



Office of Human Rights  
DISTRICT OF COLUMBIA

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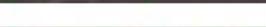
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2012 ANNUAL COMPLIANCE REVIEW

# LANGUAGE ACCESS IN THE DISTRICT

GOVERNMENT OF THE DISTRICT OF COLUMBIA



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# CONTENTS

**3** Report Purpose

**4** Introduction

**5** About Language Access

**7** Complaints

**8** Assessment Process

**13** Summary of Findings

**15** FY12 Compliance Scorecards

**48** Comparative Results

**49** Criteria Details

# REPORT PURPOSE

## ANNUAL COMPLIANCE REVIEW

This report intends to inform elected leaders, government officials, advocates and the public about the compliance of District government agencies with the requirements of the DC Language Access Act of 2004 (the Act). The Act requires that all District agencies, and service providers contracted by agencies, provide interpretation services for customers who are Limited English Proficient (LEP) or Non-English proficient (NEP). Translation of vital documents, training for personnel in public contact positions and tracking of LEP/NEP customers are also required by the Act. This report analyzes the compliance levels of 32 government agencies designated as having “major public contact,” and therefore bound to additional obligations under the Act.

“The landmark Language Access Act aims to ensure limited and non-English speaking residents attain greater access to public services and increased participation in programs and activities.” *- Office of Human Rights Director Gustavo Velasquez*

## SIX MOST COMMON LANGUAGES

The District is a culturally and linguistically rich city and the Language Access (LA) Program advocates on behalf of residents who speak more than 130 languages. Based on 2010 census data, reports from the Mayor’s Office on African Affairs, Mayor’s Office on Latino Affairs, and Mayor’s Office on Asian and Pacific Islander Affairs, and agency data on LEP/NEP customers, the Office of Human Rights (OHR) asserts that Amharic, Chinese, French, Korean, Spanish and Vietnamese are the six most prevalent languages spoken in the District. For purposes of this report, it is important to note that field testing was conducted in one or more of these six languages.



# INTRODUCTION

This report presents an overview of the work of the Language Access Program in FY12 and annual compliance levels for agencies with major public contact. Mónica Palacio, a long-time social justice activist and immigrant rights advocate, became Director of the Program in early 2012. Based upon feedback from key stakeholders and working closely with OHR Director Gustavo Velasquez and Program Analyst Stephanie Franklin, Ms. Palacio initiated a number of changes to strengthen the impact of the program. In FY12, new instructor-led compliance and cultural competency training was delivered to over 1000 District employees, and redesigned “I Speak” cards were distributed alongside OHR’s first ever public service announcements aired to inform LEP/NEP communities of their language access rights.

One of the LA Program’s key accomplishments in FY12 involved designing a new methodology for assessing agency compliance. All past compliance assessments were based upon agency self-reporting (60 percent) and “secret shopper” field testing (40 percent). The new framework includes criteria aimed at more thoroughly assessing an agency’s preparedness (inputs), accessibility and service delivery (outputs), and quality of service as evidenced in field testing results, complaints and trends in compliance (outcomes). The scorecards assessing 32 agencies are included in this report to provide agencies with a blueprint for closing all gaps in compliance, so LEP/NEP community members can receive the quality government services they deserve.



*Photo: Language Access Program Analyst Stephanie Franklin speaks with constituents about language access at the 3rd Annual DC Africa Festival in September 2012.*

Nearly a decade after District leaders passed such a landmark piece of legislation, it is vitally important all agencies fulfill its promise to ensure all people in the District receive equal services no matter which language they speak. The LA Program is determined to work diligently and collaborate with agencies– and their Language Access Coordinators – to fill gaps in compliance and drastically improve service to LEP/NEP customers as the tenth anniversary of the Language Access Act approaches in 2014. We strongly encourage you to read this report in its entirety to fully understand the important changes made to our assessment process and review the rich information about the work agencies are doing on Language Access.

OHR and the LA Program thank the Language Access Coordinators who are on the frontline of ensuring agencies meet their commitment to the LEP/NEP communities, the Mayor’s Offices on African Affairs, Asian and Pacific Islander Affairs, and Latino Affairs, as well as the Language Access Coalition whose service providers play an indispensable role in serving and representing LEP/NEP individuals.

*February 2013, District of Columbia*

# ABOUT LANGUAGE ACCESS

The LA Program exists to ensure District residents who are limited or non-English proficient are afforded equal access to information and services provided by the District. Residents who speak little English must be offered interpretation services and/or translated documents when obtaining government services, as required by the Language Access Act of 2004. The LA Program staff engage in extensive community outreach, provide training and technical support to District agencies working with LEP/NEP residents, and measure the effectiveness of agencies in serving such populations by examining resource allocation and service delivery. Through its enforcement authority, the LA Program works under the auspices of OHR to investigate complaints claiming access to information or government services were denied.

The LA Program Director and Program Analyst work closely with 33 Language Access Coordinators, each one designated by the agency Director to facilitate and oversee language access related services at their agency. The liaison role of the Coordinator is essential in ensuring language access resources such as contracts with interpretation services, compliance training for agency staff, translated agency documents, multi-lingual signs in reception areas, are available across the agency so no customer is turned away. The LA Program works in consultation with a number of community outreach offices – including the Mayor’s Office on African Affairs, Mayor’s Office on Latino Affairs, and Mayor’s Office on Asian and Pacific Islander Affairs – and with the DC Language Access Coalition, an alliance of community organizations serving the needs of limited or non-English proficient residents. Each year, the LA Program relaunches a “Know Your Rights” campaign that aims to raise awareness about the rights afforded and services available to those who speak limited English in the District.

“Our program exists so all people in the District receive access to vital government services, no matter the language they speak.”

- *Language Access Program Director Mónica Palacio*



**Extensive training efforts** led to over 1000 District personnel being trained in Language Access and cultural competencies, ensuring agency employees develop the skills necessary to assist limited and non-English proficient customers.



**“I Speak” cards** assist limited and non-English proficient residents in accessing government services by explaining to DC employees the language spoken by the card-holder and important information about language access law in the District.



**Awareness efforts** included television public service announcements and print advertisements informing DC residents about District law and their right to receive an interpreter when accessing government services.

### KEY COMPONENTS

The LA Program organizes its work into the four components described below. While the work of the program is not linear, the components are listed in the following order because effective planning leads to stronger compliance. Education and enforcement provide capacity building resources and course-correction in the event a complaint is filed and an agency is found in non-compliance.

#### 1. Planning & Reporting

Agencies with major public contact submit a two-year Biennial Language Access Plan (BLAP) to OHR that serves as a blueprint for compliance. The BLAP template was revised in FY12 and now serves as an assessment tool highlighting agency strengths while recording gaps in service and needed improvements. In addition to standard compliance information, the template now requires the agency to: (1) Designate an LA Team composed of senior managers; (2) Adopt an LA policy for the agency and update it periodically; (3) List vital documents as well as planned translations; and (4) Record frequency of encounters and distinct ways it interacts with and tracks LEP/NEP customers. For FY13-FY14, quarterly reporting requirements were also aligned with changes made to the BLAP template.

#### 2. Enforcement

Customers who believe their rights have been violated under the statute may file a language access complaint with OHR. Docketed cases are then investigated and the OHR Director, in consultation with the LA Director, then determine whether action or inaction by agency personnel result in non-compliance with the Act. If OHR issues a non-compliance finding, the LA Director then identifies the corrective actions the agency must take to remedy gaps in service to LEP/NEP customers. The OHR Director and/or LA Director may also initiate an audit of an agency if a series of inquires or complaints raise concerns that an agency is not meeting its obligations under the Language Access Act.

#### 3. Analysis & Assessment

LA Program staff respond to inquiries from LEP/NEP customers or advocates asserting access to information or services may have been denied. Agencies also contact the LA program on a weekly basis seeking guidance or resources to ensure a customer's interpretation or translation needs are met. Grantees, sub-contractors of agencies, and often schools call for advice on compliance. In FY12, LA staff began attending agencies' senior management team meetings to reinforce compliance requirements and offer implementation strategies. In cases where an agency is found in non-compliance as a result of a formal complaint filed with and investigated by OHR, the LA Program staff requires corrective actions, provides support as needed, and monitors execution over time.

#### 4. Outreach & Education

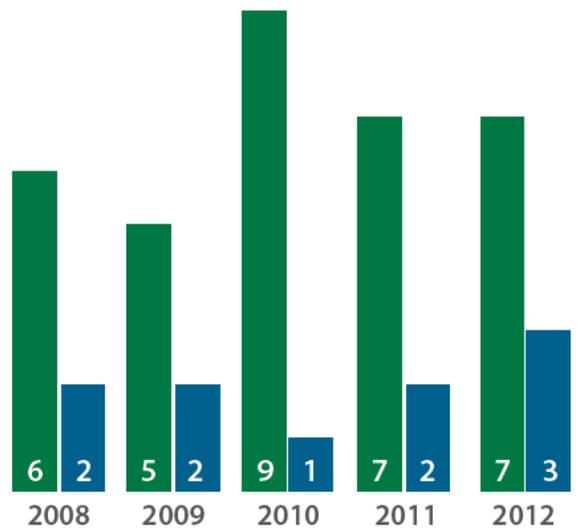
Outreach and education are vital to ensuring people access and receive adequate services. LA Program staff hold instructor-led trainings for personnel in public contact positions to provide the skills and tools to remove barriers to access. Compliance requirements are explained and participants are challenged to build their cultural competency skills. Agencies are required to conduct outreach to LEP/NEP communities and work closely with the Mayor's Constituency Offices, the LA Coalition and LA Program staff, so it meets community needs. LA Program outreach in FY12 included distribution of redesigned "I Speak" cards, public service announcements in six languages, and monthly meetings with the LA Coalition and other partners.

# COMPLAINTS

A complaint can be filed with OHR by an LEP/NEP customer or a third party on behalf of one or more customers who believe that access to information and/or services has been denied. Once docketed, the case is assigned to an investigator and OHR issues a determination in the case no more than 180 days from the date it is docketed. If OHR determines an agency violated a complainant's language access rights, the agency is ordered to take corrective action. The LA Program Director then closely monitors progress on specific corrective action items.

**Complaints Filed & Violations Found by Year**

Complaints Filed  
Violations Found



## LANGUAGE ACCESS COMPLAINTS FILED IN FY12

In FY12, the LA Program received approximately 20 inquiries and a total of seven language access complaints were filed with OHR. One of the seven cases was filed against the District of Columbia Housing Authority (DCHA) and was successfully mediated. The Office of Administrative Hearings (OAH) was found to have violated the language access rights of a complainant when an interpreter was not provided during a hearing before an Administrative law Judge. The Complainant was a limited English speaker. OAH was required to institute a waiver requirement if and when a customer were to decline the use of an interpreter, provide compliance training for all judicial and non-judicial staff, improve systems for tracking LEP/NEP customers, and create goals for translation of vital documents.

Two complaints were filed against DCHA. The first, in which DCHA was charged with failing to provide interpretation services and translate vital documents for a Spanish speaking LEP/NEP customer, was settled through mediation. DCHA took action to remedy and assist the complainant in a timely manner. In the second complaint, the complainant also charged the agency with failing to translate vital documents and failing to provide assistance to a Spanish speaking customer in the customer's language. OHR found DCHA violated the complainant's language access rights and issued a determination of non-compliance. OHR issued corrective actions which required DCHA to: translate all vital documents named in the complaint; ensure personnel were trained to identify a customer's language needs and provide an interpreter if necessary by 12/31/12; discontinue the practice of requiring LEP/NEP customers to sit through group eligibility sessions they could not understand; and ensure that all senior managers attend a presentation by the LA Director on language access compliance.

A complaint was filed that involved alleged violations of the Act by both the District of Columbia Public Schools (DCPS) and the Office of the State Superintendent for Education (OSSE). OHR found both agencies in non-compliance for failure to provide Spanish speaking LEP/NEP parents with translated vital documents (IEP related and non-IEP related documents). Corrective actions were issued for each agency. DCPS was required to adopt a language access policy for the entire DCPS system as well as put a plan in place so all schools adopt language access guidelines and assign a point person, over the next two years. Additionally, DCPS submitted an updated list of vital documents and translated those that were not yet translated, ensured all translated documents are accessible to teachers and school personnel via a centralized system and implemented a new cross-referencing systems to ensure all LEP/NEP households are accounted for and tracked. OSSE was required to translate any and all vital documents named in complaint for which OSSE was responsible, modify student tracking systems to ensure LEP/NEP students are identified, and provide training for all OSSE staff and senior managers. The LA Program Director will continue to meet quarterly with each agency in FY13 to ensure all corrective actions are completed.

# ASSESSMENT PROCESS

In FY12, the LA Program changed the process and criteria by which agency performance is assessed in terms of overall compliance with the Language Access Act of 2004. A narrative scorecard is now used that provides a more comprehensive review of language access functions at the agency. The scorecard summarizes the agency's core services, volume of customers, strengths and gaps in compliance, and specific recommendations for improvement. The scorecard also reports the number of requirements, also described as criteria, an agency met and/or failed to meet. Results are also provided for the 23 agencies that received field testing.

It is important to note that OHR is now using a higher threshold to determine an agency's compliance. This means it is now more difficult for an agency to receive average or high compliance levels. In prior years, agency's received a compliance "score" based upon self-reporting (60%) and field testing (40%). Revised criteria are now used to determine an agency's level of compliance, however, all criteria are derived from the requirements outlined in the Language Access Act of 2004 and the corresponding regulations.

The overall goal of this new assessment model is to more thoroughly examine an agency's capacity to serve LEP/NEP customers (preparedness), whether customers received services given the language access resources in place (accessibility), and overall compliance including reoccurring problems or improvements, findings of non-compliance, and field testing results (quality).

## REQUIREMENTS

The requirements mandated in the Language Access Act of 2004 and corresponding regulations fall into seven (7) key areas for agencies with major public contact and four (4) key areas for agencies not designated as having major public contact.

**All covered entities<sup>1</sup> are required to ensure the following is in place for LEP/NEP customers:**

1. Data is collected on primary language spoken;
2. Interpretation services are provided;
3. Vital documents are translated and used in the provision of services in languages where encounters cross the 3 percent or 500 customer threshold; and
4. Personnel in public contact positions are trained on how to serve these customers.

**Additionally, entities designated as having major public contact must:**

5. Complete a biennial language access plan;
6. Designate a Language Access Coordinator; and
7. Hold public meetings and conduct outreach to LEP/NEP communities.

<sup>1</sup>Covered entities are defined as "any District agency, department, or program that furnishes information or renders services, programs or activities directly to the public or contracts with other entities, either directly or indirectly, to conduct programs, services or activities. The term "covered entity" shall not include Advisory Neighborhood Commissions."

For purposes of this assessment, the LA Program derived criteria to measure how well agencies with major public contact were meeting the seven key sets of requirements outlined in the Act. All requirements were converted into criteria that measure agency preparedness, accessibility and quality of services provided to LEP/NEP customers. The data used to determine whether an agency met the criteria was drawn from research tools that included: FY11-12 BLAPs, FY12 Quarterly Reports, FY13-14 BLAP drafts and feedback to agencies, requests by LA Director for information, inquiries about possible violations, docketed complaints, and determinations issued by OHR. The revised criteria by which agencies are scored are listed in the next section.

The LA Program researched methods used by other local governments to assess language access compliance as well as best practices published by the Migration Policy Institute (MPI), a nationally recognized policy think tank. A general framework for OHR's new assessment methodology was taken from an article published by MPI, entitled, "How to Assess the Effectiveness of Language Access Programs." The article's author, Robin Ghertner, is a methodologist in the field of assessing social programs within and outside the federal government with specific expertise in the assessment of language access implementation.

**“Aligning our assessment process with both requirements of law and best practices is essential for ensuring agencies can learn to best serve their LEP and NEP customers.”**

*- Language Access Program Director Mónica Palacio*

## CRITERIA

As explained above, the LA Program took the seven key sets of requirements, divided these into three categories (preparedness, accessibility, quality) and identified 12 to 14 measures of performance, also called criteria. The three categories also correlate to Ghertner's framework of inputs, outputs and outcomes:

Preparedness	Accessibility	Quality
<b>Inputs</b>	<b>Outputs</b>	<b>Outcomes</b>
Inputs (Preparedness) are actions taken and resources developed to prepare for interactions with LEP/NEP individuals, including but not limited to, training, data collection, and performance of the Language Access Coordinator.	Outputs (Accessibility) are the services or information an agency delivers or produces, including but not limited to interpretation services, translation of vital documents and outreach.	Outcomes (Quality) measure whether LEP/NEP customers received service or not due to an agency's lack of preparation or poor accessibility, whether complaints were filed against the agency, and if field testing trends show an ability to meet customer needs.

282

FIELD TESTS CONDUCTED IN FY12

110

IN-PERSON

172

VIA TELEPHONE

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A note about outcomes as defined in this assessment framework: High levels of preparedness and accessibility can enhance an agency's ability to meet a customer's needs, but they are not the only determinative factors with regard to outcomes. For example, despite high levels of preparedness a customer can still be turned away. If this customer then files a complaint, the agency may then be found in non-compliance in this one instance. The example is used to demonstrate that the LA program relied on numerous criteria to assess agency performance and compliance. It is also important to note that the category labeled "quality" intends to measure the extent to which a customer's needs were met and is not a measure of whether good customer service was provided.

Another important element in assessing how well an agency ensures access to LEP/NEP customers is OHR's field testing program. Not all agencies who receive a scorecard in this report received field testing. OHR contracted the Equal Rights Center to conduct field testing and a total of 110 in-person and 172 telephone tests were conducted in FY12. The LA Program also adopted a new strategy for field testing in FY12. In order to have larger sample size at agencies with the highest volume of customers, tests were mainly concentrated in the top five agencies with high frequency of contact, namely DCPS, DOES, DOH, DHS, and DCRA, which collectively received 70 percent of all testing conducted. A total of 23 of 32 agencies received tests. Scorecards for each agency either note the results of testing or that testing was not conducted in FY12.

**"While agency preparedness for LEP and NEP customers is paramount, the field testing aims to tell us how this preparation actually plays out for those accessing services."**

*- Language Access Program Analyst Stephanie Franklin*

## METHODOLOGY

OHR measures agency inputs (preparedness), outputs (accessibility), and outcomes (quality) by assigning one point for each of the questions below that could be answered in the affirmative. Data sources used to assess whether or not the agency met the requirement included, FY11-12 BLAPs, FY12 Quarterly Reports, FY13-14 BLAP drafts and feedback to agencies, requests by LA Director for information, inquiries about possible violations, docketed complaints, and determinations issued by OHR.

### Inputs (Preparedness)

1. Is the agency consistently collecting data?
2. Did data collection methods produce comprehensive and reliable data?
3. Did the agency make significant<sup>1</sup> efforts to train their staff?
4. Did the agency communicate effectively with the LA Program in FY12?
5. Is the agency managing and meeting requests for interpretation and/or translation services?

### Outputs (Accessibility)

6. Were vital documents translated and/or updated in FY12?
7. Did the languages that vital documents were translated into in FY12, reflect the needs of LEP/NEP populations served at the agency?
8. Did the agency make significant<sup>2</sup> efforts to conduct outreach to LEP/NEP communities in FY12?
9. Are translated vital documents accessible on the agency website?

### Outcomes (Quality)

10. Has OHR observed a trend in the nature of complaints filed and/or other reoccurring problems at the agency?
11. Were there any instances in which the agency was found in non-compliance in FY11-12 (i.e. via formal complaints or audits)?
12. Were there instances in which testers were turned away during field tests (i.e agency employee hung up on tester or told them they are unable to assist them)?  
*NOTE: MEASURE OMITTED FOR AGENCIES THAT DID NOT RECEIVE FIELD TESTS*
13. Were there instances in which testers had access to an employee and/or was provided with interpretation but never received the information or service they requested?  
*NOTE: MEASURE OMITTED FOR AGENCIES THAT DID NOT RECEIVE FIELD TESTS*
14. Has OHR observed significant improvement, steady progress, or decline in language access implementation at the agency in FY11-12?

<sup>1</sup>Considerations include the number of agency staff trained, number of training requests made to the LA Program, and number of staff who participated in Workforce Development Administration trainings.

<sup>2</sup>Considerations include agency attendance at community meetings, events held, presence of agency information and knowledge of services in the LEP/NEP community.

## SCORING SYSTEM

Each agency received credit for each criteria/set of requirements met. Please note, the 23 agencies subjected to field testing had to meet a total of 14 criteria and agencies that were not subjected to field testing had to meet a total of 12 criteria. The scorecard contains a text box where this numerical value is listed (Compliance Requirements Met). For example, if an agency met 11 of the 14 criteria, a compliance score of 11 out of 14 is reported on the scorecard. Descriptions are provided below to assist in categorizing the level of compliance as determined by the “Compliance Requirements Met” score.

### Performance Scale

Agency demonstrates effective efforts to meet most requirements as prescribed by the Language Access Act, reported compliance efforts in quarterly reports, and had no complaints or inquiries made regarding provision of services to LEP/NEP customers. The agency received compliance points for at least 11 requirements if field tests were conducted and at least 10 if no field tests were conducted.

Scored out of 14 (Field Tests conducted)	Scored out of 12 (No Field Tests conducted)
11 or more requirements met	10 or more requirements met

Agency demonstrates an ability to meet more than half of the program requirements, however fails in at least one or two key requirements. The agency received compliance points in the 8-10 range if field tests were conducted and compliance points in the 7-9 range if no field tests were conducted.

Scored out of 14 (Field Tests conducted)	Scored out of 12 (No Field Tests conducted)
8 to 10 requirements met	7 to 9 requirements met

Agency requires substantial improvement to meet the needs of LEP/NEP customers and fails to meet three or more of the seven sets of requirements. The agency met 7 or less requirements if field tests were conducted or 6 or less if no field tests were conducted.

Scored out of 14 (Field Tests conducted)	Scored out of 12 (No Field Tests conducted)
7 or less requirements met	6 or less requirements met

## SCORECARD RECOMMENDATIONS

Each scorecard contains a set of recommendations based upon all the data available to the LA Program. Recommendations are prioritized and are not meant to include any or all improvements an agency may need to make in order to improve a compliance score. It is also important to note that during the first quarter of FY13, the LA Director met with twelve agencies to review agency performance and finalize the FY13-14 Biennial Language Access Plan.

# SUMMARY OF FINDINGS

## COMPLIANCE RATINGS

The LA Program assessed the compliance of 32 District agencies. Fourteen agencies demonstrated effective efforts to meet most requirements, twelve were deemed as having met more than half of the requirements but failed to reach at least one or two, and six agencies required substantial improvements to meet the needs of LEP/NEP customers. The shift to more stringent assessment criteria accounts for some of the downward shift in the number of agencies that met less than half of the compliance criteria.

District-wide, agencies still face a number of challenges to ensuring equitable access for LEP/NEP customers. The most common gaps in compliance are a result of: (1) a lack of reliable customer management systems that ensure agencies identify and track LEP/NEP customers, (2) incomplete archives of vital documents and a failure to translate these as mandated by the Act, and (3) agency websites that are not LEP/NEP user friendly and do not contain all necessary translated information. A number of agencies point to limited financial resources as the reason for these gaps in compliance, however the 10 year anniversary of the Act in 2014 marks an entire decade during which agencies have known about compliance requirements. This report lays the foundation for closing all gaps in compliance and includes concrete recommendations for how agencies can do so.

## AREAS FOR IMPROVEMENT

### 1. Improvements in Tracking LEP/NEP Customers

Preparedness is essential for an agency to effectively meet LEP/NEP customer needs. In order for an agency to successfully serve an LEP/NEP customer, it must have trained personnel and structural resources in place to accurately identify the primary language spoken by the customer. Once a customer's spoken language is identified, agency personnel can ensure an interpreter is used to facilitate communication, provide translated vital documents if needed, and track the customer so all future verbal or written communication can take place. The ultimate goal is that the customer's request is fulfilled by the services and information available at the agency.

**Key Issue:** Almost all agencies are able to report some data regarding contact with LEP/NEP customers, however, more than half of the agencies are still not reporting enough data or an accurate count of encounters with these customers.

#### OHR RECOMMENDATION

Data regarding LEP/NEP customer encounters must be reported from more than one reliable source. Sources include reception area sign-in sheets that record encounters, usage reports on Language Line services, bilingual personnel tracking sheets, use of live interpretation services or other effective means. Reliable tracking of LEP/NEP customers makes the work of the agency more efficient (i.e. calls being effectively routed, and reduced customer visits to agency offices because customer is able to read agency correspondence) and improved access to information and services for customers a concrete reality.

## 2. Translation of Vital Documents

Full compliance with the Act requires that agencies identify all vital documents and translate them based upon an accurate count of LEP/NEP customers served. Due to sometimes poor customer tracking, agencies often do not have an accurate count of which languages cross the threshold for vital document translation. Therefore, agencies do not proactively translate vital documents into languages needed by their customers or have defaulted to a piecemeal approach where agencies consider translating a document only when a customer needs a document translated and asks for it. While this approach represents progress, it does not paint an accurate picture of which documents an agency must translate.

**Key Issue:** A reactive approach to the translation of vital documents places an unfair burden on LEP/NEP customers to figure out when and how to request translation of vital documents and also leaves the agency in a crisis mode.

### OHR RECOMMENDATION

In FY13, agencies entered a new Biennial Planning period, which is an optimal opportunity for agencies to gather a complete list of vital documents and forecast which of these will be translated during FY13 and which during FY14. This takes the agency out of a reactive/crisis mode and also takes an undue burden off of the LEP/NEP customer.

## 3. Website Accessibility

District agencies not confined to the Drupal Content Management system have been successful in making agency websites LEP/NEP user-friendly (i.e. DCPS and OPC). However, agencies confined to OCTO's Drupal software report they have not been able to embed links on the front page of the agency website ensuring access for LEP/NEP users, nor have these agencies been able to post multilingual content. In some cases, PDF versions of documents have been uploaded, but without links on the front page of the website, users are unable to find these documents.

**Key Issue:** LEP/NEP customers are not afforded equal access to vital documents and general information about the services an agency provides because the agency's ability to ensure LEP/NEP users web accessibility is compromised.

### OHR RECOMMENDATION

OHR recommends that the Office of the Chief Technology Officer (OCTO) commit resources to initiate a feasibility study to obtain cost of making District government websites fully accessible in the top six languages spoken. Within this study, OCTO should review best practices in other jurisdictions regarding website accessibility. The goal is to enhance all District government websites by including a global navigation feature on the top right of every English page (the DCPS website has such a feature).

# FY12 COMPLIANCE SCORECARDS

## ABOUT THE SCORECARDS

Language access compliance reviews have been completed for 32 District government agencies in FY12. The resulting scorecard for each agency reviews its accomplishments on behalf of the LEP/NEP community in the past year, and analyzes the agency's level of compliance with the Language Access Act of 2004. A "Compliance Requirements Met" score is provided to indicate an agency's overall compliance, and field test results given based on anonymous language access tests conducted. An overall narrative and analysis is included to explain the compliance level, and recommendations given so agencies can improve their service to LEP/NEP communities. A detailed analysis of the requirements each agency met is available in the Compliance Details section of this report (page 49).

### COMPLIANCE REQUIREMENTS MET 11 out of 14

*Compliance rating based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY 12 XXX received a total **13 field tests**, 4 of which were conducted In-Person and 9 telephone calls.*

- » *Asked if XXX provided service, information or appropriate resources via phone, the tester responded "Yes" 7 out of 9 times.*
- » *Asked if XXX provided service, information or appropriate resources in-person, the tester responded "Yes" 3 out of 4 times.*

Agencies are provided the number of compliance requirements met, based on their preparedness to assist LEP/NEP communities, accessibility and quality of service. Agencies are scored out of 14 requirements if field tests were conducted, and 12 if not.

Field tests are based on in-person or telephone-based interactions with the agency, where undisclosed testers speaking in a non-English language assess the quality of service. Testing is concentrated towards agencies with major public contact, and therefore not all agencies receive field tests.

Details about the testing for each agency is described on the scorecards. The most informative results of the testing will be provided.

# Alcoholic Beverage Regulation Administration

## FY12 COMPLIANCE SCORECARD

- » ABRA issues and renews licenses that enable qualified businesses to sell and serve alcoholic beverages. The agency reports that in FY12, it had direct contact with approximately 50 LEP/NEP customers.
- » During FY12, in an effort to reach more Spanish speaking and Korean speaking clientele, ABRA sent out hearing notices informing customers that ABRA provides interpretation services.



## LANGUAGE ACCESS AT ABRA

Alcoholic Beverage Regulation Administration is committed to promoting the health, safety, and welfare of citizens patronizing the approximately 1,750 ABC establishments in the District. Toward this goal, ABRA educates owners and employees of ABC establishments as to how to comply with ABC laws, policies and procedures. Jackie Richardson, Operations Manager for the agency, also serves as the Language Access Coordinator. ABRA asserts it tracks cases that need interpretation or translation, such as notices sent on hearings scheduled, which assist the agency in identifying when a customer needs interpretation services. OHR notes ABRA trained all personnel in public contact positions in FY12.

OHR notes that no vital documents were translated in FY11 or FY12 and that document translation does not appear to be actively managed and planned. Records show that ABRA has only three documents in its archive of vital documents and the agency has not translated any vital documents since 2008. Given the legal liability and licensing requirements the agency oversees, OHR strongly recommends that ABRA translate all necessary documents pertaining to these matters as well as other important information. OHR has also received a number of inquiries regarding a lack of responsiveness to the needs of French and Amharic speaking customers. OHR will work closely with ABRA to ensure these gaps in service do not recur.

### COMPLIANCE REQUIREMENTS MET 8 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

#### FIELD TEST RESULTS

*In FY12, ABRA received a total **3 field tests**, all of which were conducted via telephone calls.*

- » *When asked if ABRA provided service, information or appropriate resources via phone, the tester responded "Yes" only 1 out of 3 times.*

## AREAS FOR IMPROVEMENT

OHR has met with ABRA Director Fred Moosally to finalize the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendations for ABRA to improve compliance with the Language Access Act:

- » Translation of vital documents into additional languages
- » Improvements in data collection, to include more comprehensive mechanisms that report all languages encountered
- » Continue efforts to provide services and information to LEP/NEP business owners
- » Ensure all translated documents are uploaded to the agency's website and are made accessible for LEP/NEP customers

# Child and Family Services Agency



## FY12 COMPLIANCE SCORECARD

- » The work of CFSA impacts thousands of families and children each year in the District with over 2,000 in the foster care system in FY12.
- » In FY12, CFSA conducted on-site training for staff at all of the agency's contracted family support services collaboratives. It used "mock scenarios" where coaching and feedback were provided as staff worked with customers.

## LANGUAGE ACCESS AT CFSA

Child and Family Services Agency has an archive of vital documents with more than 40 different forms and notices, and the majority are translated into French, Korean, Spanish and Mandarin, and are made available to all personnel through CFSA's intranet. The agency has contact with hundreds of Limited English proficient and Non-English Proficient (LEP/NEP) families each year who call CFSA directly for service, participate in one or more CFSA programs, and/or receive services through CFSA's extensive network of family support services providers. Given the sensitive nature of child welfare issues that CFSA manages, OHR commends CFSA for work done translating these vital documents into four of the six major languages spoken in the District and encourages it to continue tracking changing demographics in order to ensure it is responding to needs in new language minority groups. CFSA reports 23 of the agency's 32 bilingual staff speak one of the top six languages spoken in the District. Keisha M. Hawkins, Supervisory Management Services Liaison in the Office of the Deputy Director for Administration, was appointed Language Access Coordinator for CFSA during FY12.

CFSA always ensures interpretation services are provided when requested by a customer, social workers are trained to effectively use Language Line services during a home visit or other interaction, and personnel in the agency's call centers are trained to use Language Line. CFSA currently has policies and procedures in place that outline what is expected of personnel interacting with LEP/NEP customers, and OHR will work to ensure all major public contact agencies adopt similar policies in FY13. However, CFSA needs to improve data collection strategies to ensure it can effectively track and tag cases and customer interactions. Based on information CFSA reported in FY12, data was not consistently reported in an accurate and comprehensive manner. Given CFSA has wide-ranging customer interactions, OHR recommends CFSA implement more systematic and reliable ways to track encounters with all LEP/NEP customers.

## AREAS FOR IMPROVEMENT

OHR is working with CFSA to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of all quarterly reports submitted by CFSA in FY12, OHR makes the following recommendations to ensure it continues to improve compliance with the Language Access Act:

- » Information about CFSA core services, including how to contact hotlines, and vital documents should be posted and made easily accessible on its website
- » Improve data collection strategies

## COMPLIANCE REQUIREMENTS MET 12 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

## FIELD TEST RESULTS

*In FY12, CFSA received a total of **8 field tests**, 2 of which were conducted in-person and 6 via telephone calls.*

- » *When asked if CFSA provided service, information or appropriate resources via phone, the tester responded "Yes" 4 out of 6 times.*
- » *When asked if CFSA provided service, information or appropriate resources in-person, the tester responded "Yes" both times.*

# DC Housing Authority

## FY12 COMPLIANCE SCORECARD

- » DCHA reaches approximately 88,000 households and serves at least 1,000 LEP/NEP customers per year. DCHA asserts that 98 percent of contact with LEP/NEP customers occurs in the agency's Client Placement Division and Housing Voucher Program.
- » In FY12, DCHA identified and translated 77 vital documents into Spanish. It also approved a \$42,000 expenditure for operating software updates to ensure it can identify LEP/NEP clients and provide appropriate language letters and forms for mailings.



## LANGUAGE ACCESS AT DCHA

The DC Housing Authority aims to provide quality affordable housing to low-to-moderate-income households, foster sustainable communities, and cultivate opportunities for residents to improve their lives. The agency serves a large number of District residents, as almost one out of six households rely on the agency for housing services. Dena Michaelson, Director of Public Affairs and Communications for the agency, also serves as the Language Access Coordinator. Day-to-day contact with LEP/NEP customers occurs primarily through phone calls to DCHA, correspondence, and scheduled or "walk-in" appointments. LEP/NEP customers who are required to attend group eligibility sessions are provided with simultaneous interpretation in the language needed (most often Spanish or Vietnamese). DCHA says it serves a finite customer base because a resident is either currently housed via DCHA programs or is on the housing waiting list (approximately 67,000 people). Thus, DCHA says it can effectively track LEP/NEP customers and language assistance needs.

OHR notes that three formal Language Access complaints were filed against the agency in FY12. One complaint was mediated and settled. One resulted in a finding of non-compliance with the Language Access Act of 2004 and a number of corrective actions resulted. DCHA has addressed the corrective actions in the case in a timely and responsible manner. The third case is currently pending and will be decided by OHR before the end of February 2013. In meetings with DCHA, OHR has recommended that the agency review the need for the translation of vital documents into languages other than Spanish. DCHA asserts it has assessed LEP/NEP customer needs and that it is meeting those needs through the use of bilingual personnel, group presentations in Vietnamese or Spanish and by translating all necessary vital documents. OHR will continue working with DCHA to ensure customer needs when interpretation and translation services are an issue.

### COMPLIANCE REQUIREMENTS MET 8 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, DCHA received a total of 8 field tests, all of which were conducted via telephone calls.*

- » *When asked if DCHA provided service, information or appropriate resources via phone, the tester responded "Yes" only 3 out of 8 times.*

## AREAS FOR IMPROVEMENT

OHR met with DCHA Director Adrienne Todman to review the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendations for DHCA to improve compliance with the Language Access Act:

- » Improve tagging and tracking all LEP/NEP customers so correspondence sent to the customer is translated in the correct language, as required by the Language Access Act
- » Complete assessment of LEP/NEP customer needs and report results to OHR

# DC Lottery and Charitable Games Control Board



## FY12 COMPLIANCE SCORECARD

- » DCLB offers its services to businesses that are looking to become lottery retailers. Each year they serve thousands of District residents with at least 60 encounters with LEP/NEP customers in FY12.
- » DCLB reports success in outreach strategies such as visiting businesses and sending newsletters that reinforce a commitment to serving LEP/NEP retailers, including meeting with the Korean Grocers Association to provide information to Korean retailers.

## LANGUAGE ACCESS AT DCLB

DC Lottery and Charitable Games Control Board's mission is to provide revenue-generating entertainment through the sale of innovative lottery products and promotions that directly benefit the residents and the economic vitality of the District. Olufolahan Oluwole, Customer Service Representative for the agency, also serves as the Language Access Coordinator. DCLB asserts turnover is very low with retailers. As a result, customer service specialists are able to build trust and strong communication year after year with LEP/NEP clients, which has made DCLB confident that if and when language issues arise, customers receive the assistance they need. Infrequently, customers referred to as "players" visit or call the DCLB Claims Center and need language assistance. When these services are needed, customer service staff are trained to use Language Line and are well equipped to meet the needs of LEP/NEP customers.

In terms of areas for improvement, OHR strongly recommends DCLB broaden outreach activities to all LEP/NEP communities. The agency's FY12 quarterly reports show outreach activities designed to serve Spanish speakers are relatively low, however, DCLB reports that it has designed some marketing strategies to better engage the large number of Spanish speaking players. DCLB did not translate any vital documents in FY11-12, and did not list any vital documents it plans to translate in FY13-14. OHR also recommends DCLB translate vital documents into additional languages for retailers doing business in French and Amharic, as inquiries have been made with OHR by third party advocates for these communities.

## AREAS FOR IMPROVEMENT

OHR met with DCLB Director Buddy Roogow to finalize the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendations for DCLB to improve compliance with the Language Access Act:

- » Increase outreach with Spanish speaking business owners
- » Improve data collection by tracking LEP/NEP customers
- » Translate additional vital documents

## COMPLIANCE REQUIREMENTS MET 9 out of 12

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

## FIELD TEST RESULTS

*In FY12, no field testing was conducted at DCLB. OHR concentrated its field testing at agencies with the highest traffic and that serve large LEP/NEP populations. Testing is random and any agency can be tested at anytime.*

## FY12 COMPLIANCE SCORECARD

- » DCPL provides space for reading, learning and other activities to residents and visitors of the District. It serves tens of thousands of customers at over 28 library locations, and in FY12, reported approximately 1,000 encounters with LEP/NEP customers.
- » In FY12, DCPL reports closely tracking libraries in neighborhoods with large LEP/NEP populations and responding to needs by adapting collections for those libraries, and designing outreach and educational programs that are culturally appropriate.



## LANGUAGE ACCESS AT DCPL

DC Public Library aims to provide access to materials, information, and services that enables every resident access to lifelong learning and an enhanced quality of life that helps build a thriving city. Angela Simpson serves as the agency's Language Access Coordinator. OHR commends DCPL for timely and reliable reporting in the FY12 quarterly reports submitted to OHR. DCPL consistently submits data regarding the number of LEP/NEP cardholders it has encountered. In FY13, DCPL is also planning to ensure interpretation services such as desktop cards will be on display at all circulation desks.

OHR strongly recommends information such as library hours and location of libraries be made available in the top six languages spoken in the District given the essential nature of this information for LEP/NEP customers. This information can be updated without the use of translation services. OHR notes that DCPL's archive of vital documents is still limited and in FY11 and FY12, DCPL only translated five vital documents. OHR commends DCPL for translating these documents into all of the six top languages spoken in the District, however plans DCPL submitted for FY13-14 do not list any new documents for translation. OHR notes that DCPL leadership has been receptive to this feedback. Lastly, OHR recommends that all translated vital documents, including the library card application, should be easily accessible to LEP/NEP customers via the DCPL website.

### COMPLIANCE REQUIREMENTS MET 11 out of 12

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, no field testing was conducted at DCPL. OHR concentrated its field testing at agencies with the highest traffic and that serve large LEP/NEP populations. Testing is random and any agency can be tested at anytime.*

## AREAS FOR IMPROVEMENT

OHR has met with DCPL Chief Librarian Ginnie Cooper to finalize the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendations for DCPL to improve compliance with the Language Access Act:

- » Complete a comprehensive list of vital documents
- » Make general information about DCPL services available in the top six languages spoken in the District
- » Improve the website so all vital documents are uploaded and easily accessible to LEP/NEP customers

# DC Public Schools



DISTRICT OF COLUMBIA  
PUBLIC SCHOOLS

## FY12 COMPLIANCE SCORECARD

- » DCPS operates 125 schools and serves approximately 46,000 students and families living in the District each year. DCPS reports that in FY12 it served more than 7,800 LEP/NEP students and families.
- » In FY12, DCPS was one of the first agencies to ensure intermediate and senior leadership received language access compliance training from OHR. DCPS reports that from January to March of 2012, the use of telephonic interpretation increased 50 percent.

## LANGUAGE ACCESS AT DCPS

DC Public Schools aims to ensure all students acquire the knowledge, skills, and values necessary to live rich and fulfilling lives as responsible, productive and enlightened members of society. The Director of the agency's Office of Bilingual Education (OBE), Elba Garcia, serves as the Language Access Coordinator. Only two or three other District agencies have the depth and frequency of contact with LEP/NEP individuals that DCPS has with its customers. OHR commends OBE staff for keeping pace with the high demand for translation of vital documents, providing interpreters, and training teachers and other school personnel. OBE staff also provides important one-on-one support to LEP/NEP students and families and is often called on to attend community meetings and foster collaboration between advocates, families and local schools. OHR also commends DCPS for the ease of use of its website for LEP/NEP customers. The DCPS website is an excellent model portal through which LEP/NEP students and families have access to important information.

OHR is in regular contact with OBE and is aware that the magnitude of LEP/NEP needs often far exceeds the resources available to improve language access at schools and in DCPS central offices. One formal complaint was filed with OHR against DCPS, alleging a violation of the Language Access Act. The complaint resulted in a finding of non-compliance for DCPS and corrective actions were issued by OHR. DCPS has been responsive and reliable in addressing these corrective actions by improving the centralization and availability of translated documents, and finalizing a memo to be distributed system-wide at the beginning of 2013 highlighting the agency's Language Access Policy and requiring clear guidelines for schools with a Linguistically and Culturally Diverse (LCD) population of 25 percent or more. OHR will also work closely with OBE to ensure increased numbers of teachers and school personnel are trained in the skills and information needed to ensure full compliance.

## AREAS FOR IMPROVEMENT

OHR is working with DCPS to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of all quarterly reports submitted by DCPS in FY12, OHR makes the following recommendations to ensure DCPS strives to improve compliance with the Language Access Act:

- » Ensure all translated vital documents are centralized and accessible to school personnel
- » With OHR assistance, train personnel at LCD schools and ensure every school has a Language Access policy and protocol in place

### COMPLIANCE REQUIREMENTS MET 10 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, DCPS received a total of **35 field tests**, 14 of which were conducted in-person and 21 via telephone calls.*

- » *When sked if DCPS provided service, information or appropriate resources via phone, testers responded "Yes" only 9 out of 21 times.*
- » *When asked if DCPS provided service, information or appropriate resources in-person testers responded "Yes" 11 of 14 times.*

# Department of Consumer and Regulatory Affairs

## FY12 COMPLIANCE SCORECARD

- » DCRA served approximately 225,631 customers in FY12. OHR estimates DCRA had approximately 3,000 encounters with LEP/NEP customers in FY12.
- » In FY12, DCRA increased efforts to train front-line personnel using on-line and instructor led training offered by OHR. Additionally, DCRA participated in 24 outreach activities in LEP/NEP communities and translated Business License Initiative (Small Business Resource Center) documents into Spanish.



## LANGUAGE ACCESS AT DCRA

Department of Consumer and Regulatory Affairs interacts with LEP/NEP customers on a daily or weekly basis across all of its divisions, including zoning enforcement, building code enforcement, licensing, inspections, and investigations related to business and consumer protection. The agency has a strong language access team in place led by Heather Vargas, Program Manager for Communications and Customer Service at DCRA. OHR endorses this team-based approach for major public contact agencies and strongly encourages DCRA to continue team-based compliance work given the exceptional volume of customers the agency serves. However, OHR finds DCRA must continue improving compliance efforts by expanding its archive of translated vital documents, improving customer service within each of its major divisions, and improving data collection across all of its programs. DCRA currently has a limited archive of translated vital documents – fewer than a dozen documents – for use by LEP/NEP customers. Nevertheless, OHR commends DCRA for translating the large majority of this small list into more than one of the six major languages spoken in the District.

In the agency's two-year plan for FY13-FY14, DCRA says it will translate 26 vital documents into all of the six major languages over the next two fiscal years. OHR looks forward to DCRA following through on these plans, given the agency

reports continued challenges with funding for translation and interpretation services. OHR cautions that without these essential materials available to LEP/NEP customers, service will suffer. OHR strongly recommends that that translation of these vital documents be prioritized and that all vital documents be made available on DCRA's website. In FY12, OHR met with DCRA's Language Access Team and senior leaders and will continue to work closely with the agency in order to ensure additional opportunities for public dialogue with LEP/NEP customers take place over the next two years.

### COMPLIANCE REQUIREMENTS MET 9 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, DCRA received a total of 40 field tests, 17 of which were conducted in-person and 23 via telephone calls.*

- » *When asked if DCRA provided service, information or appropriate resources via phone, testers responded "Yes" only 14 out of 23 times.*
- » *When asked if DCRA provided service, information or appropriate resources in-person testers responded "Yes" 15 of 17 times.*

## AREAS FOR IMPROVEMENT

OHR is working with DCRA to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of all quarterly reports submitted by DCRA in FY12, OHR makes the following recommendations for it to improve compliance with the Language Access Act:

- » Translate additional vital documents into all languages spoken by LEP/NEP customers with whom the agency has the most contact
- » Improve data collection strategies for reliable tracking of LEP/NEP customers

# Department of Corrections



## FY12 COMPLIANCE SCORECARD

- » DOC operates the DC Jail and contracts with a network of privately operated transitional housing providers for community placement of inmates. DOC reports serving about 18,000 customers in FY12, and an estimated 436 LEP/NEP customers, however residents at facilities are not required to identify as LEP/NEP.
- » DOC participated in recruitment events targeting a broad cross-section of potential applicants and hired 45 new correctional officers, 15 of which were hired into bilingual positions.

## LANGUAGE ACCESS AT DOC

The mission of the Department of Corrections is to ensure the public safety of citizens of the District by providing an orderly, safe, secure, and humane environment for the confinement of pretrial detainees and sentenced inmates, while affording those in custody meaningful opportunities for reintegration into the community. Darby Baham, Public Affairs Specialist for the Department, also serves as the agency's Language Access Coordinator. DOC contracts with a network of providers that include Hope Village, Fairview Halfway House and Unity Health Care. The agency also oversees the operations of the Correctional Treatment Facility (CTF). Information and services are provided to LEP/NEP customers primarily through bilingual staff and volunteers or the use of Language Line telephonic interpretation services. OHR commends DOC for its substantial archive of vital documents. Over 50 vital documents have been translated in order to meet the needs of the LEP/NEP populations the agency serves. DOC has also made exceptional efforts to ensure that personnel receive timely training despite challenging work rotation schedules.

OHR recommends that they agency revisit its list of vital documents and determine the additional languages into which documents need to be translated. Vital documents such as DOC's Frequently Asked Questions, Orientation Checklist, and/or Immigration Notice, are a few that would greatly benefit LEP/NEP visitors or inmates if they were made available by the agency. In addition, all vital documents can and should be uploaded to the agency's website and be made easily accessible to LEP/NEP customers with whom the agency has most contact.

## AREAS FOR IMPROVEMENT

OHR is working with DOC to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of all quarterly reports submitted by DOC in FY12, OHR makes the following recommendations for it to improve compliance with the Language Access Act:

- » Translation of vital documents into additional languages
- » Ensure all vital documents are easily accessible on DOC's website

## COMPLIANCE REQUIREMENTS MET 12 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

## FIELD TEST RESULTS

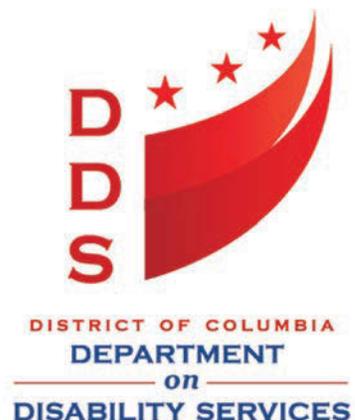
*In FY12, DOC received a total of **3 field tests**, all of which were conducted via telephone calls.*

- » *When asked if DOC provided service, information or appropriate resources via phone, testers responded "Yes" only 1 out of 3 times.*

# Department of Disability Services

## FY12 COMPLIANCE SCORECARD

- » DDS serves thousands of District residents each year through its Developmental Disabilities Administration (DDA) and Rehabilitation Services Administration (RSA). OHR estimates DDS had direct contact with approximately 1,500 LEP/NEP customers in FY12.
- » In FY12, DDS conducted a number of outreach activities the agency asserts targeted all LEP/NEP communities.



## LANGUAGE ACCESS AT DDS

The mission of the Department of Disability Services (DDS) is to provide innovative, high quality services that enable people with disabilities to lead meaningful and productive lives as vital members of their families, schools, workplaces, and communities in every neighborhood in the District. Tonya Poindexter, the Executive Assistant to the agency Director, serves as the Language Access Coordinator. DDS interacts with LEP/NEP customers through in-person contacts, by phone, electronically, and through other forms of written correspondence. OHR commends DDS for having a substantial archive of vital documents in place. A total of 40 vital documents have been reported as translated, however, the large majority are translated only into Spanish.

In terms of areas for improvement, DDS has identified it needs to improve methods for collecting data related to contacts with LEP/NEP customers, and has informed OHR it is starting new protocols and tools in order to do so. To date, DDS has not reported to OHR the frequency or types of contact that its two service providers have with LEP/NEP customers, despite contractors being required to do so under the Language Access Act. OHR recommends that DDS prioritize improvement in tagging and tracking of LEP/NEP cases and that the agency ensure all personnel in public contact positions receive instructor-led training regarding their roles and responsibilities when serving LEP/NEP customers.

### COMPLIANCE REQUIREMENTS MET

**7 out of 14**

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, DDS received a total of **6 field tests**, 2 of which were conducted in-person and 4 via telephone calls.*

- » *When asked if DDS provided service, information or appropriate resources via phone, testers responded "Yes" none of the 4 times.*
- » *When asked if DDS provided service, information or appropriate resources in-person, testers responded "Yes" both times.*

## AREAS FOR IMPROVEMENT

OHR is working with DDS to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of all quarterly reports submitted by DDS in FY12, OHR makes the following recommendations for DDS to improve compliance with the Language Access Act:

- » Translate vital documents into additional languages
- » Improve systems for tracking LEP/NEP customers

# Department of Employment Services



## FY12 COMPLIANCE SCORECARD

- » DOES serves approximately 120,000 customers annually, including active employees, government employers and private employers. In FY12, DOES served approximately 2,000 LEP/NEP residents seeking job training, receiving career counseling, or applying for unemployment insurance and other services.
- » In FY12, DOES translated the agency's unemployment manual into Spanish, which was posted on the DOES website. The agency has recorded high usage of this new manual.

## LANGUAGE ACCESS AT DOES

The Department of Employment Services plans, develops, and administers employment related services to the District metropolitan area. It aims to empower and sustain a diverse workforce which enables all sectors of the community to achieve economic and social stability. Rahsaan Coefield serves as Equal Opportunity Manager/Labor Relations Advisor, as well as the Language Access Coordinator, which are complimentary roles. DOES relies on telephonic interpretation, live interpreters, translation services, and bilingual staff to ensure LEP/NEP customers receive information and services. DOES operates four walk-in centers and succeeded in hiring significant numbers of Spanish speaking bilingual staff for walk-in centers with many LEP/NEP Spanish speaking customers. OHR commends DOES for adopting a Language Access policy in FY12, and for important strides it made in meeting the needs of Spanish speaking LEP/NEP residents.

One formal complaint of an alleged language access violation was filed with OHR against DOES. As of the writing of this report, OHR has not yet issued a determination in the matter. In addition, OHR notes the agency has a number of improvements to make in order to be in full compliance with the statute. DOES has not translated the necessary vital documents to ensure equal access to its programs and services for LEP/NEP customers. With regard to data collection, DOES has relied solely on reports from Language Line services, which only capture calls made for interpretation assistance by DOES personnel. This figure omits face-to-face encounters with LEP/NEP customers who use walk-in services, attend informational sessions, and seek other services. OHR recommends these gaps be addressed by upgrading the DOES customer tracking system in order to more systematically compile a comprehensive list of vital documents and tag and track LEP/NEP customers.

## AREAS FOR IMPROVEMENT

OHR is working with DOES to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of all quarterly reports submitted by DOES, in FY12, OHR makes the following recommendations for DOES to improve compliance with the Language Access Act:

- » Complete a list of vital documents and plans for their translation, and submit it to OHR.
- » Improve the DOES customer tracking system to ensure more comprehensive and accurate tracking of LEP/NEP customers

### COMPLIANCE REQUIREMENTS MET 10 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, DOES received a total of **33 field tests**, 14 of which were conducted in-person and 19 via telephone calls.*

- » *When asked if DOES provided service, information or appropriate resources via phone, testers responded "Yes" only 8 out of 19 times.*
- » *When asked if DOES provided service, information or appropriate resources via phone, testers responded "Yes" only 9 out of 14 times.*

## FY12 COMPLIANCE SCORECARD

- » DOH serves over 87,000 clients annually with about half of its customers served through sub-contractors and sub-grantees. In FY12, one in seven customers, or approximately 12,500, were LEP/NEP residents.
- » In FY12, DOH translated numerous guides that provide culturally relevant information on vital DOH funded services. The guides were translated into multiple languages and included information on HIV/AIDS services, WIC programs, and cancer services.



## LANGUAGE ACCESS AT DOH

The DC Department of Health aims to promote and protect the health, safety and quality of life of residents, visitors, and those doing business in the District. DOH achieves its mission through funding a broad spectrum of health services providers such as the Family Health and Birthing Center, Mary's Center, Metro Teen AIDS, and Unity Health Care. Ivan Torres has served as the agency's Language Access Coordinator since the program's inception. DOH has contact with LEP/NEP customers on a daily basis and reports LEP/NEP customers seek out almost all DOH programs and services, including, but not limited to, Vital Records, WIC and Nutrition services, medical licensing services, and emergency and disaster preparation initiatives. Direct clinical services are provided by sub-contractors and sub-grantees including cancer, primary care, case managing, housing and prescription drug services for persons affected by HIV/AIDS.

In FY12, DOH made strides identifying and translating vital documents, however, additional areas for improvement include data collection and tracking of encounters with LEP/NEP customers, and making information for language minority populations more accessible via DOH's website. Given that information and services offered by DOH can have a life changing impact on an individual's health and the health of those around them, OHR strongly recommends that DOH

dedicate the funds to prioritize the translation of all vital documents into at least the top six languages spoken in the District. In addition, OHR recommends the agency ensure all contracts with providers highlight the provider's language access compliance requirements. DOH also asserts it plans to set high goals for diversifying its workforce and increase language access training for providers over the next two years.

### COMPLIANCE REQUIREMENTS MET 7 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, DOH received a total of **37 field tests**, 16 of which were conducted in-person and 21 via telephone calls.*

- » *When asked if DOH provided service, information or appropriate resources via phone, testers responded "Yes" only 7 out of 21 times.*
- » *When asked if DOH provided service, information or appropriate resources via phone, testers responded "Yes" 12 out of 16 times.*

## AREAS FOR IMPROVEMENT

OHR is working with DOH to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of all quarterly reports submitted by DOH, in FY12, OHR makes the following recommendations for DOH to improve compliance with the Language Access Act:

- » Translate additional vital documents
- » Make significant improvements to the DOH website to ensure all vital documents are uploaded and easily accessible
- » Improve tagging and tracking LEP/NEP customers

# Department of Housing & Community Development



## FY12 COMPLIANCE SCORECARD

- » Citywide, DHCD reaches over 1,000 LEP/NEP customers annually through an extensive network of community based providers such as the Housing Counseling Services, Inc., Central American Resource Center, Manna and University Legal Services.
- » In FY12, DHCD provided program and housing marketing to Latino, Asian/Pacific Islander, African communities that included training for housing counseling and service providers on how to use affirmative marketing.

## LANGUAGE ACCESS AT DHCD

Department of Housing & Community Development provides services and fulfills its core mission, both through its funded community based organizations and directly through its Housing Administration Division (HRA) and Housing Resource Center. Sonia P. Gutierrez, the Fair Housing Program Coordinator, also serves as the Language Access Coordinator, roles that are complimentary. The agency relies on telephonic interpretation, live interpreters, translation services, and bilingual staff to ensure that LEP/NEP customers receive information and services. Most notably, DHCD has an impressive archive of vital documents, with a total of 34 applications and notices translated, mostly from the HRA Division. However, the large majority of these vital documents have not been translated into more than one language (e.g. only nine are translated into a language other than Spanish).

DHCD asserts that it closely tracks changes in demographics and trends and is well equipped to respond to changing needs in LEP/NEP communities living in the District. The agency also acknowledges the need for new and improved mechanisms that track the types of information and services most needed by LEP/NEP customers. In FY13-14, DHCD is committing to assessing the need for translation of vital documents into two or more languages and implementing new and improved systems for collecting data regarding encounters with LEP/NEP customers.

## AREAS FOR IMPROVEMENT

OHR is working with DHCD to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of quarterly reports submitted by DHCD, OHR makes the following recommendations to improve compliance with the Language Access Act:

- » Prioritize the translation of essential forms and information about how to access services – such as notices to vacate, tenant petitions and offers of sale – into additional languages based on demographics of LEP/NEP residents and DHCD's assessments of the language needs of those populations
- » Improve data collection to include LEP/NEP attendance at housing outreach events and workshops
- » Improve the DHCD website to ensure all vital documents are made available and that accessibility for LEP/NEP residents is improved

## COMPLIANCE REQUIREMENTS MET 10 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

## FIELD TEST RESULTS

*In FY12, DHCD received a total of **8 field tests**, 4 of which were conducted In-Person and 4 telephone calls.*

- » *When asked if DHCD provided service, information or appropriate resources via phone, the tester responded "Yes" 3 out of 4 times.*
- » *When asked if DHCD provided service, information or appropriate resources in-person, the tester responded "Yes" 3 out of 4 times.*

# Department of Human Resources

## FY12 COMPLIANCE SCORECARD

- » Annually, DCHR serves tens of thousands of District government employees as well as individuals applying for work in District government. The agency reports at least 89 encounters with LEP/NEP customers.
- » In FY12, DCHR ensured all agency personnel attended instructor-led training on Language Access Compliance and Cultural Competency.



## LANGUAGE ACCESS AT DCHR

The Department of Human Resources' mission is to strengthen individual and organizational performance and enable the District government to attract, develop, and retain a highly qualified, diverse workforce. DCHR is made up of six administrations along with the Office of the General Counsel, and all report to the Office of the Director. In terms of interactions with LEP/NEP customers, DCHR provides one-on-one interpretation services to individuals who visit agency offices or the Customer Care Center by utilizing the Language Line interpretation service or staff members who are proficient in the language the customer speaks. Anna Diaz serves as the agency's program analyst as well as the Language Access Coordinator. Ms. Diaz has served as the coordinator since the program's inception at DCHR and stands out as a coordinator who is highly reliable and responsive.

DCHR is unique in that the majority of customers it serves are District employees and those who are inquiring about or applying for employment in the District government. OHR commends the agency for asking about language proficiency in its standard employment form. OHR encourages DCHR to continue working closely with agencies where prospective employees will be placed to optimize the use of an applicant's language skills. OHR recommends DCHR continue seeking ways to improve methods for data collection regarding individuals seeking employment and all other encounters with customers. Lastly, OHR recommends DCHR consider updates to its website so that LEP applicants are able to access information about job postings and how to apply for work more easily.

### COMPLIANCE REQUIREMENTS MET 9 out of 12

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, no field testing was conducted at DCHR. OHR concentrated its field testing at agencies with the highest traffic and that serve large LEP/NEP populations. Testing is random and any agency can be tested at anytime.*

## AREAS FOR IMPROVEMENT

OHR met with DCHR Director Shawn Stokes and the agency's Language Access Coordinator to finalize the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendations for DCHR to improve compliance with the Language Access Act:

- » Improve data collection systems
- » Update the DCHR website so information is more accessible to LEP customers seeking to apply for employment

# Department of Human Services



## FY12 COMPLIANCE SCORECARD

- » DHS served over 230,000 District residents in FY12 by providing support for low-income families in need of economic assistance, healthcare, shelter, resettlement, or disability assistance. DHS reports it served over 22,000 LEP/NEPs customers in FY12.
- » In FY12, the agency updated its customer management system to identify LEP/NEP customers and implemented new policies in order to hire more bilingual staff who are qualified to serve in a bilingual specialist capacity.

## LANGUAGE ACCESS AT DHS

Department of Human Services assists low-income individuals to maximize their potential for economic security. It provides a broad range of safety net support for individuals and families through its Economic Security Administration (ESA) and Family Services Administration (FSA). Jaime Holguin, Special Emphasis Program Coordinator, also serves as the Language Access Coordinator. In FY12, Spanish and Amharic speakers were the largest groups of LEP/NEP customers served by DHS. However, DHS also reported contact with over 25 distinct languages spoken by residents, including Arabic, Hindi, Uzbek and Tagalog. OHR commends DHS for ensuring language access materials, such as posters and Language Line cards at public entry points. OHR also notes DHS is currently implementing a plan to hire additional bilingual personnel.

In FY12, OHR received at least four inquiries that LEP/NEP customers were not receiving equal access to information and services. OHR notes that Mr. Holguin, the agency's coordinator, was responsive and effective in addressing the concerns reported to OHR. However, persistent general customer service issues in addition to language access issues surfaced, particularly at the agency's Taylor Street location. OHR will continue working closely with DHS representatives to address them. OHR also strongly recommends DHS prioritize a list of documents for translation into all the languages with which the agency has the most contact. Based upon information reported to OHR, DHS has only translated the majority (47 out of 50) of vital documents into Spanish. OHR will work with DHS to ensure vital documents, such as those necessary for TANF, food stamp recertification, or eligibility for child care support are prioritized and translated into all six of the major languages spoken in the District. DHS also needs to ensure all vital documents are uploaded to its website and are easily accessible to LEP/NEP customers.

## AREAS FOR IMPROVEMENT

OHR is working with DHS to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of quarterly reports submitted by DHS, OHR makes the following recommendations to ensure DHS improves Language Access Act compliance:

- » Invest in structural improvements to ensure all compliance requirements are in place and LEP/NEP customers receive information and services requested every time
- » Translate vital documents into additional languages
- » Change DHS website to ensure vital documents are available and easily accessible for LEP/NEP customers

## COMPLIANCE REQUIREMENTS MET 8 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

## FIELD TEST RESULTS

*In FY12, DHS received a total of **30 field tests**, 11 of which were conducted in-person and 19 via telephone calls.*

- » *When asked if DHS provided service, information or appropriate resources via phone, the tester responded "Yes" only 3 out of 19 times.*
- » *When asked if DHS provided service, information or appropriate resources in-person, the tester responded "Yes" 9 out of 11 times.*

# Department of Mental Health

## FY12 COMPLIANCE SCORECARD

- » DMH manages a network of over 30 providers that deliver mental health information and services to District residents. DMH served approximately 10,000 District residents in FY12 and had approximately 2,000 encounters with LEP/NEP residents.
- » In FY12, DMH coordinated numerous outreach activities and presentations, including two events aimed at Chinese and other Asian Pacific Islander residents, and two events aimed at Ethiopian and other African communities.



## LANGUAGE ACCESS AT DMH

The Department of Mental Health works to develop, manage and oversee a public mental health system that is customer driven, culturally competent and supports prevention, resiliency and recovery, and the overall well-being of District residents. DMH funds and delivers direct services through an extensive network of community based providers such as Community Connections, Family Matters of Greater Washington, and Neighbors Consejo. Almost all DMH customers receive direct services from a recognized provider, and therefore most residents come into contact with DMH through one of these providers. Ismail Korme, Clinical Administrator for DMH, serves as the agency's Language Access Coordinator. As a best practice, DMH operates a training institute that provides high-quality learning opportunities to all service providers, including trainings for personnel who serve LEP/NEP communities. The institute's courses for those who serve LEP/NEP communities include cultural, diagnosis, medication and intervention issues specific to LEP/NEP customers.

In FY12, DMH made great strides in working with OHR to ensure front-line provider personnel received training on requirements for full compliance with the Language Access statute. Over 80 front-line provider staff members attended one of five instructor-led trainings offered by OHR in FY12. DMH also asserts its 24/7 Access Service Hotline effectively serves LEP/NEP customers by using bilingual staff and training for Language Line interpretation services. Lastly, OHR commends DMH for having systems in place for collecting data from its network of providers regarding contact with LEP/NEP customers, and continues to improve those reporting systems. DMH has set clear goals for the translation of additional vital documents in FY13, and will ensure all vital documents are made available through its network of providers.

### COMPLIANCE REQUIREMENTS MET 12 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, DMH received a total of 6 field tests, 2 of which were conducted in-person and 4 via telephone calls.*

- » *When asked if DMH provided service, information or appropriate resources via phone, the tester responded "Yes" 3 out of 4 times.*
- » *When asked if DMH provided service, information or appropriate resources in-person, the tester responded "Yes" both times.*

## AREAS FOR IMPROVEMENT

OHR met with DMH Director Stephen Baron to finalize the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendations for DMH to improve compliance with the Language Access Act:

- » Review and update DMH Access help-line information cards in FY13
- » Create a general brochure summarizing information and services available through DMH, translate it in the six major languages, and make it available on the DMH website
- » Consent forms should be translated into all six major languages

# Department of Motor Vehicles



## FY12 COMPLIANCE SCORECARD

- » DMV had contact with over 728,000 in-person customers in FY12. DMV reports it served approximately 6,500 LEP/NEP customers in FY12, which OHR estimates resulted in approximately 18,000 contacts or encounters.
- » In FY12, DMV continued efforts to recruit bilingual employees, and made efforts to ensure LEP/NEP customers received assistance through the call center and service centers.

## LANGUAGE ACCESS AT DMV

The Department of Motor Vehicles provides a range of essential services to District residents, and states its mission is to provide excellent customer service and promote public safety by ensuring the safe operation of motor vehicles. Eric Brock, a Training Specialist for DMV, serves as the agency's Language Access Coordinator. DMV has substantial contact with LEP/NEP customers that speak the following languages: Amharic, Arabic, Chinese, French, Spanish and Russian, and has less frequent albeit regular contact with customers who speak German, Portugese and Tagalog. DMV asserts that reliable systems are in place for collection of data within the agency, and OHR commends DMV for reporting data regarding touches and Language Line usage in each quarter of FY12. DMV's archive of vital documents is limited.

There are a number of areas in which the DMV needs to improve, and therefore OHR makes the following recommendations. LEP/NEP District residents would benefit greatly if DMV translates its archive of vital documents into, at minimum, the five languages with which DMV has most frequent contact. All vital documents can and should be made accessible to LEP/NEP customers on its website. OHR also strongly recommends the LA Program staff work closely with customer service managers to ensure all "first contact" personnel are able to access and use Language Line. The agency also needs to substantially increase outreach and education efforts with LEP/NEP communities and pursue partnerships with the Mayor's Offices on Latino Affairs, African Affairs and Asian/Pacific Islander Affairs as one mechanism for doing so. OHR will also work with DMV to ensure it sponsors at least one annual public dialogue meeting to receive feedback from LEP/NEP customers.

## AREAS FOR IMPROVEMENT

OHR is working with DMV to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of quarterly reports submitted by DMV, OHR makes the following recommendations to improve compliance with the Language Access Act:

- » Identify all vital documents and prioritize translation goals for FY13-14
- » Ensure all vital documents are easily accessible on DMV's website
- » Substantially increase outreach and public dialogue activities with LEP/NEP customers

### COMPLIANCE REQUIREMENTS MET 6 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, DMV received a total of **2 field tests**, both of which were conducted in-person.*

- » *When asked if DMV provided service, information or appropriate resources via phone, the tester responded "Yes" 1 out of 2 times.*

# Department of Parks and Recreation

## FY12 COMPLIANCE SCORECARD

- » DPR operates nearly 100 recreational facilities and many life-enhancing programs, serving 940,452 customers in FY12. OHR estimates DPR served about 2,500 LEP/NEP customers in FY12.
- » In FY12, DPR used enhanced strategic and outreach efforts, contacting dozens of organizations serving LEP/NEP residents, including the Mayor's Offices on Latino Affairs, African Affairs, and Asian/Pacific Islander Affairs, Income Maintenance Administration facilities, and places of worship.



## LANGUAGE ACCESS AT DPR

The Department of Parks and Recreation sites and programs play a central role in many neighborhoods and for many young people and families in the District. The agency reports that it relies on telephonic interpretation, live interpreters, translation services, and bilingual staff to ensure LEP/NEP customers receive information and services. Leo Albornoz serves as the Language Access Coordinator. OHR commends DPR for the success it reports in outreach to Spanish speaking communities. DPR prepares Spanish press releases for Spanish media outlets, distributes written materials to LEP/NEP community based organizations, and operates Spanish Immersion Camp during the summer to teach children the customs, traditions, culture, art, and games of Latin America. DPR also asserts it has developed a broad-based community support and advocacy network by entering into collaborative partnerships with community groups and participating in educational, health, and information fairs sponsored by the Mayor's Offices on Latino Affairs, African Affairs and Asian/Pacific Islander Affairs. OHR strongly recommends that DPR match efforts to reach Spanish speaking communities with increased efforts to reach Amharic, Chinese, Korean, French and Vietnamese speaking communities.

OHR acknowledges DPR serves a very diverse and fluid customer base that is not always easily tracked in terms of language proficiency. OHR recommends DPR prioritize instructor-led training of personnel in public contact positions as well as seasonal staff. In FY12, DPR hired over 500 seasonal staff that did not receive language access training. OHR also recommends DPR swiftly address inaccuracies in the reporting of LEP/NEP interactions by DPR personnel. DPR must take measures to ensure that all personnel correctly enter customer language preference information in the agency's ASAP system. OHR notes DPR leadership has acknowledged the improvements the agency needs to make and has expressed support and commitment to making these changes in FY13 and FY14.

### COMPLIANCE REQUIREMENTS MET 7 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, DPR received a total of 13 field tests, 4 of which were conducted in-person and 9 via telephone calls.*

- » *When asked if DPR provided service, information or appropriate resources via phone, the tester responded "Yes" only 4 out of 9 times.*
- » *When asked if DPR provided service, information or appropriate resources in-person, the tester responded "Yes" 2 out of 4 times.*

## AREAS FOR IMPROVEMENT

OHR met with DPR Director Jesús Aguirre and senior managers to finalize the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendations for DPR to improve compliance with the Language Access Act:

- » Finish enacting DPR's plan to ensure all public contact personnel receive a one to two hour instructor-led training session conducted by OHR Language Access staff
- » Improve the accuracy with which personnel are entering data into DPR's customer tracking software

# Department of Public Works



**“The Preferred Choice”**

## FY12 COMPLIANCE SCORECARD

- » DPW provides services to all District residents, but had direct contact with over 110,000 customers and 1,000 LEP/NEP customers in FY12.
- » In FY12, DPW partnered with the Office of Latino Affairs, African Affairs and OHR to create a mural to promote Language Access. DPW funded the mural, located at MacFarland Middle School, through its MuralsDC program. It worked with diverse students who served as apprentices to the lead artist on the project.

## LANGUAGE ACCESS AT DPW

The Department of Public Works provides a range of essential services to all District residents, including, sanitation services, parking enforcement, and fleet management services. Nancee Lyons, the agency’s Public Affairs Specialist, also serves as DPW’s Language Access Coordinator. Given the daily presence and need for DPW services for all residents in the District, it is important to note LEP/NEP residents are likely to have daily contact with DPW personnel. The agency also reports that it has contact with LEP/NEP customers regularly through calls to DPW, meetings with residents who have filed a complaint about a sanitation issue, or other forms of written correspondence.

OHR has made a number of recommendations and will lend support to DPW as it plans to further expand and improve its accessibility to LEP/NEP residents. DPW Director Howland has agreed to put in place a new protocol for when a parking enforcement officer is asked a question by an LEP/NEP customer and needs an interpreter to assist that customer. The agency will also develop and translate a brochure, describing all the information and services it provides to District residents. This general information brochure, as well as content on the back of sanitation and parking violations, will be placed on the DPW website before FY14. OHR also recommends DPW increase efforts to track and report all contacts with LEP/NEP customers, to ensure all agency personnel are well equipped to meet customer needs.

## AREAS FOR IMPROVEMENT

OHR met with DPW Director William Howland and the Language Access Coordinator to finalize the agency’s Biennial Language Access Plan for FY13-14. OHR makes the following recommendations for DPW to improve compliance with the Language Access Act:

- » Translate additional vital documents, including but not limited to, a brochure that provides general information about services DPW provides to District residents
- » Ensure all vital documents are easily accessible on DPW’s website

### COMPLIANCE REQUIREMENTS MET 9 out of 12

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, no field testing was conducted at DPW. OHR concentrated its field testing at agencies with the highest traffic and that serve large LEP/NEP populations. Testing is random and any agency can be tested at anytime.*

# Department of Small & Local Business Development

## FY12 COMPLIANCE SCORECARD

- » Annually, DSLBD serves thousands of District residents and businesses based in the District. In FY12, the agency reports it served less than 10 LEP/NEP customers.
- » In FY12, DSLBD provided interpreters for Certified Business Enterprise (CBE) Pre-Certification Orientation sessions offered to businesses seeking CBE status.



## LANGUAGE ACCESS AT DSLBD

The mission of the Department of Small and Local Business Development (DSLBD) is to support the development, economic growth, and retention of District-based businesses, and promote economic development throughout the District's commercial districts. Sherri Battle serves as the agency's Administrative Officer, as well as the Language Access Coordinator. The agency reports it has contact with LEP/NEP customers in-person, telephonically, electronically, and via written correspondence.

Quarterly reports submitted to OHR in FY12 demonstrate DSLBD made very limited efforts to meet all of their obligations under the Language Access Act of 2004. With regard to data collection, DSLBD did not report frequency of encounters or language spoken by any LEP/NEP customers served. OHR strongly recommends DSLBD collect and report data for all future quarterly reports. DSLBD's inability to track and report information undermines the agency's ability to be in full compliance. OHR records show that DSLBD made no effort to translate any vital documents and have reported no plans for translations in FY13 or FY14, but it is not clear whether this accurately reflects LEP/NEP customer needs. Given the agency's mission is to support the development, economic growth and retention of District-based

businesses, it is important that information it provides in English be translated into other languages so LEP/NEP businesses owners have access to these resources. Lastly, no outreach activities were conducted in FY12. OHR highly recommends DSLBD work alongside different consultative agencies such as the Mayor's Offices on Latino Affairs, African Affairs and Asian/Pacific Islander Affairs, to identify outreach projects for LEP/NEP residents.

### COMPLIANCE REQUIREMENTS MET 3 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, DSLBD received a total of 5 field tests, 2 of which were conducted in-person and 3 via telephone calls.*

- » *When asked if DSLBD provided service, information or appropriate resources via phone, the tester responded "Yes" only 1 out of 3 times.*
- » *When asked if DSLBD provided service, information or appropriate resources in-person, the tester responded "Yes" both times.*

## AREAS FOR IMPROVEMENT

OHR is working with DSLBD to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of quarterly reports submitted by DSLBD, OHR makes the following recommendations to improve compliance with the Language Access Act:

- » Implement reliable mechanisms to track and record all interactions with LEP/NEP customers
- » Translate all vital documents into the languages with which the agency has the most frequent contact
- » Conduct outreach activities designed to reach all LEP/NEP populations the agency is likely to serve

# District Department of the Environment



## FY12 COMPLIANCE SCORECARD

- » DDOE served an estimated 37,225 customers in FY12, including inspections, customer service requests, energy assistance programs and issuing certifications, permits, licenses and audits. In FY12, DDOE reports direct contact with 717 LEP/NEP customers.
- » In FY12, DDOE implemented an electronic data collection system to accurately track customers, including LEP/NEP individuals. It also increased outreach to LEP/NEP communities by advertising programs and services in linguistically diverse media.

## LANGUAGE ACCESS AT DDOE

The District Department of the Environment provides a broad spectrum of important services from Air and Water Quality enforcement, to lead-related laws and regulations, and construction site inspections. Cheryl Randall-Thomas, the agency's Customer Service Coordinator, also serves as the Language Access Coordinator. DDOE asserts it has a diverse workforce well equipped to communicate with customers seeking services as well as dedicated bilingual positions. According to DDOE, the majority of contact with LEP/NEP customers occurs through its Energy Administration, and specifically, the Low Income Home Energy Assistance Program (LIHEAP). OHR notes DDOE did an excellent job ensuring all staff received instructor-led training on language access compliance in FY12. OHR also commends DDOE for its use of sign-in and data collection sheets available at each DDOE public entrance to identify services requested and track the number of LEP/NEP encounters. The sign-in and data collection sheets are also stationed and utilized by sub-grantees and public service organizations, and figures are reported back to DDOE.

In FY12, DDOE's outreach efforts to Amharic and Cantonese speaking District residents by DDOE's Energy Efficiency and Conservation Division (EECD) are also important to note. EECD representatives held Weatherization and Energy Assistance informational sessions with LEP/NEP residents of the Hubbard House, with 75 Amharic-speaking families in attendance, and at St. Mary's Church, where 130 Cantonese-speaking families attended. Upon completing these sessions the families finished the application process. In terms of areas for improvement, OHR recommends DDOE continue to prioritize funding for translation of vital documents and ensure these documents are uploaded and easily accessible to LEP/NEP customers on DDOE's website.

## AREAS FOR IMPROVEMENT

OHR has met with DDOE Acting Director Keith Anderson and senior managers to review the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendations for DDOE to improve compliance with the Language Access Act:

- » Prioritize the translation of vital documents
- » Ensure all vital documents are uploaded and easily accessible on the agency's website

## COMPLIANCE REQUIREMENTS MET 11 out of 12

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

## FIELD TEST RESULTS

*In FY12, no field testing was conducted at DDOE. OHR concentrated its field testing at agencies with the highest traffic and that serve large LEP/NEP populations. Testing is random and any agency can be tested at anytime.*

# District Department of Transportation

## FY12 COMPLIANCE SCORECARD

- » DDOT served over 550,000 District residents in FY12. The agency reports it had direct contact with approximately 1,400 LEP/NEP customers in FY12.
- » In FY12, DDOT translated information about the School Transit Subsidy Program into three languages and also conducted training on Language Access reporting requirements for each administration within the agency.



District Department of Transportation

## LANGUAGE ACCESS AT DDOT

The mission of the District Department of Transportation is to maintain a cohesive and sustainable transportation system that delivers safe, affordable, and convenient ways to move people and goods, while protecting and enhancing the natural, environmental and cultural resources of the District. Jordyne Blaise, Equal Opportunity Specialist, also serves as the Language Access Coordinator. The agency has contact with LEP/NEP customers through the provision of essential transportation services and conducts outreach activities with these communities on a fairly regular basis. DDOT reports that through its school subsidy program – which provides reduced fares to District students for travel to and from school on Metrobus, Metrorail, or the Circulator – the agency serves a large population of LEP students and parents. DDOT also contracts with 21 service providers, including community service organizations who provide transportation services for elders and persons with disabilities. OHR commends DDOT for its archive of 72 vital documents and notes it has one of the largest archives of translated vital documents of any agency with major public contact.

OHR encourages the agency to more closely assess whether all service providers contracted with DDOT are informed of their responsibilities to serve LEP/NEP customers. OHR will work with DDOT throughout FY13 to ensure these providers

are trained and equipped to serve LEP/NEP customers requesting services. OHR also recommends DDOT assess the need to increase the number of vital documents translated into more than one language and ensure all translated vital documents on the agency's website are easily accessible to LEP/NEP customers. OHR commends DDOT for its plan to convene quarterly meetings with Title VI coordinators throughout the agency in FY13. DDOT envisions this team collecting and reporting language access data, delivering trainings, and supporting all public contact positions to ensure the agency is in full compliance with all language access requirements.

### COMPLIANCE REQUIREMENTS MET

**11 out of 14**

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, DDOT received a total of **5 field tests**, 2 of which were conducted in-person and 3 via telephone calls.*

- » *When asked if DDOT provided service, information or appropriate resources via phone, the tester responded "Yes" only 1 out of 3 times.*
- » *When asked if DDOT provided service, information or appropriate resources in-person, the tester responded "Yes" 1 out of 2 times.*

## AREAS FOR IMPROVEMENT

OHR is working with DDOT to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of quarterly reports submitted by DDOT, OHR makes the following recommendations for DDOT to improve compliance with the Language Access Act over FY13-FY14:

- » Ensure DDOT providers receive language access training
- » Make all vital documents easily accessible to LEP/NEP constituents via the DDOT website

# Fire and Emergency Medical Services Department



## FY12 COMPLIANCE SCORECARD

- » FEMS serves more than 160,000 District residents annually and provides essential emergency and public safety services. FEMS reports it had direct contact with approximately 3,500 LEP/NEP District residents in FY12.
- » In FY12, FEMS conducted three community outreach events, tailored specifically to the Hispanic community, addressing topics such as fire safety. FEMS estimates it interacted with more than 300 LEP/NEP residents and their children.

## LANGUAGE ACCESS AT FEMS

FEMS aims to promote safety and health through excellent pre-hospital medical care, fire safety education, prevention, hazardous materials response, technical rescue, and homeland security preparedness. Lon Walls, the agency's Communications Director, serves as the Language Access Coordinator. FEMS interacts with LEP/NEP customers on a daily basis through in-person contacts, calls to the agency, and outreach activities. OHR commends FEMS for partnering with the Office on Latino Affairs and actively tailoring outreach to Spanish speaking LEP/NEP people. OHR strongly encourages FEMS to increase outreach efforts to ensure all LEP/NEP communities have equal access to services. Collaboration with the Office on African Affairs and Asian and Pacific Islander Affairs will improve outreach to Amharic, Chinese, French, Korean and Vietnamese speaking residents. OHR notes FEMS has a substantial archive of translated vital documents – 28 total – however no vital documents have been added or updated since 2008.

FEMS' compliance with the Language Access Act of 2004 must improve in several key areas. Training for all FEMS personnel must be prioritized over the FY13 fiscal year. OHR will partner with FEMS to ensure personnel receive instructor-led training. The agency must move away from relying solely on Language Line usage reports to track contact with LEP/NEP customers. OHR notes FEMS asserts in its FY13-14 plan that it will begin tracking and tagging LEP/NEP customers via the agency's customer management tracking software and that it plans to generate monthly reports of services requested by LEP/NEP customers, broken down by language through the 311 database system. Given the need to ensure all District residents have equal access to the public safety information that FEMS provides, OHR also strongly recommends the agency increase the number of languages into which vital documents are translated. FEMS must also ensure vital documents are easily accessible to LEP/NEP residents via its website.

## AREAS FOR IMPROVEMENT

OHR is working with FEMS to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of FEMS' FY12 quarterly reports, OHR makes the following recommendations to ensure FEMS improves compliance with the Language Access Act:

- » Provide an instructor-led training to all FEMS personnel
- » Complete efforts to track LEP/NEP customer interactions
- » Assess the need to update vital documents

## COMPLIANCE REQUIREMENTS MET 4 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

## FIELD TEST RESULTS

*In FY12, FEMS received a total of **7 field tests**, 4 of which were conducted in-person and 3 via telephone calls.*

- » *When asked if FEMS provided service, information or appropriate resources via phone, the tester responded "Yes" 2 out of 3 times.*
- » *When asked if FEMS provided service, information or appropriate resources in-person, the tester responded "Yes" only 1 out of 4 times.*

# Homeland Security & Emergency Management Agency

## FY12 COMPLIANCE SCORECARD

- » HSEMA information and services are meant to reach all District residents. In FY12, HSEMA had contact with about 400 LEP/NEP customers, primarily through its hotlines and outreach efforts.
- » In FY12, HSEMA coordinated with Offices of Latino Affairs and Asian and Pacific Islander Affairs to disseminate Hurricane Sandy information and help community members prepare. HSEMA also coordinated emergency preparedness and CPR training for residents and front-line health workers in Spanish.



## LANGUAGE ACCESS AT HSEMA

The mission of the Homeland Security and Emergency Management Agency is to support and coordinate homeland security and emergency management efforts, ensuring that the District’s all-hazards emergency operations are prepared to protect against, plan for, respond to, and recover from natural and man-made hazards. Kim McCall, the agency’s Outreach and Engagement Division Director, also serves as the Language Access Coordinator. As a best practice, HSEMA has in place a “Strategic Outreach to LEP/NEPs” plan and conducts substantial outreach to a broad range of language populations in the District. In addition to delivering educational workshops, the agency deploys a mobile unit to reach a wide cross-section of District residents and works closely with EOM offices to ensure time-sensitive information is delivered through effective LEP/NEP channels of communication, such as online alerts and newsletters.

OHR commends HSEMA for prioritizing language access compliance, as evidenced in its planning efforts and impact in reaching LEP/NEP residents. However, OHR recommends HSEMA prioritize additional vital documents for translation and dissemination in LEP/NEP communities. Translating into the top six languages publications such as HSEMA’s Disaster Planning Guide, alerts and updates, can be vital for LEP/NEP residents. All the vital documents that HSEMA has translated thus far also need to be made more easily accessible on its website.

### COMPLIANCE REQUIREMENTS MET

**10 out of 12**

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, no field testing was conducted at HSEMA. OHR concentrated its field testing at agencies with the highest traffic and that serve large LEP/NEP populations. Testing is random and any agency can be tested at anytime.*

## AREAS FOR IMPROVEMENT

OHR is working with HSEMA to finalize the agency’s Biennial Language Access Plan for FY13-14. Based on a review of quarterly reports submitted by HSEMA, OHR makes the following recommendations to improve compliance with the Language Access Act:

- » Translation of additional vital documents
- » Make all vital documents easily accessible on HSEMA’s website

# Metropolitan Police Department



## FY12 COMPLIANCE SCORECARD

- » MPD has contact with hundreds of thousands of individuals residing in or visiting the District each year. MPD had contact with at least 5,000 LEP/NEP individuals in FY12.
- » In FY12, MPD's Special Liaison Division participated in 563 community events. Chief Lanier and the Asian and Latino Liaison units participated in a dialogue with Latino and Asian leaders about U.S. Immigration and Customs Enforcement Secure Communities program, and in numerous public safety meetings.

## LANGUAGE ACCESS AT MPD

Metropolitan Police Department contact with LEP/NEP populations living in the District occurs primarily when an individual makes an inquiry at the front desk of a precinct, files a police report, makes a 911 call to report a crime, or if the person is involved in a traffic accident. MPD's Special Liaison Division includes Asian Liaison and Latino Liaison units. These Liaison unit officers deliver public safety workshops as well as follow-up with residents of Asian or Latin American heritage who have been victims of crimes. Captain Edward Delgado serves as the department's Language Access Coordinator. OHR commends MPD for the agency's language proficiency certification program, one of the only such programs in the District. Currently, over 230 MPD officers are certified as bilingual in six languages. Additionally, MPD has shown exemplary efforts in ensuring officers are consistently and reliably trained regarding the use of telephonic interpretation services, overall language access compliance, and cultural diversity in the District.

In FY12, MPD asserts the agency sent a clear message to its officers that interpreters be present when conducting business with LEP/NEP citizens to ensure the proper message is conveyed and that a resident's language rights under the Language Access Act are adequately explained. MPD also publishes a list of guidelines or best practices for working with LEP/NEP populations in the District. This document was updated in FY12. In terms of areas for improvement, MPD has a very limited archive of vital documents translated into the six major languages spoken by LEP/NEP residents of the District. Given the essential nature of public safety information published by MPD, OHR strongly recommends the agency dedicate funds to the translation of all vital documents into the six major languages. OHR also recommends MPD prioritize changes to the agency's website to ensure all vital documents are accessible for LEP/NEP customers.

## AREAS FOR IMPROVEMENT

OHR is working with MPD to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of MPD FY12 quarterly reports, OHR makes the following recommendations to ensure MPD improves compliance with the Language Access Act:

- » Finalize a list of prioritized vital documents with OHR and translate additional vital documents into all six of the major languages spoken
- » Change the MPD website to ensure ease of use and availability of vital documents

## COMPLIANCE REQUIREMENTS MET

**11 out of 14**

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

## FIELD TEST RESULTS

*In FY12, MPD received a total of **11 field tests**, 4 of which were conducted in-person and 7 via telephone calls.*

- » *When asked if MPD provided service, information or appropriate resources via phone, the tester responded "Yes" only 2 out of 7 times.*
- » *When asked if MPD provided service, information or appropriate resources in-person, the tester responded "Yes" 3 out of 4 times.*

## FY12 COMPLIANCE SCORECARD

- » OP performs planning for neighborhoods, corridors, districts, historic preservation, public facilities, parks and open spaces, and individual sites. They serve thousands of District residents annually and had direct contact with approximately 10 LEP/NEP customers in FY12.
- » In FY11-12, OP implemented the Central 14th Street project, which entailed outreach and interaction with Latino and Ethiopian businesses.



## LANGUAGE ACCESS AT OP

The mission of the Office of Planning is to guide development of the District, including the preservation and revitalization of their distinctive neighborhoods, by informing decisions, advancing strategic goals, encouraging the highest quality development outcomes, and engaging all communities. Edward Giefer serves as the agency's Language Access Coordinator. OP asserts most contact with LEP/NEP customers occurs through community meetings. Community meetings have been held to discuss the Central 14th Street project, the Chinatown project, and 14th Street - U Street Corridor project. The agency provided interpretation services at community meetings related to these projects and has also translated the reports from these neighborhood projects into the most relevant languages. OP asserts that partnerships with the Mayor's Offices on Latino Affairs, African Affairs and Asian/Pacific Islander Affairs, have been vital to the agency's success in conducting outreach with LEP/NEP communities, and OHR commends the agency for utilizing these partnerships.

In terms of areas for improvement, OHR recommends OP seek mechanisms to more closely track the agency's engagement with LEP/NEP communities and translate additional information for the agency's website. OP put forth agency plans to translate sections of their website, including but not limited to the following: About the OP, Development, and the State Data Center. OHR also recommends OP assess the need to translate additional vital documents for LEP/NEP customers the agency serves. In FY13-14, OP says it will work more closely with Simon Gottlieb, Executive Director of the ANCs, in order to encourage Advisory Neighborhood Commissions to assess the needs of their LEP/NEP residents and report back to OP which planning related materials and resources would be useful in other languages.

### COMPLIANCE REQUIREMENTS MET 11 out of 12

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, no field testing was conducted at OP. OHR concentrated its field testing at agencies with the highest traffic and that serve large LEP/NEP populations. Testing is random and any agency can be tested at anytime.*

## AREAS FOR IMPROVEMENT

OHR has met with OP Director Harriet Tregoning to finalize the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendations to improve compliance with the Language Access Act:

- » Improve data collection to include more comprehensive mechanisms for reporting by ensuring that all touches with LEP/NEP customers are recorded
- » Make all translated vital documents available and easily accessible on the agency's website

# Office of Tax and Revenue



## FY12 COMPLIANCE SCORECARD

- » OTR provides a range of tax assessment, compliance, processing, and collection services on behalf of the District. The agency reports it had direct contact with over 1,100 LEP/NEP customers in FY12.
- » In FY12, the agency reports it continued giving excellent customer service to LEP/NEP customers by providing one-on-one coaching with front line staff.

## LANGUAGE ACCESS AT OTR

The mission of the Office of Tax and Revenue is to collect the proper amount of tax due to the District and correctly account for all revenues while minimizing the burden on taxpayers and the cost to the government. OTR serves any and all residents that file a return, own property, or otherwise need assistance in the District. The work of the agency is accomplished by the Customer Service Administration, the Compliance Administration, the Real Property Tax Administration, the Returns Processing Administration, and the Problems Resolution Office. OTR reports the Customer Service Administration is the main point of contact with LEP/NEP community members and customer calls are most often funneled through the Customer Service Administration to other divisions. Jose Carela, Management Analyst for OTR, also serves as the agency's Language Access Coordinator. OHR commends the agency for its effective methods in tracking contact with LEP/NEP customers.

One formal language access complaint was filed with OHR, alleging OTR had violated the Language Access Act. Upon investigation of the complaint, OHR issued a determination that OTR had not violated the Act and was thus found in compliance. In terms of areas for improvement, OHR will work closely with OTR to ensure the agency identifies vital documents that must be translated (the statute is clear that tax forms are not to be translated, however, information about programs and services offered by the agency must be translated). Therefore, OHR recommends vital documents and information about programs and services are made more easily accessible via OTR's website.

## AREAS FOR IMPROVEMENT

OHR is working with OTR to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of OTR FY12 quarterly reports, OHR makes the following recommendations to improve compliance with the Language Access Act:

- » Identify vital documents for translation
- » Ensure all information about OTR programs and services, as well as vital documents, are available and easily accessible on the OTR website

### COMPLIANCE REQUIREMENTS MET 11 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, OTR received a total of **3 field tests**, all of which were conducted via telephone calls.*

- » *When asked if OTR provided service, information or appropriate resources via phone, the tester responded "Yes" every time.*

# Office of the People's Counsel

## FY12 COMPLIANCE SCORECARD

- » OPC advocates on behalf of District residents who are consumers of public utilities through outreach, litigation and legislative work. In FY12, OPC had a total of 3,621 encounters with LEP/NEP customers in FY12.
- » In FY12, OPC participated in over 70 outreach and education events for Asian, African and Latino residents who are LEP/NEP. In August, *Washington Hispanic Newspaper* lauded the People's Counsel for its work on behalf of low-income LEP/NEP residents.



## LANGUAGE ACCESS AT OPC

The Office of the People's Counsel fulfills its mission as an advocate on behalf of District consumers by ensuring individuals and civic and consumer organizations have information, legal representation and a voice in macro level advocacy and policy they need. Barbara Burton, Assistant People's Counsel, also serves as the agency's Language Access Coordinator. The agency has substantial day-to-day contact with LEP/NEP customers primarily through calls received as well as frequently held education and outreach activities. OHR commends OPC for the sustained long-term systematic support and resources dedicated to its outreach efforts to LEP/NEP communities. FY12 quarterly reports to OHR demonstrate OPC's success in consistent and reliable tracking of encounters, use of Language Line, and the provision of interpretation services (e.g. data regarding encounters with Amharic, Chinese, Spanish and Vietnamese speakers are consistently high).

OPC attributes much of its success to Consumer Education and Outreach Specialist, Sylvia Garrick, who has been an asset to the agency for almost 20 years. Ms. Garrick has made outreach to LEP/NEP residents her mission and says OPC managers have given her the resources and support to succeed in her position. OHR notes that the agency's website

is an excellent example of language accessibility, as they provide two language related tabs on the front page of the website to make it easy to use for LEP/NEP. Also, as a best practice, OPC translates and actively distributes a tri-fold brochure entitled, "The People's Counsel is Your Lawyer," in the top six languages spoken in the District. In terms of areas for improvement, OHR recommends OPC continue to translate all vital documents, such as informational guides (e.g. "How to Read Your Bill") in all six of the major languages spoken in DC.

### COMPLIANCE REQUIREMENTS MET 12 out of 12

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, no field testing was conducted at OPC. OHR concentrated its field testing at agencies with the highest traffic and that serve large LEP/NEP populations. Testing is random and any agency can be tested at anytime.*

## AREAS FOR IMPROVEMENT

OHR has met with People's Counsel Director Sandra Mattavous-Frye and senior managers to finalize the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendation for OPC to improve compliance with the Language Access Act:

- » Translation of vital documents into additional languages

# Office of the State Superintendent for Education



## FY12 COMPLIANCE SCORECARD

- » OSSE serves almost 80,000 students and families living in the District each year by setting educational standards and supporting the success of school systems and programs in the District. OSSE reports that it served more than 27,000 LEP/NEP residents.
- » Agency accomplishments in FY12 include the translation of over 20 vital documents into one or more of the top six languages spoken in the District and ensuring 135 OSSE personnel in public contact positions attended training by OHR staff.

## LANGUAGE ACCESS AT OSSE

The Office of the State Superintendent for Education oversees and supports a broad spectrum of educational programs that impact every school-age student living in the District. This broad spectrum includes support, services, and funding for programs such as adult and family education, educator licensure and accreditation, special education, and wellness and nutrition services. Jocelyn Johnson, Risk Management Coordinator for OSSE, also serves as the Language Access Coordinator. OSSE has direct contact with LEP/NEP students and families as well as indirect contact through an extensive network of providers that includes all schools in the DCPS system. Although the tracking of LEP/NEP students is a complex task for an agency such as OSSE, OHR commends the Language Access Coordinator for diligent efforts in continuing to review existing data collections systems, including the State Longitudinal Education Database (SLED), Special Education Data System (SEDS) and the LEA student information systems to determine the most effective way to improve the data collection and tracking of LEP/NEP students.

One formal complaint was filed with OHR for an alleged violation of the Language Access Act. This complaint resulted in a finding of non-compliance by OSSE and corrective actions were issued by OHR. OSSE has been responsive and reliable in addressing these corrective actions by improving systems for data collection, translating a list of vital documents (26 total), and ensuring staff serving in a public contact position role and other OSSE staff attended Language Access training. In FY12, three training sessions were held in-house at OSSE and were well attended by over 135 employees. In addition, employees attended other trainings held by OHR and registered for the Language Access online trainings. OSSE will continue these efforts through FY13, with the goal of having all staff serving in a public contact position trained.

## AREAS FOR IMPROVEMENT

OHR is working with OSSE to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of OSSE FY12 quarterly reports, OHR makes the following recommendations to ensure that OSSE improves compliance with the Language Access Act:

- » Complete all corrective actions issued in FY12
- » Continue improving systems for tracking of LEP/NEP students

## COMPLIANCE REQUIREMENTS MET 9 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

## FIELD TEST RESULTS

*In FY12, OSSE received a total of **12 field tests**, 5 of which were conducted in-person and 7 via telephone calls.*

- » *When asked if OSSE provided service, information or appropriate resources via phone, the tester responded "Yes" only 2 out of 7 times.*
- » *When asked if OSSE provided service, information or appropriate resources in-person, the tester responded "Yes" every time.*

# Office of the Tenant Advocate

## FY12 COMPLIANCE SCORECARD

- » OTA provides a range of services to the tenant community to further each aspect of its mission. It served thousands of customers and approximately 100 LEP/NEP individuals in FY12.
- » In FY12, OTA continued its strategy of reaching out to the LEP/NEP community by participating in various local outreach events, hosting the Annual Tenant and Tenant Association Summit, and working closely with organizations and media so LEP/NEP customers were aware of the services offered.



## LANGUAGE ACCESS AT OTA

The mission of the Office of the Tenant Advocate is to provide technical advice and other legal services to tenants regarding disputes with landlords; to educate and inform the tenant community about tenant rights and rental housing matters; to advocate for the rights and interests of District renters in the legislative, regulatory, and judicial housing contexts; and to provide financial assistance to displaced tenants for certain emergency housing and tenant relocation expenses. Hicham Mokhtari serves as the agency's Program Support Specialist as well as the Language Access coordinator. The agency has made great strides in providing translated documents on their website for Spanish speakers. OHR also commends OTA for the agency's solid inventory of language access materials and resources.

In terms of areas for improvement, OHR recommends OTA implement customer management software systems that include options for tagging and tracking LEP/NEP encounters. Since OTA works directly with customers by informing and educating the tenant community about tenant rights and housing matters, OHR strongly recommends that OTA assess the need to translate additional vital documents into the languages most frequently spoken by its customers. LEP/NEP residents would greatly benefit from information being translated regarding rental housing matters and tenant rights, as well as information providing technical advice or legal services to tenants regarding disputes with landlords.

### COMPLIANCE REQUIREMENTS MET 10 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, OTA received a total of **7 field tests**, 4 of which were conducted in-person and 3 via telephone calls.*

- » *When asked if OTA provided service, information or appropriate resources via phone, the tester responded "Yes" none of the 3 times.*
- » *When asked if OTA provided service, information or appropriate resources in-person, the tester responded "Yes" every time.*

## AREAS FOR IMPROVEMENT

OHR is working with OTA to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of OTA FY12 quarterly reports, OHR makes the following recommendations for OTA to improve compliance with the Language Access Act:

- » Improve tagging and tracking of LEP/NEP customers
- » Translate vital documents in additional languages

# Office of Unified Communications



## FY12 COMPLIANCE SCORECARD

- » OUC receives all emergency and many non-emergency public safety phone calls made in the District. In FY12, OUC handled over 3,000,000 calls to its 311 and 911 centers. Approximately 15,500 calls received by OUC were made by LEP/NEP customers.
- » In FY12, OUC increased its community outreach in the Spanish, Amharic, and Asian language speaking communities, and enhanced the accessibility of 911 and 311 services. Specifically, OUC promoted the 311 app and SMART 911 resource tool.

## LANGUAGE ACCESS AT OUC

The mission of the Office of Unified Communications is to provide fast, professional, and cost-effective response to emergency and non-emergency calls in the District. OUC call center operations include emergency and non-emergency calls to the Metropolitan Police Department (MPD), Fire and Emergency Medical Services (FEMS), and other customer service calls. LEP/NEP District residents who call either the 311 or 911 call centers receive an immediate response to a question by a bilingual call taker or by a third party interpreter that the call taker connects through Language Line services. Depending on the nature of the customer's inquiry, a call may then be re-routed to the appropriate District agency such as the Department of the Environment or the Department of Consumer and Regulatory Affairs. Language spoken by the caller is then recorded in the agency's CAD system. OHR commends OUC for instituting a quality control mechanism whereby Operation Supervisors will monitor six percent of LEP/NEP calls to ensure Operation staff is following protocol when serving LEP/NEP customers.

OHR encourages OUC to sustain and increase the distribution of written materials such as brochures or refrigerator magnets for use by LEP/NEP customers because mobile apps or a social media presence may not reach these audiences. OUC has done reliable and effective work providing Language Line training for call takers, and OHR will work more closely with OUC to support and enhance the agency's training of call takers during the FY13-FY14 BLAP period.

## AREAS FOR IMPROVEMENT

OHR is working with OUC to finalize the agency's Biennial Language Access Plan for FY13-14. Based on a review of OUC FY12 quarterly reports, OHR makes the following recommendations for OUC to improve compliance with the Language Access Act of 2004:

- » Sustain or increase the distribution of written materials that provide LEP/NEP customers with 311/911 information

## COMPLIANCE REQUIREMENTS MET 11 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

## FIELD TEST RESULTS

*In FY12, OUC received a total of **6 field tests**, all of which were conducted via telephone calls.*

- » *When asked if OUC provided service, information or appropriate resources via phone, the tester responded "Yes" every time.*

## FY12 COMPLIANCE SCORECARD

- » The work of DCOZ impacts thousands of District residents every year. In FY12, DCOZ asserts it had direct contact with fewer than a dozen LEP/NEP residents.
- » In FY12, DCOZ translated new brochures into Spanish that assist the public in understanding the hearing process. The agency also continued to fulfill its commitment to have all public contact staff trained in language access.



## LANGUAGE ACCESS AT DCOZ

The Office of Zoning's mission is to provide administrative, professional, and technical assistance, to the Zoning Commission (ZC) and the Board of Zoning Adjustment (BZA) in support of their oversight and adjudication of zoning matters in the District. Jennifer Jenkins serves as DCOZ's Public Information Officer and also as the agency's Language Access Coordinator. Historically, the agency has had very limited contact with LEP/NEP customers, as DCOZ asserts that they only directly serve one or two LEP/NEP customers per year. Most public contact mainly occurs through hearings, when customers such as developers and architects come before the Board of Zoning and Adjustments, and are represented by counsel. Therefore direct contact with LEP/NEP residents is unlikely. In an effort to increase its outreach efforts, DCOZ asserts that in FY12 the agency began utilizing social media tools such as Twitter and the agency's own website to connect with more of their constituents and will continue to use this tool as mode of outreach.

OHR commends DCOZ for incorporating a link on the agency's homepage that provides information for LEP/NEP customers in the top six languages spoken in the District. In FY13, DCOZ is also considering setting up a process that will notify the Mayor's Offices for high profile zoning issues where LEP/NEP communities are most likely to be affected.

### COMPLIANCE REQUIREMENTS MET 12 out of 12

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

### FIELD TEST RESULTS

*In FY12, no field testing was conducted at DCOZ. OHR concentrated its field testing at agencies with the highest traffic and that serve large LEP/NEP populations. Testing is random and any agency can be tested at anytime.*

In terms of areas for improvement, reports indicate that in FY12 data collection systems were limited. Although it is understood that the DCOZ has limited daily contact with the public, OHR recommends DCOZ implement more mechanisms and processes that can effectively record interaction with LEP/NEP populations. OHR also recommends DCOZ conduct more outreach activities to LEP/NEP communities. Many LEP/NEP constituents may have questions regarding construction, repairing, altering, or adding onto an existing building. DCOZ can make a significant impact within these communities by providing its services to LEP/NEP customers who have questions regarding zoning matters.

## AREAS FOR IMPROVEMENT

OHR met with DCOZ Director Sara Bardin to finalize the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendations for DCOZ to improve compliance with the Language Access Act:

- » Translate additional vital documents
- » Ensure all translated vital documents are available and easily accessible on the DCOZ website
- » Improve tagging and tracking of LEP/NEP customers

# Office on Aging



## FY12 COMPLIANCE SCORECARD

- » DCOA leads a comprehensive and coordinated system of health, education, employment, and social services for the District's elderly population, who are 60 years of age and older. It reports directly serving approximately 300 LEP/NEP customers in FY12.
- » DCOA asserts it began more comprehensive tracking of LEP/NEP customers in FY12 by capturing language spoken at home in its customer management software. Providers contracted by DCOA are also required to enter language data into this system.

## LANGUAGE ACCESS AT DCOA

The DC Office on Aging advocates, plans, implements, and monitors programs in health, education, employment, and social services which promote longevity, independence, dignity and choice to its senior citizens in the District. Courtney Williams serves as the agency's Language Access Coordinator. Day-to-day contact with LEP/NEP customers occurs primarily through calls or correspondence to DCOA. Although calls for services made by LEP/NEP customers are redirected to two central culturally appropriate service providers (Vida Senior Center and Family Matters), DCOA is planning on increasing its efforts to ensure staff is equipped to manage requests by LEP/NEP seniors. OHR commends DCOA for its consistent work conducting outreach to LEP/NEP 60 and over populations and for collaborating with members of the Language Access Coalition in their work.

In terms of areas for improvement, OHR notes that to date DCOA does not have an extensive archive of vital documents. Although DCOA translated one vital document in FY12, OHR strongly recommends DCOA allocate the resources necessary to implement plans for translation of additional vital documents. DCOA reports that during FY13, it will translate intake forms and an informational brochure describing services for senior citizens into the top six languages spoken in the District and ensure this information is accessible on the agency's website. The agency will also increase efforts to more effectively track calls and requests from LEP/NEP customers by building upon the data contained in its CSTAR's customer management software, which allows all service providers to capture data.

## AREAS FOR IMPROVEMENT

OHR met with DCOA Director John M. Thompson to finalize the agency's Biennial Language Access Plan for FY13-14. OHR makes the following recommendations to improve compliance with the Language Access Act:

- » Translate additional vital documents
- » Ensure all translated vital documents are available and easily accessible to LEP/NEP customers
- » Continue improvements to data collection on LEP/NEP customers

## COMPLIANCE REQUIREMENTS MET 11 out of 14

*Compliance score based on LEP/NEP preparedness, accessibility and quality of service.*

## FIELD TEST RESULTS

*In FY12, DCOA received a total of **5 field tests**, 2 of which were conducted in-person and 3 via telephone calls.*

- » *When asked if DCOA provided service, information or appropriate resources via phone, testers responded "Yes" none of the 3 times.*
- » *When asked if DCOA provided service, information or appropriate resources via phone, the tester responded "Yes" every time.*

# COMPARATIVE RESULTS

Below are comparative results split between agencies subjected to field testing and those who did not receive field testing. Scores for those with field testing are out of 14 compliance requirements, and those without are scored out of 12 compliance requirements.

	AGENCIES WITH FIELD TESTS CONDUCTED Number of requirements met out of 14	AGENCIES WITHOUT FIELD TESTS CONDUCTED Number of requirements met out of 12
Requirements Met by Agency	12 Child and Family Services Agency Department of Corrections Department of Mental Health	12 Office of the People's Counsel Office of Zoning
	11 Department of Transportation Metropolitan Police Department Office of Tax and Revenue Office of Unified Communications Office on Aging	11 DC Public Library Department of the Environment Office of Planning
	10 DC Public Schools Department of Employment Services Department of Housing and Community Development Office of the Tenant Advocate	10 Homeland Security & Emergency Management Agency
	9 Department of Consumer and Regulatory Affairs Office of the State Superintendent for Education	9 DC Lottery and Charitable Games Control Board Department of Human Resources Department of Public Works
	8 Alcoholic Beverage Regulation Administration DC Housing Authority Department of Human Services	
	7 Department of Disability Services Department of Health Department of Parks and Recreation	
	6 Department of Motor Vehicles	
	4 Fire and Emergency Services	
	3 Department of Small and Local Business Development	

As of the writing of this report, the Office of Contracts and Procurement (OCP) is deemed a covered entity with major public contact. Due to an administrative error on OHR's part, OCP did not have an FY11-12 BLAP in place and did not file quarterly reports in FY11-12, therefore no compliance assessment was completed. OCP has now submitted an FY13-14 BLAP and OHR will work with the agency and assess compliance for FY13.

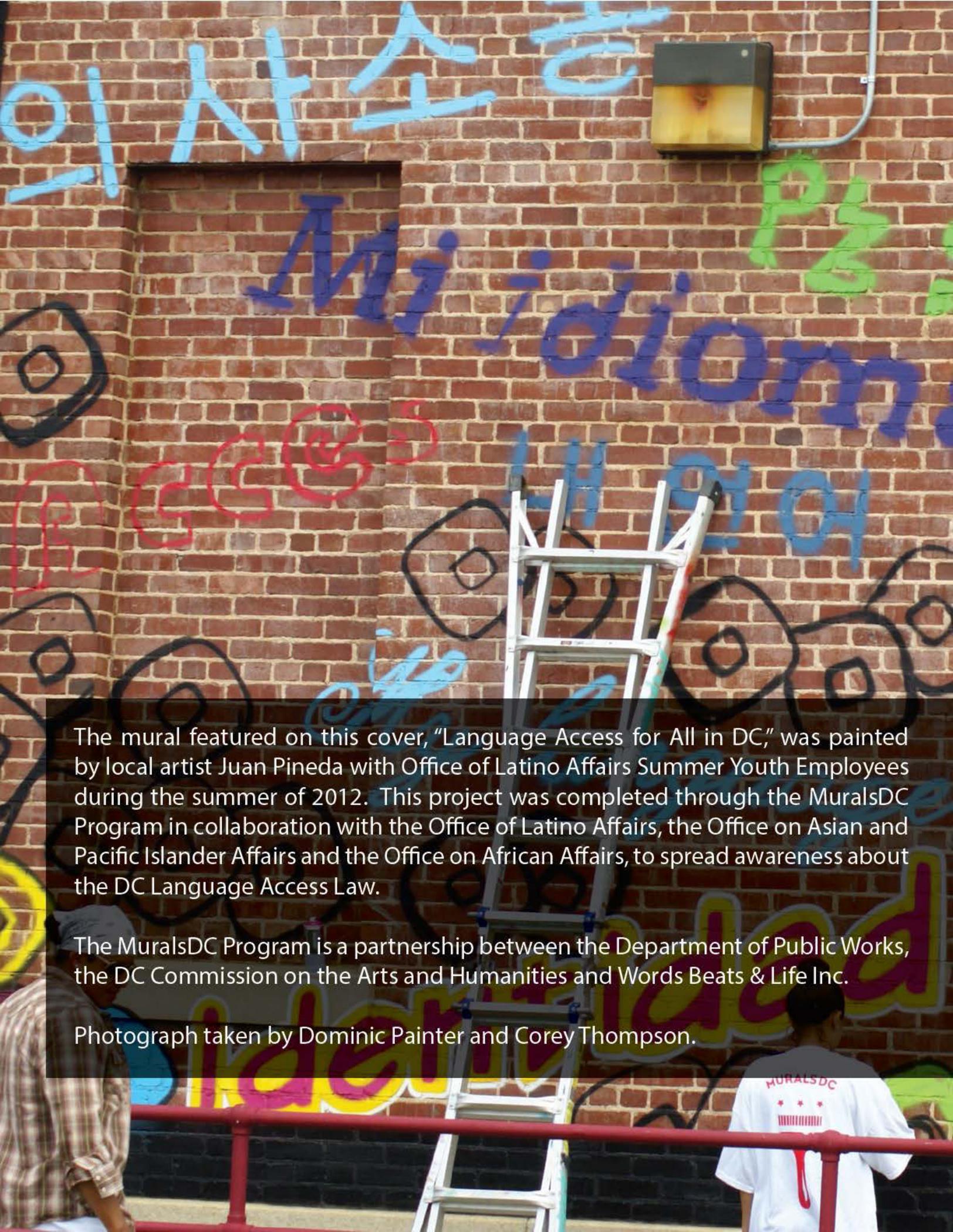
# COMPLIANCE DETAILS

Agencies scores are based on questions related to the LA Act. An "x" indicates successful completion of the requirement.

AGENCY NAME	ABRA	CFSA	DCHA	DCLB	DCPL	DCPS	DCRA	DOC	DDS	DOES	DOH	DHCD	DCHR	DHS	DMH	DMV
<b>PREPAREDNESS</b>																
P1. Is agency consistently collecting data?	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
P2. Did data collection produce comprehensive and reliable data?	x	x	x	x	x	x		x		x	x	x	x	x	x	x
P3. Did agency make significant efforts to train their staff?	x	x	x	x	x		x	x		x		x	x	x	x	
P4. Did agency communicate effectively with LA Program in FY12?	x	x	x	x	x	x	x	x		x	x	x	x	x	x	
P5. Is the agency managing and meeting requests for interpretation and/or translation services?		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
<b>PREPAREDNESS SCORE</b>	<b>4</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>5</b>	<b>2</b>	<b>5</b>	<b>4</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>3</b>
<b>ACCESSIBILITY</b>																
A6. Were vital documents translated/updated in FY12?		x	x		x	x	x	x	x	x				x	x	
A7. Did languages that vital documents were translated into in FY12, reflect the needs of the populations served at agency?		x		x	x	x		x	x			x			x	
A8. Were significant outreach efforts to LEP/NEP communities conducted in FY12?		x			x	x	x	x	x	x	x	x	x	x	x	
A9. Are translated vital documents accessible on website?			x			x		x								
<b>ACCESSIBILITY SCORE</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>2</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>0</b>
<b>QUALITY</b>																
Q10. Has OHR observed a trend in nature of complaints filed or other reoccurring problems?	x	x		x	x		x	x	x	x		x	x		x	x
Q11. Was agency found in non-compliance in FY11-12?	x	x		x	x		x	x	x	x	x	x	x		x	x
Q12. Were any testers turned away during tests?*	x	x		n/a	n/a								n/a			x
Q13. Did testers ever access employee or interpretation but didn't receive requested information or services?*				n/a	n/a	x							n/a		x	
Q14. Has OHR observed significant improvement, steady progress, or decline in implementation in FY11-12?	x	x	x	x	x	x	x	x		x	x	x	x	x	x	
<b>QUALITY SCORE</b>	<b>4</b>	<b>4</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>3</b>
<b>TOTAL AGENCY SCORE</b>	<b>8</b>	<b>12</b>	<b>8</b>	<b>9</b>	<b>11</b>	<b>10</b>	<b>9</b>	<b>12</b>	<b>7</b>	<b>10</b>	<b>7</b>	<b>10</b>	<b>9</b>	<b>8</b>	<b>12</b>	<b>6</b>
<b>TOTAL POSSIBLE SCORE</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>12</b>	<b>12</b>	<b>14</b>										

\*Question asked only for agencies that received field testing.

AGENCY NAME	DPR	DPW	DSLBD	DDOE	DDOT	FEMS	HSEMA	MPD	OP	OTR	OPC	OSSE	OTA	OUC	DCOZ	DCOA	
<b>PREPAREDNESS</b>																	
P1. Is agency consistently collecting data?	x	x		x	x	x	x	x	x	x	x	x	x	x	x	x	x
P2. Did data collection produce comprehensive and reliable data?		x		x	x	x	x	x	x	x	x	x	x	x	x	x	x
P3. Did agency make significant efforts to train their staff?		x		x	x			x	x	x	x	x		x	x	x	x
P4. Did agency communicate effectively with LA Program in FY12?	x	x	x	x	x		x	x	x	x	x	x	x	x	x	x	x
P5. Is the agency managing and meeting requests for interpretation and/or translation services?	x	x		x	x		x	x	x	x	x	x	x	x	x	x	x
<b>PREPAREDNESS SCORE</b>	<b>3</b>	<b>5</b>	<b>1</b>	<b>5</b>	<b>5</b>	<b>2</b>	<b>4</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>5</b>	<b>5</b>	<b>5</b>	
<b>ACCESSIBILITY</b>																	
A6. Were vital documents translated/updated in FY12?	x			x	x			x	x		x	x	x		x	x	x
A7. Did languages that vital documents were translated into in FY12, reflect the needs of the populations served at agency?	x			x			x	x	x		x	x	x		x	x	x
A8. Were significant outreach efforts to LEP/NEP communities conducted in FY12?	x	x		x	x		x	x	x	x	x	x	x	x	x	x	x
A9. Are translated vital documents accessible on website?											x				x		
<b>ACCESSIBILITY SCORE</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>3</b>	
<b>QUALITY</b>																	
Q10. Has OHR observed a trend in nature of complaints filed or other reoccurring problems?		x	x	x	x	x	x	x	x	x	x		x	x	x	x	x
Q11. Was agency found in non-compliance in FY11-12?	x	x	x	x	x	x	x	x	x	x	x		x	x	x	x	x
Q12. Were any testers turned away during tests?*		n/a		n/a	x		n/a		n/a	x	n/a			x	n/a		
Q13. Did testers ever access employee or interpretation but didn't receive requested information or services?*		n/a		n/a			n/a		n/a	x	n/a			x	n/a		
Q14. Has OHR observed significant improvement, steady progress, or decline in implementation in FY11-12?		x		x	x		x	x	x	x	x	x	x	x	x	x	x
<b>QUALITY SCORE</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>5</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>5</b>	<b>3</b>	<b>3</b>	
<b>TOTAL AGENCY SCORE</b>	<b>7</b>	<b>9</b>	<b>3</b>	<b>11</b>	<b>11</b>	<b>4</b>	<b>10</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>12</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>11</b>	
<b>TOTAL POSSIBLE SCORE</b>	<b>14</b>	<b>12</b>	<b>14</b>	<b>12</b>	<b>14</b>	<b>14</b>	<b>12</b>	<b>14</b>	<b>12</b>	<b>14</b>	<b>12</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>12</b>	<b>14</b>	



The mural featured on this cover, "Language Access for All in DC," was painted by local artist Juan Pineda with Office of Latino Affairs Summer Youth Employees during the summer of 2012. This project was completed through the MuralsDC Program in collaboration with the Office of Latino Affairs, the Office on Asian and Pacific Islander Affairs and the Office on African Affairs, to spread awareness about the DC Language Access Law.

The MuralsDC Program is a partnership between the Department of Public Works, the DC Commission on the Arts and Humanities and Words Beats & Life Inc.

Photograph taken by Dominic Painter and Corey Thompson.