

OFFICE OF ADMINISTRATIVE REVIEW LANGUAGE ACCESS PLAN & PROTOCOL 2017

1. PURPOSE AND AUTHORITY

In cooperation with the Mayor's Office, the **Office of Administrative Review ("OAR")** is committed to compliance with Title VI of the Civil Rights Act of 1964, 2 C.S. § 561 et seq. (Act 172 of 2006), and the Philadelphia Home Rule Charter § 8-600 and § A-200, in ensuring meaningful access to City services and programs for individuals with Limited English Proficiency ("LEP").

The purpose of this document is to establish an effective plan and protocol for **OAR** personnel to follow when providing services to, or interacting with, individuals who have limited English proficiency (LEP). Following this plan and protocol is essential to the success of our mission which is as follows:

In the fall of 1995, the Mayor issued an Executive Order to create the Office of Administrative Review (OAR) as a single point of contact for the resolution of various categories of non-judicial disputes regarding City taxes, charges, fees and fines.

The OAR incorporates the Tax Review Board (TRB) which adjudicates taxpayer appeals from all City assessments or bills with the exception of real estate tax assessment and real estate tax principal.

All TRB reviews begin with the filing of a petition by a taxpayer seeking review of a tax assessment, waiver of interest and penalty, or review of a denial of a refund.

Code Violation Notices (CVNs) and Burglar Alarm Registrations and fines are processed and enforced through collection activities and the Municipal Court process by the OAR Code Unit. Administrative review hearings are offered for all CVN and false alarm fine recipients.

The OAR provides administrative hearings for recipients of Red Light Photo Enforced violations, otherwise known as red light camera violations.

The OAR also provides administrative hearings for those denied reserved residential on-street parking for people with disabilities by the Philadelphia Parking Authority.

2. GENERAL POLICY

The Office of Administrative Review recognizes that the population eligible for services includes individuals who are Limited English Proficient (LEP). It is the policy of OAR to ensure meaningful access to LEP individuals. The OAR adopts the following policy to ensure that LEP individuals can gain equal access to the OAR's services and communicate effectively. This Plan applies to all the OAR offices.

The department, rather than the LEP customer, bears the responsibility for providing language appropriate services. Staff at the initial point of contact have the specific duty to identify language needs.

It is the City's policy to grant access to services or programs to every person even when the person has a limited ability to speak, understand, read or write English. OAR intends to take reasonable steps to provide LEP persons with meaningful access to services and programs. OAR seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their primary language.

OAR, rather than the LEP customer, bears the following responsibilities:

1. Providing language appropriate services.
2. Staff at the initial point of contact have the specific duty to identify and record language needs.
3. Use of informal interpreters such as family, friends of the person seeking services, or other customers must be discouraged.
4. Minor children are prohibited from acting as interpreters.
5. No staff may suggest or require that an LEP customer provide an interpreter in order to receive services.

The preferred method of serving LEP persons is by using telephonic interpretation service.

Staff should seek assistance from professional in-person or telephone interpreters when staff cannot meet language needs. The department recognizes that certain circumstances may require specialized interpretation and translation services even when staff with bilingual abilities are available.

Staff is authorized to provide language services to communicate effectively even when such assistance is not requested by the customer.

3. LANGUAGE ACCESS COORDINATOR

Language Access Coordinator (LAC)

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100 South Broad Street
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Director:

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Office of Administrative Review

4. DIRECT CONTACT WITH LEP INDIVIDUALS

The Office of Administrative Review has several points of contact with the public:

1. Office Walk-Ins - Occasionally, LEP individuals come into OAR's office looking for help in obtaining services. In these instances, the staff uses telephonic interpretation.
2. Administrative Hearing /Court Hearings - LEP individuals come into OAR's office for various in-person administrative hearings. In these instances, the staff uses telephonic interpretation. In person interpreters are provided where telephonic services are insufficient.
3. Call Center - LEP individuals often call into the call center and for these instances, the staff refers callers to the OAR main office for assistance using the telephonic interpretation service.

5. LANGUAGE ACCESS SERVICES AND PROTOCOLS

A. INTERPRETATION

To ensure that the inability to communicate in English does not deprive the public of rights and privileges, our department will continue to provide an interpreter, at no cost to the resident, for LEP persons pursuant to the following procedures:

- a. An individual approaches an employee and appears to be asking for help but has difficulty communicating what he or she needs, and/or
- b. When a request for an interpreter is made either orally, in writing or by pointing to a language card, the employee shall determine whether bi-lingual staff in the office is available who speaks the language being requested, if not, the Language Line telephonic interpretation service is used.
- c. Notices mailed with hearing information provide information on how to request interpretation services for code violation and false alarm hearings.
- d. TRB instructions contain information on how to request interpretation services

When an LEP person initially approaches an OAR staff member, the protocol below is followed:

Once the LEP person has communicated their need for language services, or the staff member has determined the person is in need of language services, the appropriate staff member is notified and shall call the Language Line to facilitate assisting the LEP person.

All staff members are aware of and know how to contact the telephone interpreter service (Language Line) to provide interpreter services; the process to do so is outlined below:

Telephonic Interpretation: OAR requests an over-the-phone interpreter by calling the following vendor: Language Services Associates. This service is available 24/7. To submit a request, call 877-271-5932 and provide the following information when greeted by a coordinator:

- Department name (Office of Chief Administrative Officer, Dept. 65), Name of staff member using service, and physical address of location where interpretation will take place.

When an LEP person requests in-person interpretation for a future meeting, the protocol below is followed:

In-Person Interpretation:

For administrative hearings advance notice is requested. When the Request is received, the OAR's LAC schedules the in-person interpreter through the Language Services Associates' (LSA) online scheduling system. A 48-hour notice is generally required for in-person interpretation. (In an emergency situation a telephonic interpreter is used if possible.) Without advance notice, a hearing may need to be rescheduled to accommodate the need for an in person interpreter.

- To submit a request online, the LAC fills out and submits the service request form found at: <https://lsaweb.com>; an email from LSA will follow once an interpreter has been confirmed.

Cancellation of In- Person Interpreter: If a requested in-person interpreter will not be needed, the LAC will call LSA to cancel the request at least a full business day in advance of the scheduled time (if possible.)

Future Plans

- A. OAR will be working in cooperation with the Philadelphia Parking Authority to add language access information to joint program documents for red light camera violation hearings.
- B. Language access information will also be added to documents regarding administrative hearings for denial of residential reserved on-street parking for people with disabilities.

B. TRANSLATION

To ensure that the inability to communicate in English does not deprive the public of rights and privileges, our department will continue to provide translations, at no cost, for LEP individuals. This includes translations of vital documents, signage and portions of our website.

Vital Documents – The following is available in multiple languages:

1. Signage- Large posters are prominently displayed around the OAR office with information about how to request an interpreter. This information is translated into multiple languages on the posters.
2. Website- The following PDF is available on the same page as the OAR petitions. The PDF details all the information pertaining to the language services that OAR offers.
3. Correspondence - Code Violation & Alarm hearing notices contain information on how to request an interpreter.
4. TRB - Instruction sheet included with petition for appeal contains information on how to request an interpreter.

Future Plans: After collecting data to determine our department's language needs, OAR will reevaluate the forms and languages represented above.

C. BILINGUAL STAFF

1. Current Staff

This list identifies the languages spoken by OAR staff who are linguistically, culturally, and technically able to deliver services in a language other than English:

- a. Spanish

2. Future Plan

- a. OAR will determine future plans after collecting data to illustrate the demand and need of language interpretation and translation.

D. TRAINING STAFF ON POLICY, PLAN, AND PROTOCOLS

OAR's Language Access Plan & Protocol will be posted online, and provided as an electronic copy to all OAR staff members at hiring.

All staff providing technical assistance, training or receiving inbound calls will receive annual LEP training, or training upon employment, and then annually.

LEP training will include information on the following topics:

- Legal obligation to provide language assistance;
- LEP plan and protocols;
- Identifying and responding appropriately to LEP individuals;
- Obtaining interpreters (in-person and over-the-phone);
- Using and working with interpreters (in-person and over-the-phone);
- Translating procedures;
- Documenting language requests; and
- Using or not using bilingual staff as in-house interpreters.

OAR will circulate this language access policy and related protocols to all staff within 30 days after adoption. Every two years, OAR will circulate the revised policy and protocols to all staff after adoption or upon any revision.

In order to establish meaningful access to information and services for LEP individuals, staff that regularly interact with the public will be trained on the OAR LEP policy, plan and protocols. Training will ensure that staff members are effectively able to work in person and/or by telephone with LEP individuals. Management staff will be included in this training, even if they do not interact regularly with LEP individuals, to ensure that they fully understand the policy, plan, and protocols so they can reinforce their importance and ensure implementation.

Orientation - New staff training will be provided on the OAR Language Access Plan and Protocol and provide guidance on how to effectively communicate with LEP residents.

E. ADMINISTRATIVE HEARINGS

1.) Protocol

- a. The OAR will provide an interpreter for any hearing when requested by an LEP individual, or where staff determines language services are needed.
- b. Once a request for an interpreter has been made, a telephonic interpreter will be provided. If insufficient, an in-person interpreter will be scheduled and the hearing will have to be rescheduled to make arrangements.

6. NOTICE OF THE RIGHT TO LANGUAGE ACCESS

Posters notifying LEP individuals of their right to language services will be developed and displayed in areas of public contact. These posters will contain a simple message - such as 'Free Interpreter services are available. Please ask for assistance.' - and will be in English as well as the principal languages spoken in the service area.

Department notices and flyers will also provide notice of the availability of language services and a simple instruction on how to request language assistance.

Taglines will be included in or attached to a document. Taglines in languages other than English can be used on documents written in English that describe individuals with LEP can obtain translation of the document or an interpreter to read or explain the document. OAR will contact the OIA for support in creating taglines.

In all areas of public contact and on its website, OAR will post and maintain clear and readable signs in the languages most prevalent in the City notifying LEP individuals that free translation and interpretation services are available to them.

7. DATA COLLECTION AND ANNUAL REPORT

The following information will be required to be monitored and collected by the Language Access Coordinator and will be aggregated via quarterly reports by OAR:

1. Number of LEP encounters (By Language), ASL encounters, when they occurred and total time of interaction
2. Type of Language Services Provided to LEP Customers
3. Number of Documents Translated
4. Language Services Expenditures

Additionally, Language Access Coordinators will be required to report quarterly on the following:

1. Number of bilingual staff
2. Number of staff trained in Language Access

OAR will conduct an annual evaluation of its Language Access Plan to determine its overall effectiveness, review the progress of department goals and identify new goals or strategies for serving LEP residents. The designated staff will lead the evaluation with the assistance of the Director. The evaluation will include the following:

- a. Assessment of the use of telephonic interpretation, in-person interpretation and translation services.
- b. Assessment of data collected about the LEP's primary language.
- c. Assessment of the number and types of language requests during the past year.
- d. Assessment of whether staff members understand the Language Access Plan and procedures, how to carry them out, and whether language assistance resources and arrangements for those resources are up-to-date and accessible.
- e. Assessment of complaint information; and
- f. Assessment of soliciting feedback from LEP individuals and community groups.

Evaluation results and recommended changes will be shared by OAR's Language Access Coordinators and incorporated into **annual report which is required to be filed under Philadelphia Home Rule Charter § 8-600**. The Language Access Coordinator will also keep records of any language access services provided and will make this information available during the annual review process. In connection with updates to the Language Access Plan, the OAR may use some of the following tools to conduct further assessment:

- a. Request comments and feedback from visitors that have received language services

8. LANGUAGE ACCESS COMPLAINT PROCEDURE

Any person may file a formal Language Access grievance with the Office of Immigrant Affairs if they believe they have been wrongly denied the benefits of this Language Access Plan. It must be filed within 6 months of the alleged denial. To file a formal complaint, fill out a Language Access Grievance Form and submit the form in person, by mail or e-mail to:

Office of Immigrant Affairs
Orlando Almonte
Language Access Program Manager
1401 JFK Blvd., Suite 1430
Philadelphia, PA 19102
E-Mail: orlando.almonte@phila.gov

Additionally, any person, regardless of immigration status, may submit a formal legal complaint through the Philadelphia Commission on Human Relations. To do so, please complete a Public Accommodations Discrimination Intake Form and submit in person or by mail to:

Philadelphia Commission on Human Relations
The Curtis Center
601 Walnut Street., Suite 300 South
Philadelphia, PA 19106

To access the form and for more information, please visit www.phila.gov/humanrelations

9. TIMELINE FOR IMPLEMENTATION

2016 -2017

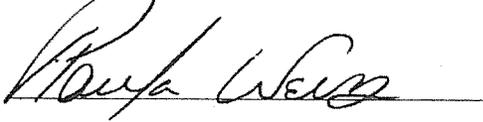
- 1.) Procedures and protocols are already in place
- 2.) Language services are already available
- 3.) Training will be repeated throughout 2017 to ensure all staff members are aware and capable of assisting a LEP individuals

10. SIGNATURE PAGE



Language Access Coordinator
Kristen N. Ferraro
Program Manager
Office of Administrative Review

4/10/2017
Date



Commissioner
Paula Weiss, Esq.
Office of Administrative Review

4/10/17

Date

