



DICLC Webinar Series
Developing a Language Assistance and Implementation Plan'
What DD Councils Should Know

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OBJECTIVES

Participants will:

1. Identify federal legal mandates for language access and implementation that affect individuals who experience developmental disabilities and their families.
2. Describe how these mandates apply to Developmental Disabilities Councils.
3. Describe the components of a language access and implementation plan.
4. Exchange “lessons learned” with DD Councils that have developed language access plans.



Quick Review of the Law



Title VI - Civil Rights Act of 1964

SEC. 601 TITLE VI--NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Ensures nondiscrimination in Federally Assisted programs and states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance”.

<https://www.justice.gov/crt/title-vi-1964-civil-rights-act>

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Quick Review of the Law

Who Does Title VI Protect? EVERYONE!

- Title VI protects persons of all colors, races, and national origins.
- Title VI protects against national origin discrimination and is **not** limited to U.S. citizens.

Data Source: Civil Rights Act of 1964, P.L. 88-62
<https://www.justice.gov/crt/title-vi-1964-civil-rights-act>

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Title VI – National Origin Discrimination

Provisions related to language access

Service providers must take reasonable steps to provide meaningful access to their programs by persons with limited English proficiency (LEP).

[68 Fed. Reg. 153 at 47322]

Providers that must provide language assistance services in order to comply with Title VI should implement policies and procedures to provide information in appropriate languages and ensure that LEP persons are effectively informed of and have meaningful access to covered programs.

[68 Fed. Reg. 153 at 47320]

<http://usinfo.state.gov/usa/infousa/laws/majorlaw/civilr19.htm>

Data Source: Civil Rights Act of 1964, P.L. 88-62

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Who is Covered Under Title VI?

Recipients of HHS assistance may include, for example:

- Hospitals, nursing homes, home health agencies, and managed care organizations
- Universities and other entities with health or social service research programs
- State, county, and local health agencies
- State Medicaid agencies
- State, county and local welfare agencies
- Programs for families, youth, and children
- Head Start programs
- Public and private contractors, subcontractors and vendors
- Physicians and other providers who receive Federal financial assistance from HHS

Think about the projects/activities funded by the DD Council



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Polling Question



How familiar are you with your state or territory agency's Language Access and Implementation Plan required by Federal law (Title VI, Section 601)?

- Very familiar
- Somewhat familiar
- Not familiar at all

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Polling Question

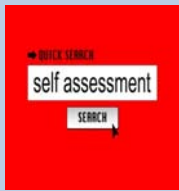


Has your DD Council developed a Language Assistance and Implementation Plan (Language Access Plan)?

- Yes
- No
- Don't know
- In progress

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Conducting a self-assessment to determine what types of contacts your organization, agency, or program has with Limited English Proficient (LEP) populations

- Identifies language service needs for people with developmental disabilities and their families in the state or territory
- Evaluates the bilingual, multilingual, translation, and interpretation resources already available to help individuals with developmental disabilities and their families participate in Council activities (e.g., benefits, programs, services, information, or other operations).

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

IMPLICATIONS FOR DD COUNCILS

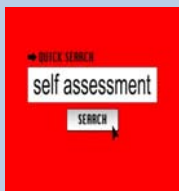
How will your Council conduct an assessment of the language needs in your state or territory?

What data sources will the Council use to collect relevant data across the age span (e.g. *U.S. Census, School Districts, Early Intervention programs, vocational/employment programs, other State/Territory sources*)?

What resources will your Council need to conduct such an assessment?

How will the Council evaluate the quality and effectiveness of language access services that it provides directly or funds?

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Conducting a self-assessment to determine what types of contacts your organization, agency, or program has with Limited English Proficient (LEP) populations

Applying the Four Factor Analysis to Councils

1. Number or proportion of LEP persons served or encountered in the eligible service population (served or encountered includes those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).
2. The frequency with which the LEP persons come into contact with the program.
3. The nature and importance of the program, activity, or service provided by the program.
4. The resources available and costs to the recipient.

https://secure.in.gov/ocra/files/Civil_Rights_Form_10_-_Community_Sample_LAP_for_LEP_2010-10-06.pdf

Adapted from: https://secure.in.gov/ocra/files/Civil_Rights_Form_10_-_Community_Sample_LAP_for_LEP_2010-10-06.pdf

Consider the legislative mandates and activities of Councils and respond to these questions.

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Developing language access policy directives, implementation plan, and procedures

Policy directives:

- Set forth standards, operating principles, and guidelines that govern the delivery of language appropriate services.
- Come in different forms but are designed to require the agency and its staff to ensure meaningful access.
- Should be made publicly available.

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

IMPLICATIONS FOR DD COUNCILS

Are policy, operating principles and guidelines established by the designated State or Territory Agency?

Is there a separate set of policy directives for your Council?

Does your Council make its own policy ensuring language access publicly available?

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Developing language access policy directives, implementation plan, and procedures

Language Access Implementation Plan

Is a management document and roadmap indicating how your Council:

- defines tasks, sets deadlines and priorities, assigns responsibilities
- allocates resources to comply or maintain language access requirements
- meets service needs identified in self-assessment
- navigates setting deadlines and priorities

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

IMPLICATIONS FOR DD COUNCILS

Does your Council have its own Language Access Implementation Plan?

Does the plan follow the guidance provided by the U.S. Department of Justice, Office of Civil Rights or guidance set forth by the State or Territory?

Has the Council allocated funding or designated budget line time for language access?

Does the plan identify ways the Council will meet identified needs of LEP populations in the State or Territory?

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Developing language access policy directives, implementation plan, and procedures

Language Access Implementation Plan (cont'd)

Is a management document and roadmap indicating how your Council:

- identifies responsible personnel for policy and procedure development
- ensures quality control for language access services (oral & written)
- provides notice of language access services
- provides staff training
- conducts ongoing monitoring and evaluation

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

IMPLICATIONS FOR DD COUNCILS

Does the plan follow the guidance provided by the U.S. Department of Justice, Office of Civil Rights or guidance set forth by the State or Territory?

Were Council and community members involved in the development of the Plan?

Are Grantees familiar with the Language Access Implementation Plan?

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Developing language access policy directives, implementation plan, and procedures

Language Access Procedures

- Specify steps for Council staff to follow to provide language services (as required during Council activities), gather data for the State or Territory Plan to ensure access by individuals deliver services to individuals with LEP
- Specify methods to disseminate and make procedures known and easily accessible to staff (e.g., handbooks, manuals, guidebooks, internet/web-based protocols, smart phones or other devices, or approaches)

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

IMPLICATIONS FOR DD COUNCILS

Does the designated State or Territory Agency have Language Access Procedures that the Council uses?

Has the Council developed its own Language Access Procedures?

To what extent were Council members involved in the development and approval of Language Access Procedures?

Have Council staff received training and been provided with Language Access Procedures?

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The goal of all language access planning and implementation is to ensure that organizations, agencies, or programs communicate effectively with individuals who have limited English. (p. 1)

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

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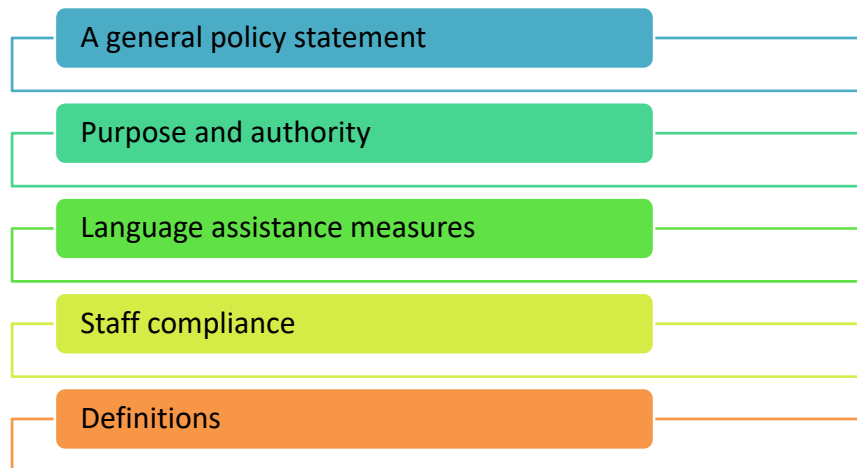
Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

COMPONENTS OF A LANGUAGE ACCESS IMPLEMENTATION PLAN



Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

COMPONENTS OF A LANGUAGE ACCESS IMPLEMENTATION PLAN: POLICY DIRECTIVES



Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

COMPONENTS OF A LANGUAGE ACCESS IMPLEMENTATION PLAN: ADDITIONAL POLICY DIRECTIVES

Staff training

Bilingual staff

Performance Measurement

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

SUMMARY: KEY COMPONENTS OF A LANGUAGE ACCESS IMPLEMENTATION PLAN

A. Identification of persons charged with implementing the plan

B. Identification and assessment of LEP communities

C. A description of the timeframe, objectives, and benchmarks for work to be undertaken

D. Identification of funding and procurement issues and the steps needed to address them

E. Notice of language assistance services

F. Training staff on policies and procedures

G. Monitoring and updating the plan, policies, and procedures

H. Collaborating with LEP communities and other stakeholders



Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

Examples of Council Activities & Language Access

Membership – Council members with limited English proficiency who need or request interpretation and translation services to participate in Council activities; data collection on languages spoken by members; recruitment approaches that include LEP communities

State Plan – State demographics of limited English proficiency and limited English Speaking households; assessment of language needs for DD services and supports across the age span; disparities in access to DD services and supports due to LEP; how LEP communities will be engaged; evaluating the impact of language access in the state/territory

Grants – Requirement for language assistance in RFAs; grant review criteria (including budget) that address language access; ensuring grantees have the capacity to deliver services and supports, information, or conduct other activities in languages other than English; grant opportunities that address disparities based on languages spoken other than English

Advocacy, Self-Advocacy & Capacity Building – Information dissemination in languages other than English; training activities conducted for self-advocates and their families in languages other than English; partnering/supporting LEP communities to access the state/territory system of DD services and supports

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A Big Shout Out to Guam!

Beyond Mandates: Language Access Services in Guam



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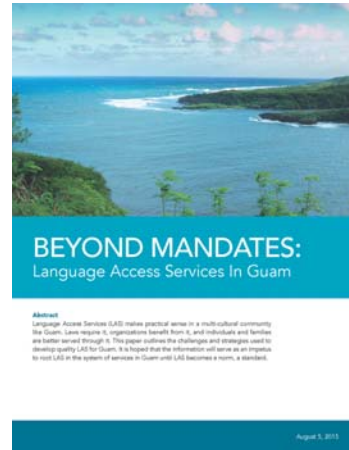


Beyond Mandates: Language Access Services in Guam



Mariles D. Benavente, ACSW
University of GUAM Cedders UCEDD
(recently retired)

*A tribute to her vision, leadership, and
commitment,*



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Beyond Mandates: Language Access Services in Guam An Impressive and Successful Journey from 2012 – 2015

Strategy 1. Collaboration among diverse stakeholders across health, behavioral health, education, social services, judiciary, and individuals with LEP

Strategy 2. Advocacy through CLASP (Culture and Language Access Services Partners)

Strategy 3. Workforce development uniform training, professional development, and certification for interpreters and translators; position descriptions for providers of language access services within the Government to improve employment opportunities

Strategy 4. Policy development CLASP drafted an Executive Order for language access services for the Governor's signature

Strategy 5. CLC Training leveraged range of resources to conduct training across the public and private sector on a array of topics that support language access

Strategy 6. Language access products and other activities included over 10 substantive resources adapted to the cultural contexts and languages spoken in Guam



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Beyond Mandates: Language Access Services in Guam



Please ask us about free interpreter services!

- Famaisen pot i Dibátde na Setbision Intetpiti!
Libre po ang tagasalin para sa inyo!
- Kose mochen kapazeis ngeni kich fan iten ekewe aninis ren fosom fonoomwi!
- Oo' leng ku kasru ke lumpyasen kas Kosrae suc kom ku in siyuk ke kasru ac tia mou' nu sum (tia enemu in mouf-free).
- Rie kwaj aikuj niukook, jouj im kajitok bore ejelok wonen.
- A moszbech a ngeuse e ng nga er ngli a chad el sebechel ngosukau el oiud a teko' el diak el ocheraol.
- Soum kawehwe me sohite anahne pweipwee' k'ak sawas, komw menlau peidek ni saledek.
- Siro, mu fith marangan e ma'afweg thin ya dary pulwon.
- Co dich vu thong dich mien phat!
- 無料通訳サービスについてお問い合わせください！
- 통역이 필요하시면 말씀하십시오. 무료로 해드립니다.
- 请咨询我们有关免费翻译服务

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Beyond Mandates: Language Access Services on Guam

Language Access Services on Guam

1970's	1980's	1993	1995	1997	1999
<ul style="list-style-type: none"> Department of Education's (DOE) LAMP (Language And Math Program) 	<ul style="list-style-type: none"> TESOL 	<ul style="list-style-type: none"> DOE's PPOP (result of Compact Impact (IT)S available) 	<ul style="list-style-type: none"> DOE's Language Other Than English TESOL is replaced by ESL/OLTE 	<ul style="list-style-type: none"> Guam Community College (GCC) Creates Sign Language Interpreter Program locally and regionally 	<ul style="list-style-type: none"> DOE & University of Guam (UOG) establish Micronesian Language Institute (MLI) Training Program
2000's	2007	2008	2009	2010	2011
<ul style="list-style-type: none"> Court Interpreters Training 	<ul style="list-style-type: none"> Adoption of Judiciary's Language Access Plan 	<ul style="list-style-type: none"> 1st Interpreters Training by Court & UOG/DB 		<ul style="list-style-type: none"> Establishment of Project Karinu with CLC Coordinator Establishment of GDOE's English as a Second Language Program (ESL) GMM contracts Helping Hands Hawaii for training and services 	<ul style="list-style-type: none"> GOMH established at DPRSS 1st CLAS Training conducted by GOMH for DPRSS Karinu's CLC Plan developed (May) GMM Implements Language Proficiency Pre-Screening through IWABEC and Testing of bi-lingual GMMH staff candidates (June)
2012	2013	2014	2015		
<ul style="list-style-type: none"> 1st Interpreter Training in Behavioral Health by Karinu /CEDERS (Jan) CEDERS/Karinu Training on CLAS for Continuing Ed., Web-based Tra Training, ABEC & American Pac. Nurse Leaders Council (Apr) Judiciary LA Coordinator position established (Jul) GMM establishes CLAS Action Team (Sept 12) Guam (DPI) Training for Interpreters Meeting Impairment content by CEDERS (Dec) 	<ul style="list-style-type: none"> CRP Training (Mar-Nov) Judiciary's LA Plan amended (Mar) Judiciary LA Coordinator's position filled (Jul) 2nd Interpreter's Training in Behavioral Health by Karinu / CEDERS (Jun) "Cultural Conversations" by Karinu /CEDERS (Jun) 1st CLAS Meeting (Nov) PEACE Council adopts CLASP as Subcomm (Dec) 3 Year PEACE Plan with CLAS Standards as Requirement GOMH CLAS Trainings begun agency-wide 	<ul style="list-style-type: none"> 1st Public Forum ("Access to Language Equality") by CLASP & Training for Interpreters (Jan) GCC Advisory Committee on LAS (Feb) CLASP Strategic Planning (Mar) 	<ul style="list-style-type: none"> Draft of Executive Order for LAPS (Jan) Training and T.A. from N.C.C.C. on "Organizational CLC" (Jan) 		

Funding for this publication was provided by the Child Mental Health Initiative (CMHI) Cooperative Agreement # 342790M00022-04 between the U.S. Department of Health and Human Services/Substance Abuse and Mental Health Services Administration/Center for Mental Health Services and the Guam Department of Public Health and Social Services. The University of Guam is an Equal Opportunity Provider and Employer.

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Additional Guidance

Language Access Implementation Plan Requires Analysis for Council Activities Required by the DD Act

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**Understanding
how individuals
with LEP
interact with
your
organization**

Adapt to the legislative
mandates and activities of
Councils.

Any interaction with the public that may involve
but is not limited to:

- Program applicants and participants
- Hotline or information lines
- Outreach/community engagement programs
- Public meetings, hearings, forums
- Public access to agency websites
- Written materials or complaints
- Brochures/materials for public dissemination
- Services and supports,

Adapted from 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

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Identifying and assessing LEP communities

Adapt to the legislative mandates and activities of Councils.

- Determine linguistic characteristics of population with LEP in the geographic service area
- Identify persons in the service area with whom the organization, agency or program comes into contact
- Identify all communities that are eligible for services or directly affected by organization's, agency's or program's services

Does your organization, agency or program:

1. Identify and track primary languages of those seeking and receiving services?
2. Have mandatory data fields for LEP:
 - languages spoken?
 - preferred spoken and written languages?
3. Require all staff collect and input LEP data?

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

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Providing language assistance services

~~Family members
Children,
Friends
Untrained volunteers~~

Adapt to the legislative mandates and activities of Councils.

INTERPRETATION SERVICES (ORAL)

Are policy and procedures in place to:

- Identify qualified interpreters (competency in the language and service provided) including face-to-face, telephonic/video/internet technology?

TRANSLATION SERVICES (WRITTEN)

Are policies and procedures in place to identify:


- qualified translators (with knowledge of service provided)?
- signage and vital written documents for translation?
- Handle written communication from individuals with LEP?

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

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**Training
staff on policies
procedures**


Adapt to the legislative mandates and activities of Councils.



- Are staff provided training on policies and procedures on how to arrange language assistance services?
- Is training mandatory for all staff who have the potential to interact with populations with LEP?
- Does training include content on:
 - Working with interpreters effectively?
 - Ethics?
 - Specialized terminology?
 - Eliciting feedback on effectiveness of translated documents?

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

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**Providing
notice of
language
assistance
services**

Adapt to the legislative mandates and activities of Councils.

Does the organization, agency, or program:


- Assess all points of contact (telephone, in-person, mail, electronic communication) to determine most effective methods of providing notice of language assistance services?
- Explain how individuals with LEP may access language assistance services?
- Post signage in conspicuous places about the availability of language assistance services, use “I Speak” language identification cards, and including instructions in non-English languages on telephone menus.





Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 1/19/15 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

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Monitoring evaluating and updating

Adapt to the legislative mandates and activities of Councils.



Does the organization, agency, or program:

- Have a designated person to manage language assistance services?
- Survey staff on frequency of use and effectiveness language assistance services?
- Monitor the frequency and nature of complaints?
- Assess user satisfaction with services and elicit ideas for improvement?
- Solicit input from community-based organization and other stakeholders about effectiveness of services?
- Keep current community demographic needs on languages spoken?
- Seek new resources to fund and collaborate in the provision of language access services?
- Review and update language access plan on an annual basis?

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 2/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

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EXAMPLES OF LANGUAGE ACCESS PROCEDURES

- How staff are to respond to telephone calls from individuals with LEP
- How staff together, track, and record language preference information
- How staff inform individuals with LEP about available language assistance services
- How staff will identify the language needs of individuals with LEP
- How staff will procure in-person interpreter services
- How staff will access telephone, video, or other interpretation technologies
- How to use bilingual staff for LEP services and which staff are authorized to provide "in-language" service
- How to obtain translation of documents
- How staff will process language access complaints



Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf



LANGUAGE ACCESS COORDINATOR OR RESPONSIBLE PERSONNEL

- Identify qualified interpreters and translators for database
- Create interpreter, translator, and bilingual staff qualifications and ethical standards
- Develop measures to ensure quality control for providers of interpretation and translation services
- Training and testing bilingual individuals including staff who provide language assistance services
- Assign qualified interpreters, translators, and bilingual employees to perform language assistance functions
- Maintain a regularly updated list of all competent bilingual employees, contract interpreters, and contract translators
(availability, non-English languages spoken, contact information)


Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/27/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf



LANGUAGE ACCESS COORDINATOR OR RESPONSIBLE PERSONNEL

- Change hiring and personnel practices to increase staff language capacity
- Develop a procurement strategy for contract language assistance services
- Seek funding for: (1) resources, and other collaborations to support interpretation and translation; and (2) technological and other infrastructure support and staffing
- Provide input to budget and procurement processes related to implementation of the language access policy, plan, and procedures
- Coordinate procurement for interpreter and translator services

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 17/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf




Community
self-organized netw.
common interests, cause
social group whose mem
no geographical limitat

Community Engagement and Disseminating Language Assistance Services Information

- Provide information to the public and to LEP communities regarding the language assistance services available free of charge. Information should be provided in English *and* the appropriate other languages (e.g., signage, websites, translated documents, telephone menu options, kiosks, and community engagement activities)
- Coordinate with other agencies and stakeholders to ensure consistent identification of LEP status, primary language
- Exchange promising practices and challenges with other governmental and non-governmental agencies

Adapted from Language access assessment and planning tool for federally conducted and assisted programs (May 2011). Civil Rights Division, U.S. Department of Justice. Retrieved on 7/26/18 from http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

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