

LANGUAGE ACCESS PLAN

Prepared by:
Office of the City Representative
215-683-2060

September 1, 2016

Preface:
About Language Access Philly

Language access services for an effective and efficient city government are a key priority for Mayor Kenney's administration. As a result, Mayor Kenney launched Language Access Philly by signing Executive Order 7-16 which establishes the City wide policy on Language Access. Government programs, services, and activities must be accessible to all persons in the City. The Mayor's transition report outlined the City's new Language Access obligations under the Philadelphia Home Rule Charter, §6-800. In 2015, the voters approved an amendment to the Charter for all City offices, departments, boards, and commissions (hereafter referred to as "departments") to adopt language access plans. The charter amendment requires ensuring effective communication at all points of contact between a Limited English Proficient ("LEP") person and your department. Every City office, department, board and commission must prepare a plan to promote access to City services ("language access plans"). The language access plans will be made public on the Office of Immigrant Affairs' website.

Mayor Kenney is committed to improving access to the City of Philadelphia for limited English proficient persons through: (1) Executive Order 7-16 (2) Revised and Updated Managing Director Directive 62 (3) Submissions of plans by all departments to the Office of Immigrant Affairs (4) Plan Implementation (5) Data collection and analysis (6) Filing of annual reports.

Philadelphia home rule charter chapter 6, section 8-600

- (1) Every office, department, board and commission, including but not limited to the Council and the former county offices and bodies, ("all agencies") shall:
 - (a) prepare a plan to promote access to City services, compliance with City law and ease of contact with, and participation within, government in the City for people with limited English proficiency ("language access plans") in accordance with any generally applicable language access policy established by the Mayor;
 - (b) implement such plan in accordance with Section A-200;
 - (c) provide an annual report regarding the status of implementation of such plan to such City office, department or agency as may be designated by the Mayor, in accordance with Section A-200.
- (2) The entity designated by the Mayor pursuant to subsection (1)(c) shall:
 - (a) assist all agencies with the preparation of their language access plans and annual reports;
 - (b) upon acceptance of a final report, file the report with the Department of Records, which shall make such report available to the public; and
 - (c) evaluate all agencies' compliance with their language access plans and all applicable policies and laws, including state and federal law, regarding access to government by individuals with limited English proficiency. All agencies shall cooperate with the entity designated by the Mayor in connection with the entity's evaluation of the agency's compliance with its language access plan.

Overview and Frequently Asked Questions

What does this plan address?

The plan is a guide for Department staff to ensure City programs, services and activities are accessible to limited English proficient ("LEP") residents. It outlines City department's operating policies and procedures such as interpreting and translation tools, and delivery of programs and services in non-English languages.

Why do departments need a plan for making services accessible to LEP individuals?

The City is required by Title VI of the Civil Rights Act of 1964 and the Home Rule Charter to plan for and provide meaningful access to services for LEP residents. Pennsylvania law also requires the City to provide certified or otherwise qualified interpreters for City administrative hearings.

The City is strongly committed to making City services and information about those services available to everyone, regardless of language barriers. This commitment stems from overall City goals of efficient and effective government, community engagement, and customer service. As residents, workers or visitors who contribute to City life, people with limited English proficiency are entitled to fair and equal access to service. This obligation applies to all City departments, offices, boards and commissions and contracted vendors partnering with the City to deliver programs and services.

Who is responsible for the plan?

The head of each department is responsible to establish and implement a plan, and shall appoint a Language Access Coordinator within each department. The coordinator is charged with assuring completion and implementation of the plan and compliance by the department. Departments can also form a Language Access Committee that will work as a team with the department's Language Access Coordinator to ensure compliance and implementation of the language access plan. The Office of Immigrant Affairs will assist all City departments in creating and implementing plans within a specified timeframe.

What is the deadline for the plan?

A Language Access Coordinator must be selected by **May 23, 2016**. This information must be submitted to Orlando Almonte, Language Access Program Manager for the Office of Immigrant Affairs, at Orlando.Almonte@phila.gov. All plans must be submitted to the Office of Immigrant Affairs between **June 1, 2016 and September 1, 2016**. Please submit your plans to the Office of Immigrant Affairs via email at Orlando.Almonte@phila.gov.

Does it matter if we did not have a plan in the past?

No. The Charter requirement is new and is now being fully implemented. Performance and compliance will be measured moving forward. The goal is to get all departments up to speed, operating at the same level to effectively utilize language access services in order to provide meaningful access.

What Language Access Services does the City currently offer?

Currently, the City has contracts with vendors to provide telephonic and in-person interpretation, document translation, as well as training in the areas of cultural competency, Language Access 101 and writing in simplified English. There are also interpreter skills trainings available for bilingual staff who could provide interpretation within their departments. The Office of Immigrant Affairs can also connect you with your counterparts in other cities in order to share best practices on how they incorporate language access.

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OFFICE OF THE CITY REPRESENTATIVE
LANGUAGE ACCESS PLAN & PROTOCOL
2016

1. PURPOSE AND AUTHORITY

- A. *"In Cooperation with the Mayor's Office, the **Office of the City Representative (OCR)** 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")."*
- B. *"The purpose of this document is to establish an effective plan and protocol for OCR 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 to market and promote the City of Philadelphia through ceremonial documents, gifts, international protocol and special events."*

2. GENERAL POLICY

- A. *The Office of the City Representative (OCR) recognizes that the population eligible for services includes individuals who are Limited English Proficient (LEP). It is the policy of the OCR to ensure meaningful access to LEP individuals. The OCR adopts the following policy to ensure that LEP individuals can gain equal access to our department's services and communicate effectively.*
- B. *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. The OCR intends to take reasonable steps to provide LEP persons with meaningful access to services and programs. The OCR seeks to reduce barriers by increasing its capacity to deliver services and benefits to people in their primary language.*
- C. 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 and record language needs.
- Use of informal interpreters such as family, friends of the person seeking service, or other customers must be discouraged. Minor children are prohibited from acting as interpreters.
 - No staff may suggest or require that an LEP customer provide an interpreter in order to receive services

D. Preferred Method of Service:

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

- The preferred method of serving LEP customers is by using competent bilingual staff able to provide services directly to the customer in his/her primary language without the need for an interpreter.
- Available, trained, competent bilingual staff may be used for in-person or telephone interpreting to support other staff.
- Staff must be authorized to provide language services to communicate effectively even when such assistance is not requested by the customer.

3. LANGUAGE ACCESS COORDINATOR OR COMMITTEE

Language Access Coordinator
Margaret Hughes
First Deputy City Representative
City of Philadelphia Office of the City Representative
1515 Arch Street, 12th floor
Direct: (215) 683-2060
Margaret.hughes@phila.gov

City Representative:
Sheila Hess

4. DIRECT CONTACT WITH LEP INDIVIDUALS

The Office of the City Representative has several points of contact with the public:

- (1) Special Events- The general public attends many of the events produced by the OCR. In these instances, if there is no bilingual staff available to interpret, staff will use telephonic interpretation.*
- (2) Meetings/Information Sessions- at times OCR will hold meetings or information sessions. If language needs are anticipated, OCR will utilize in person interpretation for appropriate language whenever possible.*

5. LANGUAGE ACCESS SERVICES AND PROTOCOLS

A. INTERPRETATION

1.) Services Provided

To ensure that the inability to communicate in English does not deprive the public of rights and privileges, our department will provide an interpreter, at no cost to the resident, for LEP individuals. Services offered include telephonic interpretation and in person interpretation.

2.) Protocols

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

- (1) An individual approaches an employee and appears to be asking for help but has difficulty communicating what he or she needs, and/or
- (2) 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.

1.) Procedure

- (1) When bilingual staff is not available, the employee shall contact a telephone interpreter service to provide interpreter services, the process to do so outlined below:

Telephonic Interpretation –

OCR can get an over-the-phone interpreter by calling the following vendor: Language Services Associates. This service is available 24/7.

To submit a request, call the number we have on file and provide the following information when greeted by a coordinator:

- Department name, division, account code

- (2) When an LEP person requests in-person interpretation for a future meeting, telephonic or in-person interpretation may be used, the process for requesting an in-person interpretation is below:

In-Person Interpretation –

You can request an in-person interpreter by contacting the following vendor: Nationalities Service Center. This service is available 24/7, but please give more than 48 hours' notice whenever possible. In an emergency, use a telephonic interpreter.

To submit a request online, visit www.nscphila.org/language-access-services/request-services

- Fill out service request form and be sure to select interpretation
- Enter any interpretation appointment information available
 - You will receive an email once an interpreter has been confirmed

Cancelation of In- Person Interpreter

If a request in-person interpreter will not be needed, call Nationalities Service Center to cancel the request at least a full business day in advance of the scheduled time (if possible.)

Future Plans

- a. Use telephonic interpretation, and ensure that the public knows about the availability of these services.** *The Office of the City Representative makes telephonic interpretation services available in its office through Language Services Associates. The telephonic interpretation service is available in over 170 languages. The OCR will inform the public about these resources through social media, visible multilingual signs and will train all of its staff on using telephonic interpretation services.*
- b. Grow in-person interpretation services.** *The Office of the City Representative can offer in-person interpretation for scheduled meetings and events as needed through Nationalities Service Center if given enough notice. OCR will inform the public about these resources through social media, visible multilingual signs and will train all of its staff on requesting in-person interpretation services.*

B. TRANSLATION

1.) Services Provided

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

2.) Protocols for Document Translation

- a.) Vital documents- Vital written documents include, but are not limited to: consent and complaint forms; intake and application forms with the potential for important consequences; written notices of rights; notices of denials, losses or decreases in benefits or services; notice of disciplinary action; signs; and notices advising LEP individuals of free language assistance services.
- b.) The OCR has forms for requesting ceremonial gifts and ceremonial documents, as well as notices we will post advising LEP individuals of free language assistance services.

3.) Procedure for Submitting a document for translation:

1.) **Procedure for Submitting a document for translation:**

- a. Email the editable document to Office of the City Representative – Language Access Program Manager at Margaret.Hughes@phila.gov
- b. OCR will submit the translation request to translation vendor to obtain a quote.
- c. OCR will email you a quote with a time estimate for delivery of the translation.
- d. Quote must be authorized by person with authority.
- e. Quote is then signed and emailed back to OCR.
- f. OCR will email you the translated documents.

NOTE: Before submitting a document for translation, please review your document and ensure the following:

- The content has not already been translated in another document.
- The document and translation procedure have been approved by your supervisor.
- The document is in a format that can be edited (e.g. MS Word, Publisher, InDesign, etc.)
- Terms you do not want translated are highlighted, i.e. the name of your unit, program or street.
- The document is written so it can be understood by readers with lower literacy skills.
- If the translation is a continuation of a series or collection of documents, you may request the same vendor to keep the translation consistent.

4.) Signage-

The OCR will post signs in the office to better aid the public in obtaining services. The following signs will be translated into Spanish:

- Please Ask for the Ceremonial Document Request Form in Spanish
- Please Ask for the Ceremonial Gift Request Form in Spanish

5.) Website

- The OCR shall take reasonable steps to translate public website content and electronic documents that contain vital information about our programs and services.

6.) Future Plans-

Language Access Goals:

Write public materials in plain English, and translate extensively. OCR will continue to edit all public materials for plain language and to offer to translate our documents for LEP individuals.

C. BILINGUAL STAFF

1.) Current Staff

OCR staff currently includes no bilingual competency.

2.) Future Plans-

a.) **Hiring.** The OCR will seek to develop in-house language capacity through possible hiring of employees with specific language skills.

b.) **Staff interpreters.** Competent and trained bilingual staff in the future may also function as interpreters for other staff, when needs and staffing permits. Any future bilingual staff may go through formal interpretation training.

c.) **Language sensitive assignments.** Subject to any mandatory legal constraints, the OCR will consider the options available to assign or configure employees in order to best communicate with LEP individuals served by or in contact with the department without imposing unfair burdens on any bilingual staff.

D. TRAINING STAFF ON POLICY, PLAN, AND PROTOCOLS

1) Training Protocol

- a. *The OCR's Language Access Plan & Protocol will be added to the staff policies and procedures and provided as a hard copy to all OCR staff members at hiring.*
- b. *The OCR will distribute the LEP plan to all staff and will have a current electronic copy available so all staff will be knowledgeable of LEP policies and procedures.*
- c. *All staff providing information or receiving in-bound calls will receive annual LEP training, or training upon employment, and then annually.*
- d. *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;*
 - *Documenting LEP individuals' language preference;*
 - *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.*
- e. *The OCR will circulate this language access policy and related protocols to all staff within 10 days after adoption. Every two years, the OCR will circulate any revised policy and protocols to all staff after adoption. Within nine months of the adoption of this policy, The OCR will provide cultural competency training, including training in regard to this policy and the appropriate use of interpreters and translators, to all staff who have regular interaction with LEP individuals. All new staff members will receive cultural competency training within six months of the beginning of their employment with OCR. After their initial training, all staff members will receive refresher training in cultural competency and language access every three years.*
- f. *In order to establish meaningful access to information and services for LEP individuals, staff that regularly interact with the public and those who will serve as in-house interpreters will be trained on OCR's 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.*
- g. *Orientation- New staff training will be provided on the OCR Language Access Plan and Protocol and provide guidance on how to effectively communicate with LEP residents.*

2.) Future Plans

- a. **Further standardize language access resources and tools across the OCR.** OCR will work to ensure that all public-facing programs have appropriate language access signage and materials in multiple languages available whenever possible. Another goal is to update and freshen the OCR's Volunteer Language Database of staff who speak languages other than English and who are willing to help review translated materials and/or assist with interpretation in emergencies. In addition, OCR will update its Language Access Toolkit, an internal resource for staff, and will meet with staff share challenges and best practices.*
- b. **Grow plain language and other language access-related trainings.** OCR hopes to expand training opportunities on plain-language and cultural competency topics and will explore opportunities to do so.*

E. ADMINISTRATIVE HEARINGS

The OCR holds no administrative hearings.

6. NOTICE OF THE RIGHT TO LANGUAGE ACCESS

1. 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 principle languages spoken in the service area.
2. Department notices and flyers will provide notice of the availability of language services and a simple instruction on how to request language assistance.
3. Tag lines 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.
4. Staff will also have access to the City of Philadelphia Language Access Cards. These are cards with a detachable wallet-size card that say in both English and a second language 'I speak (language). I need assistance in (language)."
5. In areas of public contact and on its website, the OCR 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

Data Collection

- The OCR will consider how to effectively gather and analyze data on the language needs of those who use the department's services.

Annual Report/Evaluation

- 1.) *The Office of the City Representative 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 City Representative. 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.*

- 2.) *The Office of the City Representative's intake personnel will record each person's language of choice in electronic format to ensure that the information can be used by staff and tracked by the language access coordinator.*
 - a. *If the individual is Limited English Proficient, the person's language of choice will be noted for future visits.*
 - b. *OCR's Language Access Coordinator will track the number of individuals that are assisted or unable to be assisted by the person's language of choice. This information will be considered as part of the annual Language Access Plan report.*

- 3.) *Evaluation results and recommended changes will be shared by OCR's Language Access Coordinator 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 OCR may use some of the following tools to conduct further assessment:*
 - a. *Request comments and feedback from visitors that have received language services*
 - b. *Establish a tracking system to collect primary-language data for individuals that participate in programs and activities*

8. LANGUAGE ACCESS COMPLAINT PROCEDURE

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

*Office of the City Representative
Margaret Hughes
Language Access Program Manager
1515 Arch Street, 12th floor
Philadelphia, PA 19102
E-Mail: margaret.hughes@phila.gov*

The form will also be available on OCR's website once the website is updated.

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

Implementation Plan Logistics

Major milestones in our plan will include:

- *Translating and interpreting*
- *Updating OCR's language access tools and resources*
- *Exploring additional training opportunities*

Timeline

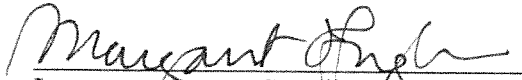
2016

- *The Language Access group will meet with OCR staff to discuss language access challenges, best practices and methods for tracking language access data by program/site, as well as to brainstorm ideas for new or updated language access resources these staff might need.*
- *The Language Access group will update the OCR's internal protocols for written translations and in-person interpretations, respectively.*
- *The OCR will work closely with City Hall and will communicate with other City agencies about best practices, tools and learning that can be shared, and challenges.*
- *The department will translate materials and provide on-site interpretation as needed, and to track these activities.*

2017

- *The Language Access group will update the Language Access Toolkit (a language access policy and training tool) and will distribute the updated toolkit to staff.*
- *The Language Access group will explore ways to track and certify OCR staff, if any, who speak other languages and who are willing to help review translations and provide interpretation services; this will include updating the OCR's internal Volunteer Language Database. The department will evaluate alternative training and certification resources for these volunteers.*
- *The Language Access group will continue to communicate with frontline staff to discuss language access and any emerging needs/challenges.*
- *The Language Access group will work with other staff in the department to coordinate plain language and/or cultural competency trainings.*
- *The Language Access group will explore ways to survey LEP clients to identify new needs, as well as concerns and other feedback.*
- *The OCR will continue to translate materials, provide on-site interpretation as needed, and track these activities.*

10. SIGNATURE PAGE



Language Access Coordinator
First Deputy City Representative
Office of the City Representative



City Representative
Office of the City Representative