

Language Access Checklists

A Companion to:

Language Access and Legal Issues: A Local Officials Guide



INTRODUCTION

Nearly 44 percent of California residents speak a language other than English at home and 6.8 million of these residents have limited-English proficiency. People with limited English proficiency may not be able to understand information an agency wants the public to know, use public services, or communicate their point of view at a public meeting.

Enabling people to use their own language when it is feasible helps them access public services, which in turn can help increase the effectiveness and efficiency of local governments. For the community, providing language access increases residents' opportunities to communicate with their local leaders and public service providers.

Inside

- Tips on Providing Language Access
- Conducting a Self-Assessment
- Implementing an Ordinance
- Implementing Best Practices with no Ordinance
- Addressing Common Challenges

As each jurisdiction is different, implementing language access policies, practices or an ordinance will require unique efforts. This document includes suggestions to support a range of jurisdictions considering, implementing or enhancing their language access efforts. This includes those beginning or enhancing efforts to operationalize a language access policy or ordinance. It also includes those jurisdictions that do not have language access policies or ordinances but is considering implementing language access practices.

Please refer to companion document [Language Access Laws and Legal Issues: A Local Official's Guide](http://www.ca-ilg.org/language-access-laws-and-legal-issues) (www.ca-ilg.org/language-access-laws-and-legal-issues) for detailed information on:

- federal and California laws that require language access services;
- examples of selected local language access policies and ordinances;
- how to provide language access services; and
- sample limited English proficiency (LEP) and language access plans.

OVERVIEW OF TIPS ON PROVIDING LANGUAGE ACCESS

1. **Develop policies that clarify your local agency's responsibilities** for providing bilingual services and ensure that local officials understand these policies, responsibilities and existing language access services and resources.
2. **Partner with community-based organizations and ethnic media** to better identify language access priorities, ensure accurate and culturally appropriate interpretation and translation and more fully assess the effectiveness of language access plans.
3. **Translate print and online materials explaining** services into languages spoken by a substantial number of low English proficient (LEP) residents. Minimize the use of bureaucratic or legal jargon when creating all new documents. Also refer to the suggested list of essential documents below.
4. **Create web pages that are easy to navigate and use.** Web pages may ease fears of immigrant residents who may not feel comfortable seeking services in person.
5. **Connect language access efforts to the larger mission and goals** of the local agency or department
6. **Encourage local departments to consider using California Multiple Award Schedules (CMAS)** contracts to obtain bilingual services whenever cost-effective.
7. **Use bilingual employees effectively and appropriately.** Avoid assumptions about competence and willingness of bilingual staff to provide language services. Invest in translation or interpretation training to ensure accurate and appropriate communications.

Translation vs. Interpretation

- A translator interprets written text and may use reference materials to ensure accuracy and appropriateness.
- Translators must have linguistic and cultural skills and the ability to write well in the target language.
- An interpreter translates orally in real time in person, on the phone or via video.
- Interpreters must be fluent in both the original and target language to translate in both directions, on the spot, without any reference material.
- In some cases interpreters may need area expertise or technical knowledge to ensure accuracy.
- Bilingual individuals may not have the skills or training to speak or write equally well in both languages.

Assessing Needs

1. What percentage of residents in your jurisdiction have limited English Language proficiency?
www.factfinder.census.gov
2. How many languages is your jurisdiction required to translate/interpret?
3. Do you have a list of essential documents that your jurisdiction is required to translate? Creating this list can help the jurisdiction manage the cost and also increase the number of languages documents are translated into
(see the Language Access Guide for state and federal legal requirements).
4. Based on your language access ordinance, what are priority departments and locations for translation and interpretation?
5. Does your jurisdiction have feedback processes through which the public can report the absence of language access services or resources?

TIPS FOR SUCCESS

In addition to demographic data, you may survey clients to chart their needs, or track encounters with limited English proficient service-users to assess the need for translations and interpretations.

Engage human resources/civil services administrators as early as possible to ensure accurate self-assessment and smooth implementation.

Assessing Existing and Potential Resources

1. How many bilingual staff does your jurisdiction currently have?
2. Does your jurisdiction recognize bilingualism as an additional skill? Does it compensate for this skill?
3. Are bilingual staff provided training to be effective interpreters?
4. Do you have a contract with an interpretation service? Translation service? Have you considered entering into a collaborative contract with neighboring jurisdictions?
5. Are budget funds available for translation and/or interpretation?
6. How many different languages can you afford to provide adequate translation and interpretation services?
7. Are translation/interpretation services a standard part of your public engagement planning process?
8. Have you recently scanned your jurisdiction's digital tools and communication channels to understand potential language access related options?

EDUCATING AND DISSEMINATING

1. Ensure that departments are aware of existing or developing language access services and resources.
2. Consider developing policies that clarify the agencies' responsibilities for providing language access services.
3. Appoint a coordinator or, in larger departments, a working group of individuals from different components to monitor/update the agency's response to the needs of limited English-proficient service-users.
4. Monitor agency compliance to ensure staff cooperation and accountability.
5. Conduct regular trainings about language access to ensure that all staff, especially those who frequently encounter the public, are aware of the agency's policies.

ADDRESSING TRAINING NEEDS

1. Identify champions among leaders and front-line staff.
2. Conduct site visits to your jurisdiction's offices frequented by community members with a limited English proficiency lens to identify training needs.
3. Do your homework on trainers and whenever possible, attend a training of the provider prior to contracting.
4. Customize or adapt training to meet the needs of your target trainees.
5. Build and sustain buy-in by meeting staff needs, recognitions/awards, ongoing peer learning and networking.

SAMPLE LIST OF ESSENTIAL DOCUMENTS THAT SHOULD BE TRANSLATED

- Signage/wayfinding for all jurisdiction facilities
- Signs, brochures, or flyers explaining services or programs
- Emergency, fire and public safety information
- Public service eligibility criteria, announcements and notices
- Application forms
- Client feedback forms

USING TECHNOLOGY EFFECTIVELY

1. Consider using kiosks to accommodate multiple languages and increase your jurisdiction's capacity to serve.
2. Develop and disseminate a language map that highlights concentration of languages spoken at home. Promote the language map internally as well as to the community.
3. Offer online staff training that has been screened and evaluated by similar jurisdictions or institutions.
4. Consider various digital and social media opportunities for connecting to your community. Ask stakeholders and ethnic media outlets where they go to learn what's happening locally. Consider partnerships to ensure culturally competent messaging.

IMPLEMENTING LANGUAGE ACCESS PRACTICES IF YOUR JURISDICTION DOES NOT HAVE A LOCAL ORDINANCE

1. Not all jurisdictions have passed a local language access ordinance, but state and federal laws and regulations do require local governments to provide language access (see Language Access Guide for details).
2. In the absence of a local ordinance, jurisdictions may consider creating an administrative policy or a department specific policy. Departments and locations are identified as 'priority' based on the service they provide and the percentage of low English-proficient users served.
3. Elected officials or staff may consider efforts to educate and inform decision-makers about the benefits of providing language access.
4. Build or deepen relationships with community members to better understand language access needs and resources.
5. Learn from and replicate best practices from other jurisdictions in your region or through state and national peer networks to introduce language access practices to support effective and efficient public service.

Ten Ideas for Encouraging Immigrant Engagement

Ideas drawn from local governments throughout California on ways to more successfully engage immigrant residents.

www.ca-ilg.org/ten-ideas-immigrant-engagement

ADDRESSING COMMON CHALLENGES

Challenge	Mitigating Strategies
Getting started with multiple partners and diverse priorities	<ul style="list-style-type: none"> <input type="checkbox"/> Articulate providing language access to all community members as a guiding principle. <input type="checkbox"/> Identify a point person to coordinate and lead the effort. <input type="checkbox"/> Prioritize the starting point based on the highest community needs identified during the self-assessment.
Engaging Human Resources Departments	<ul style="list-style-type: none"> <input type="checkbox"/> Engage the department early and often. <input type="checkbox"/> Understand and connect the language access efforts to their professional development priorities and goals.
Agency or departmental buy-in	<ul style="list-style-type: none"> <input type="checkbox"/> Connect to the agency's goals and priorities. <input type="checkbox"/> Build relationships with and support the champions within an agency or department. <input type="checkbox"/> Maintain a record of all limited English-proficient service-users to document and understand need.
Mixed support or lack of support from leadership.	<ul style="list-style-type: none"> <input type="checkbox"/> Identify and nurture relationships with potential or existing allies. <input type="checkbox"/> Seek a champion who can help make the case. <input type="checkbox"/> Consider educating colleagues and leaders on the positive potential benefits of enhanced language access related to: economic development, public safety, disaster preparedness, youth/student success and a more connected, vibrant community. <input type="checkbox"/> Use data to illustrate who is in your community. Consider infographics or other easy to understand messaging about the need and what other local governments are doing related to language access.
Varying levels of community engagement in developing and implementing language access ordinance or plan	<ul style="list-style-type: none"> <input type="checkbox"/> Provide information to the public and to low English proficiency communities regarding the language assistance services available free of charge. Information should be provided in English and other appropriate languages using, for example, signage, websites, translated documents, telephone tree options, kiosks, text messages, social media and community-focused outreach.
Incorporating language access and cultural responsiveness into customer service strategy	<ul style="list-style-type: none"> <input type="checkbox"/> Connect with other jurisdictions who have provided this type of training. <input type="checkbox"/> Partner with community-based organizations to understand what culturally responsive customer service looks like.

Challenge	Mitigating Strategies
	<ul style="list-style-type: none"> <input type="checkbox"/> Conduct formal or informal focus groups or dialogue sessions with diverse residents to understand what culturally responsive customer service means to them. <input type="checkbox"/> Work with a group of staffers to consider how to implement new or enhanced customer service strategies within given departments or across the agency. <input type="checkbox"/> Periodically check-in with stakeholders and staff to see if the new efforts are making a difference. Adjust accordingly. <input type="checkbox"/> Document and celebrate success; acknowledge shortcomings and be transparent about efforts to improve.
Increasing diversity of languages	<ul style="list-style-type: none"> <input type="checkbox"/> Leverage community-based organizations for interpretation and translation assistance, provided that quality control procedures are used. <input type="checkbox"/> Use bilingual employees effectively and appropriately. Avoid assumptions about competence and willingness of bilingual staff to provide language services. Once an agency has identified competent and willing bilingual staff, ensure that they are strategically posted.
Small budgets and smaller jurisdictions	<ul style="list-style-type: none"> <input type="checkbox"/> Encourage local departments to consider using state California Multiple Award Schedules (CMAS) contracts to obtain bilingual services whenever cost-effective. <input type="checkbox"/> Share resources within and across agencies, such as regional and interagency partnerships.

For tips on how to better engage and integrate immigrants in your community and examples, visit www.ca-ilg.org/immigrant-engagement-and-integration.

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- i U.S. Census, American Community Survey 5-Year Estimates 2011-2015, California, Language Spoken at Home Tables available at <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>.
- ii See Erik Lagerspetz, *Ethical Theory and Moral Practice: On Language Rights* 198 (1998); Ahmad, *supra* note 2, at 999.
- iii Hyon B. Shin & Robert A. Kominski, *American Community Survey Reports: Language Use in the United States 2007 9* (April 2010) (explaining that ability to speak English greatly affects how well people can perform daily activities at home and outside the home); Mexican American Legal Defense & Education Fund (MALDEF) & Asian American Justice Center (AAJC), *Language Rights: An Integration Agenda for Immigrant Communities* 4 (Nov. 2007) (explaining that English proficiency may indicate how well persons communicate with public officials, schools, businesses, medical personnel, and various other service providers).
- iv See Lagerspetz, *supra* note 3, at 198; Ahmad, *supra* note 2, at 999.