations for improving the integration of immigrants and language and cultural minorities into the social and economic fabric of the City; and

(c) The Managing Director's Office, in concert with other City departments and agencies, will develop an interim set of recommendations to promote the objectives identified in section 2(b) of this Order no later than 180 days from the date hereof.

SECTION 3. EFFECTIVE DATE. All City departments, agencies, boards and commissions shall report within 180 days to the Office of the Managing Director and the Director of the Office of Multicultural Affairs as to the status of their Language Access Plans and their compliance with this Order.

6/9/08
Date

Michael A. Nutter, Mayor