DISTRICT OF COLUMBIA OFFICE OF HUMAN RIGHTS LANGUAGE ACCESS PROGRAM ANNUAL COMPLIANCE REVIEW

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Office of Human Rights DISTRICT OF COLUMBIA

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## Note from the Language Access Director

Welcome to the Office of Human Rights' (OHR) annual publication on the District's efforts to ensure limited and non-English proficient (LEP/NEP) populations can participate fully in our city's civic and economic life.

This report highlights the work of OHR's Language Access Program during FY15, and contains compliance scorecards for 33 agencies with major public contact, policy recommendations for improving language access implementation across covered entities, and a profile of the District's foreign-born and LEP/NEP populations.

While FY14 provided an opportunity to celebrate and reflect on the District's decade-long inclusion efforts since the passing of the DC Language Access Act of 2004, FY15 was devoted to developing new systems, resources, and tools agencies can use to meet the needs of a growing and increasingly linguistically diverse LEP/NEP population.

Over the course of the year, the Language Access Program developed new tools to strengthen language access implementation:

"Language access is key to ensuring that our city can continue to thrive on the full engagement and participation of all its communities."

-Winta Teferi, Language Access Director



a Language Access Compliance Monitoring Database, a Language Access Toolkit with comprehensive language access resources consolidated in a new web portal, a Language Access Compliance Training Guide, and new "I Speak" cards in Arabic, Portuguese, Russian and Tagalog. These tools are intended to streamline the Program's expanded compliance oversight function moving forward, scale the technical assistance support it offers to covered entities, and promote language access awareness among emerging LEP/NEP communities.

I am extremely grateful for the hard work of Language Access Coordinators, consultative entities, and community partners who assist in serving the linguistically rich communities of the District. During this coming year, we will continue to work closely with District agencies and stakeholders to identify innovative and collaborative ways to achieve the District's commitment to create equal opportunity and pathways to success for all residents.

### About the Language Access Program

OHR's Language Access Program team is comprised of the Language Access Program Director, Program Analyst, and Language Access Fellow, and over 30 agency Language Access Coordinators across District government.



photo above: Language Access Coordinators representing District government agencies and the Language Access Program Team.

### Winta Teferi | Director

With over ten years of combined experience in organization development consulting, program management, and multicultural community building, Winta has worked in both government and nonprofit arenas on issues of access, inclusion, and civic engagement. Before joining OHR, Winta worked as a Program Analyst for the Mayor's Office on African Affairs, and as Program Director at IMPACT Silver Spring. She holds an M.A. in Organization Development from American University and a B.A. in Economics from the University of Marvland. She is fluent in Amharic and French, and is committed to strengthening District agencies as they adapt and innovate to serve increasingly diverse communities.

#### Gretta Rivero | Analyst

As the primary technical assistance provider to District agencies and community partners, Gretta ensures all program stakeholders obtain up-to-date language access resources, information, and support. Gretta brings strong project management and community outreach experience, which contributed to the program's successful implementation of the "DC Speaks Your Language" community forum, the Language Access Website Project, and the development of a new electronic planning and reporting tool for agencies. She earned her B.A in Liberal Arts at American University and studied French civilization and fine arts at the Sorbonne University of Paris. A DC native with roots in Venezuela, Gretta is fluent in Spanish and French.

#### Alina Epstein | Fellow

Prior to joining Language Access, Alina worked at a boutique consulting firm that specializes in implementing education policy. During her time there, she provided the Puerto Rico Department of Education with technical assistance to realize federal education policy reforms. In addition to experience in the education field, Alina has a long-standing passion for conflict resolution, and completed an internship with the U.S. Department of Justice-Community Relations Service, an agency that prevents discrimination related violence by providing training and mediation services. Alina earned her B.A. in Anthropology from the University of Chicago. She speaks French, Spanish, German, and Portuguese fluently.

The Language Access Program (LAP) provides support and accountability to ensure that District agencies, contactors, and grantees meet their obligations under the Language Access Act by serving all District residents and visitors regardless of the language they speak. The program's work is organized in four areas:

#### Mission

To eliminate linguistic barriers and ensure agencies have the tools, capacity and technical knowledge to serve increasingly diverse limited and non-English proficient residents.

#### Technical Assistance

The LAP serves as the leading Districtwide point of contact for all covered entities on all language access-related issues. The team responds to daily inquiries from District agency employees or Language Access Points of Contact throughout the government who seek guidance and resources on Language Access implementation and best practices. It also routinely trains covered entities' staff on compliance requirements and cultural competency, and provides targeted technical assistance to major public contact entities by working with their Language Access Coordinators and internal agency teams to address challenges and craft strategic plans tailored to specific agency needs via quarterly meetings and individualized consultations.

#### Enforcement

Individuals who believe their rights have been violated under the law may file a complaint with OHR. Once docketed cases are investigated, the OHR Director issues written findings while the LAP works with agencies found in non-compliance to identify and monitor systemic corrective actions.



#### **Community Engagement**

The LAP works closely with OHR's Policy and Communications team to conduct strategic outreach and promote educational initiatives and partners with the Mavor's Office on African, Asian and Pacific Islander, and Latino Affairs. The LAP also maintains partnerships with community-based groups such as Many Languages One Voice and the DC Language Access Coalition to ensure LEP/ NEP communities are aware of their rights under the law. Additionally, OHR's Human Rights Liaison Program engages diverse community-based service providers throughout the District to enhance their ability to identify potential language access violations and other discriminationatory actions taken against their clients and file complaints with OHR.

photo at center: An LEP resident listening to a speaker at the MOAPIA Forum with help of a language interpreter.

#### **Compliance Monitoring**

The LAP fulfills this function by ensuring each major public contact agency identifies an attainable two-year plan that guides individual agency accountability to the Act, and by reviewing the agency's progress on this plan on a quarterly basis. Thirty-nine major public contact agencies currently have biennial plans and are required to provide quarterly progress reports to OHR. All covered entities are required to report total encounters with LEP/NEP customers annually, and all language services provided by the agency over the course of the fiscal year.

### Enforcement

OHR's Language Access Program is charged with investigating complaints from the public about individual or systemic violations of language access rights by covered entities in the District. Section § 1202.4 of the language access regulations require OHR to include statistical information regarding language access public complaints received by OHR, including those not assigned to an investigator, in its annual Language Access Compliance Report.

In FY15, OHR received a total of 23 complaints alleging a violation of the Language Access Act and issued six determinations, all with non-compliance findings. This is a 35 percent increase from the number of complaints received in FY14, and a 45 percent increase from the number of cases docketed in FY14.

Out of the 23 complaints received in FY15, 13 were docketed for full investigation following a pre-investigation resolution attempt, while 10 complaints were dismissed based on lack of jurisdiction, failure to state a claim, or incomplete information provided by the complainant. Out of the six non-compliance findings issued by OHR in FY15, two were against the Department of Human Services, two were against the Department of Motor Vehicles, one against the DC Housing Authority, and one against the Department of Behavioral Health and its service provider, the Psychiatric Institute of Washington. FY15

EY14

23

**Complaints Received** 

Total Number

Docketed

Dismissed

Lack of Jurisdiction

Cannot contact

Complainant

Failure to State

a Claim



#### FY15 Complaints by Agency



- Dept of Consumer & Regulatory Affairs 3
  - Dept of Human Services 2
    - DC Public Schools 1
- Cesar Chavez Public Charter School 1

13/23

cases docketed in FY15 against the following entities: Dept of Motor Vehicles (6), Dept of Consumer and Regulatory Affairs (2), Metropolitan Police Department (1) Dept of Employment Services (1), DC Public Schools and Office of State Superintendent for Education (1), Cesar Chavez PCS (1), and Dept of Disability Services (1).



OHR issued six determinations in FY15 with non-compliance findings against the following agencies (and contractors) based on complaints filed against them in FY14: Metropolitan Police Department (2), Department of Human Services (2), Department of Behavioral Health & the Psychiatric Institute of Washington (1) and DC Housing Authority (1).

### Non-Compliance Finding Explained



Agencies were found in non-compliance for failure to translate documents, provide interpretation, or both.

#### **FY15 Corrective Actions**

OHR worked with agencies found in non-compliance to identify corrective actions that fall into the following compliance categories:

Training public contact staff

Issuing internal notice, directive or memo to staff on language access compliance requirments

Improving signage at public-facing locations

Rewriting agency's langauge access policy

Translating prioritized vital documents

Revising contract with vendors/ contractors to include language access compliance requirements

Developing plan to hire bilingual staff

\*Per FY14 changes to Language Access Act regulations, the LA Director provided an initial pre-investigation resolution step for all complaints received in FY15 to ensure that complainants who require immediate assistance from an agency are able to request it within a 45-day window before the case is assigned for investigation. The pre-investigation step also gave agencies an opportunity to resolve a complaint outside of the investigations process by either acknowledging the violation as alleged by complainant, or by satisfying terms of resolution as defined by the complainant and OHR.

## Technical Assistance

Developing systems and tools for efficient language access implementation was a major focus for the LAP in FY15. It provided one-on-one consultations to LA Coordinators and teams, and conducting 46 trainings for District government agencies on language access compliance and cultural competency. Additionally, the LA team worked diligently to create a new training toolkit to share best practices with agency language access teams, invested in an electronic reporting system to better understand and monitor citywide implementation of the Language Access Act, instituted new processes for monitoring the quality of translated documents, and developed a comprehensive language access portal where resources are centrally available for District employees and the public.

#### New Language Access Portal

In FY 15, the LAP began developing a robust new toolkit with comprehensive resources on language access consolidated in a new web portal. The web portal is a one-stop-shop for members of both government agencies and the public. Divided into three main sections – general information, information for the public, and information for agencies – the web portal features a wide array of resources, including a reference guide on how to set up and manage accounts with translation and interpretation vendors, contact information for Language Access Coordinators, OHR's Standard Operating Procedures for investigating Language Access complaints, tools for identifying non-English languages, and tips for conducting outreach in linguistically and culturally diverse communities.

#### New Language Access Training Guide

The LAP also developed a compliance training module and facilitator guide equipping language access teams to independently train and prepare their agency to serve LEP/NEP customers. The guide includes background information for the training facilitator to ensure training participants leave the workshop understanding the legal mandate to provide language assistance and armed with knowledge, strategies, and tools to support their customer service and communication efforts as they relate to serving constituents who are LEP/ NEP. The newly designed interactive module reviews agency requirements under the Language Access Act, details which documents must be translated, explains how customer service representatives can access telephonic interpreters, and provides tips on interacting with LEP/NEP customers.

#### **Quality Review Project**

As part of ongoing efforts to secure first-rate translation and interpretation services for District government agencies, the LAP convened a review panel in FY14 who found that, on average, 95 percent of the sample translations they evaluated achieved a passing rating for their quality, with relatively higher incidences of poor quality for translations into Amharic, Chinese, Korean, and Vietnamese. In FY15, the LAP introduced new assessments - an evaluation of agencies' overall satisfaction with current translation and interpretation vendors, and a feedback form that logs specific issues with a vendor's process or product - which indicated overall satisfaction with the District's vendors. Coordinators reported a 98 percent satisfaction rate for the telephonic interpretation vendor, describing the service as "easy to access" and "effective when needed", except for instances in which the telephonic interpretation vendor was unable to supply interpreters immediately for the requested language. With a satisfaction rate of 93 percent, Coordinators also expressed approval of vendors hired for in-person interpretation and document translation. The LA team will use the findings from these tools to inform the future recruitment and selection of vendors to secure the best language access services.

<u>Language Access in Amharic (አግርኛ)</u>

Language Access in French (Français)

Language Access in Chinese (中文)

Language Access in Korean (한국어)

Language Access in Spanish (Español)

Language Access in Vietnamese (Tiếng Việt)



# LANGUAGE ACCESS PROGRAM

### DISTRICT OF COLUMBIA OFFICE OF HUMAN RIGHTS

### Welcome to the Language Access Program web portal.

The Language Access Program is dedicated to removing language as a barrier to obtaining information and services from the D.C. government. Whether you are a member of the public or a District employee, this is where you can find resources to help you understand and fulfill your Language Access rights and responsibilities.

- <u>About the Language Access Program</u> Click here for ...
  - Language Access Program description
  - Laws and regulations
  - Publications
  - Engagement and awareness campaigns
  - Contact information for Language Access Coordinators and Points of Contact
- <u>Resources for the public</u> Click here for ...
  - Know Your Rights Training
  - Filing a Language Access complaint
  - Language identification resources
  - Interpretation certification
- <u>Resources for agencies</u> Click here for ...
  - Compliance requirements
  - Tools for providing Language Access services

Shortcut to covered entities toolkit

Shortcut to toolkit for covered entities with major public contact

## Community Engagement

In FY15, OHR engaged over 700 LEP/NEP residents and business-owners through "Know Your Rights" trainings by collaborating with immigrant-serving government and community-based partners; trained over 81 Human Rights Liaisons on how to identify language access violations and file complaints with OHR; and participated in community events throughout the city to disseminate "I Speak" cards in 10 different languages and educate DC's increasingly diverse LEP/NEP communities about the Language Access Act.



#### Four new "I Speak" cards in Arabic, Portuguese, Tagalog and Russian have been printed for dissemination through

community partners and agencies. These four languages are the fastest growing languages among the District's emerging LEP/NEP populations.

"I Speak" Cards Download all 10 "I Speak" cards at ohr.dc.gov/page/ISpeak.



# 81

### HUMAN RIGHTS LIAISONS

were identified from 45 different organizations (many of whom provide direct services to LEP/NEP populations) and trained to recognize and report civil rights and language access violations their customers may encounter.

OVER



### LEP/NEP RESIDENTS

participated in "Know Your Rights" trainings delivered in multiple languages through collaboration with Many Languages One Voice (MLOV), Mt Pleasant and Petworth Neighborhood Libraries, Cardozo Education Campus, Trabajadores Unidos, the Central American Resource Center (CARECEN), the Employment Justice Center's Workers' Committee, and La Clínica del Pueblo's Empodérate support groups, among others.

# 80 TRAININGS

that included information about language access rights in DC were offered to the general public, including advocates, case managers, and legal service providers.

### COMMUNITY EVENTS AND MEETINGS

featured the LAP, including large multicultural community events such as the DC Africa Fest, Fiesta DC, the Arab-American Cultural Festival, Latino Pride, and the AAPI Action Forum. OHR distributed multilingual "Know Your Rights" cards to LEP/ NEP residents and answered questions about language access in DC.

## Compliance Monitoring

Under the Language Access Act of 2004, all District government agencies, programs, contractors, and vendors must be equipped to provide language services to constituents who are limited or non-English proficient (LEP/NEP). However, the Act outlines different requirements for these covered entities depending on how much direct contact they have with the public. It is the task of the Language Access Program to ensure all covered entities, as well as covered entities with major public contact, comply with their responsibilities under the law.

#### **COVERED ENTITIES MUST:**

- Identify a Language Access Point of Contact;
- Collect and analyze data on the demand for agency services in languages other than English;
- Offer interpretation services;
- Provide written translations of vital documents into non-English languages that meet the agency's language threshold (3% of the agency's constituents or 500 individuals, whichever is less);
- Train staff on language access compliance; and
- Submit a **yearly implementation report** on the data collected and resulting analysis to OHR.

#### COVERED ENTITIES WITH MAJOR PUBLIC CONTACT MUST:

- · Identify a Language Access Coordinator;
- Collect and analyze data on the demand for agency services in languages other than English;
- Offer interpretation services;
- Provide written translations of vital documents into non-English languages that meet the agency's language threshold (3% of the agency's constituents or 500 individuals, whichever is less);
- Train staff on language access compliance;
- Establish and implement a **Biennial Language Access Plan**, and report the plan's progress on a quarterly basis to OHR; and
- · Conduct outreach to LEP/NEP communities.

At the end of each fiscal year, the Language Access Program conducts compliance assessments for each covered entity with major public contact. These assessments take the form of individual scorecards that feature a numeric rating as well as a description of the agency's strengths and areas of improvement. This compliance report features 33 scorecards (to avoid bias, OHR does not score itself). For the five recently reclassified agencies, it contains information on their baseline levels of accessibility to LEP/NEP customers.

Compliance Scorecards View agency compliance scorecards begininng on page 30.



Section 2(3)(A) of the Language Access Act and corresponding regulations provide a list of covered entities with major public contact. In FY14, however, five additional agencies were added to this classification through updates to the Language Access Act regulations, bringing the total number to 39.

🕻 denotes a newly identified agency

Alcoholic Beverage Regulation Administration Child and Family Services Agency Department of Behavioral Health Department of Consumer and Regulatory Affairs Department of Corrections **Department of Employment Services** Department of Energy & Environment Department of General Services\* Department of Health Department of Health Care Finance\* Department of Housing and Community Development Department of Human Resources **Department of Human Services** Department of Motor Vehicles Department of Parks and Recreation Department of Public Works Department of Small and Local Business Development Department of Youth Rehabilitation Services' Department on Disability Services District Department of Transportation District of Columbia Housing Authority DC Lottery and Charitable Games Control Board District of Columbia Office of Zoning District of Columbia Public Library District of Columbia Public Schools Fire and Emergency Medical Services Department Homeland Security and Emergency Management Agency Metropolitan Police Department Office of Administrative Hearings\* Office of the Attorney General – Child Support Division\* Office of Contracting and Procurement Office of Human Rights Office of Planning Office of Tax and Revenue Office of the People's Counsel Office of the State Superintendent of Education Office of the Tenant Advocate Office of Unified Communications Office on Aging

### FY15 Testing Project

The Equal Rights Center (ERC) conducted language access field tests on behalf of OHR in FY15. These field tests consisted of telephone calls and in-person visits to the public-facing divisions of 15 agencies. ERC testers attempted to obtain information from frontline employees while speaking exclusively in a non-English language: Amharic, Arabic, French, Korean, Mandarin, Spanish, or Vietnamese. The LA team incorporated the test results into the agency compliance scorecards under the quality component. The LA team also plans to use these results to guide training and technical assistance projects in FY16.

### Summary of Findings:

These findings provide a glimpse of the expereinces had by LEP/NEP customers at 15 critical agencies across District government. A total of 210 tests were conducted in multiple languages from May to August 2015.

- Testers received language assistance in 45% of the telephone tests and 88% of the in-person tests.
- Testers received no language assistance in 55% of the telephone tests and 12% of the in-person tests.
- Testers received language assistance through a telephonic interpreter in 47% of tests.
- Testers received language assistance from bilingual employees in 14% of tests. Bilingual employees provided assistance in Spanish, French, Vietnamese, and Amharic.

#### Agencies Tested in FY15

Child and Family Services Agency, DC Housing Authority, DC Public Schools, Department of Behavioral Health, Department of Consumer and Regulatory Affairs, Department of Employment Services, Department of Health (Providers), Department of Human Services, Department of Motor Vehicles, Department of Parks and Recreation, Department of Public Works, Department on Disability Services, Fire and Emergency Medical Services, Metropolitan Police Department, and Office of the Tenant Advocate.



**Success Rates:** Percentages of the tests below that resulted in In-Person and Phone Test requested services, information or resources.

100% 100% 100% 93% 84% 83% 80% 79% 81% 78% 67% 63% DCPS DCRA DHS DOH MPD DMV



In-Person

FY14

FY15

## Limited Purpose License Project

In Spring of 2015, OHR joined the Department of Motor Vehicles (DMV), and the Mayor's Office on Latino Affairs (MOLA) to launch an interagency campaign designed to improve issuance of DMV's Limited Purpose License (LPL) and overall service to LEP/NEP customers. The campaign aimed to eliminate linguistic and cultural barriers for LPL applicants throughout the credentialing process and initially targeted roughly 6500 individuals who had made an appointment with DMV by April 2014, and most of whom were limited-English proficient.



You have the right to ask for an interpreter and get help in your language for free. If your request is denied, call the DC Office of Human Rights at 202-727-4559 to file a complaint .

Usted tiene el derecho de solicitar un intérprete y obtener ayuda en su idioma de manera gratuita. Si su solicitud es negada, llamea la Oficina de Derechos Humanos del Distrito de Columbia al **202-727-4559** para presentar una queja.

您有权力要求免费的翻译服务.如果您的要求遭到拒绝、请向特区人权办公室投诉,投诉电话是 202-727-4559.

귀하는 무료 한국어 통역서비스를 받을 권리가 있습니다. 만약 통역 요청 이 거철될 경우, DC인권사무소 202-727-4559로 전화 후 불만을 접수하십 시오.

Quý vị có quyền yêu cầu thông dịch và được giúp đở bằng ngôn ngữ của mình. Nếu yêu câu đó của quý vị bị từ chối, háy gọi cho Văn phòng Nhân quyền DC ở số 202-727-4559 để nộp đơn phản ánh.

ያለክፍያ አስተርጓሚ መጠየቅና በቋንቋዎ አንልግሎት ማግኘት መብትዎ ነው። ይህንን ሰይቀው ካላፖኑ አቤቱታ ለማቅረብ ወደ የኮሎምብያ ዴስትሪከት የሰብዓዊ መብቶች ቢሮ 202-727-4559 ይደዉሉ።

Vous avez le droit de demander gratuitement un interprète et obtenir de l'aide dans votre langue. Si votre demande est refusée, appelez le Bureau des droits de l'homme du District de Columbia au **202-727-4559** pour déposer une plainte.

Lei ha il diritto di richiedere un interprete che La aiuti gratuitamente nella sua lingua. Se la sua richiesta Le viene negata, telefoni all' Ufficio Diritti Umani del Distretto di Columbia al 202-727-4559 per depositare una querela.

Sie haben das Recht einen Dolmetscher zu verlangen und unentgeltlich Hilfe in ihrer Sprache zu erhalten. Falls ihr Ersuchen abgelehnt wird, rufen Sie bitte zur Einreichung einer Beschwerde das DC Office of Human Rights (Amt für Menschenrechte) unter **2027-4559** an.

Você tem direito de solicitar os serviços de um intérprete e obter ajuda em sua própria língua. Se a sua solicitação não for atendida, lígue para o Escritório de Direitos Humanos de DC (CO Coffice on Human Rights) no número **202-727-4559** para registrar uma queixa.

يحق لك طلب مترجم و الحصول على المساعدة المجانية بلغتك، إن تُّم رفض طلبك، اتصل .بـ مكتب مقاطعة كولومبيا لحقوق الإنسان على الرقم ۲۰۲۷-۷۱۷۹ لتقديم شكوى



### Campaign Activites

#### Linguistically and Culturally Targeted Engagement

- 2 community trainings where DMV staff trained community-based service providers and advocates on LPL application process and document requirements
- 4 pre-screening sessions hosted by MOLA for LPL applicants where DMV staff partnered with bilingual volunteers to review documents and assist applicants
- 24 "in-language" knowledge test preparation training sessions provided by OHR via the Central American Resource Center (CARECEN)
- 10 special appointments provided on Mondays by DMV for applicants vetted in prescreening sessions

#### Language Access & DMV Vital Documents

- DMV's practice knowledge test was translated and made available online in 6 languages (Spanish, Amharic, French, Chinese, Korean and Vietnamese)
- OHR placed a large multilingual banner (pictured left) at all DMV Service Centers visibly informing LEP/NEP customers of their right to request an interpreter
- Translation quality of DMV's knowledge tests in 13 languages was reviewed by OHR to ensure language used was clear and accessible to the intended audience
- Printed copies of the Drivers Manual were distributed to applicants during pre-screening and knowledge test preparation classes to improve access to study materials
- DMV center managers were convened for refresher training on language access requirements and to develop strategies for optimizing service and access for LEP/NEP customers and LPL applicants

### KEY CHALLENGES



knowledge test failure rate

### Backlog and long wait for appointments

High

'no show' rate for appointments at the DMV

### FY 15 OUTCOMES

536

applicants received special appointments.

561

applicants attended a pre-screening session and had their documents reviewed.

# 130

applicants attended a knowledge test preparation class; 25% attended more than one class. "OHR is pleased with the outcomes from its work with OLA and the DMV to expand community engagement efforts that reduced barriers for Limited Purpose License applicants."

### -Monica Palacio, Director

photo below: LEP/NEP District residents receive help from DMV staff at LPL prescreening event held at the Mayor's Office of Latino Affairs.



### By the Numbers:

LEP/NEP & Foreign-Born Residents in the District\*



foreign-born people moved to the District from July 2014 - July 2015

international migration was greatest contributor to the District's 1.9% population growth from July 2014 - July 2015

District foreign-born places of birth by region:





16%



1%

Latin America

Asia



Africa

Northern America

Oceania

# 4,003

new immigrant business owners in the District between 2006 and 2010\*\*

# \$242 million

was generated in **total net business** income from new immigrant business owners between 2006 and 2010\*\*

18:7%

of all business owners in DC were foreign-born in 2010\*\*



residents in the District are foreign-born\*

## 4,103

District businesses were Asian/ Pacific Islander owned in 2012\*\*\*



District businesses were Latino owned in 2012\*\*\*

\*Source: 2010-2014 5-year estimate of the US Census Bureau's American Community Survey (ACS) data provided by the DC Office of Planning Data Center.





of foreign-born residents over the age of five in DC speak a language other than English at home 22,885

people in the District over the age of five are LEP/NEP

### Top 15 countries of origin for the District's foreign-born population

			F. Martin		
El Salvador	13,410	United Kingdom	2,776	Philippines	2,007
Ethiopia	5,509	Jamaica	2,231	France	1,919
Mexico	3,042	India	2,136	Nigeria	1,811
Guatemala	2,877	Dominican Republic	2,068	Trinidad and Tobago	1,748
China	2,868	Germany	2,007	Colombia	1,744
<b>F10</b>					

of LEP/NEP people in DC are female



of LEP/NEP people in DC are male



LEP/NEP people live in **all eight wards** but are concentrated in wards one and four

\*\* Source: Fiscal Policy Institute. \*\*\* Source: U.S. Census Bureau, 2012 Survey of Business Owners

## Rating Methodology

This report features compliance scorecards for 33 District agencies with major public contact. The compliance scorecards provide an overview of how accessible a covered entity with major public contact is to constituents who are limited or non-English proficient (LEP/NEP). The scorecards feature a narrative description of each agency's areas of improvement, gaps in compliance, and recommended priorities for FY16, as well as a numeric evaluation. The numeric evaluation provides an agency's overall compliance score based on its performance in three categories: preparedness, accessibility, and quality. The category of "preparedness" captures whether an agency has laid the groundwork for interacting with LEP/NEP constituents, such as collecting data on encounters and training frontline staff on language access requirements. The category of "accessibility" measures the current state of language access services at a given agency. including interpretation, translation, and outreach. The category of "quality" reflects how well an agency is implementing its services with respect to customer experiences. It incorporates the outcomes of the field testing that OHR commissioned, as well as any formal complaints. To receive a perfect compliance score, an agency must fulfill all of the requirements under each of these three categories. Each requirement corresponds to one point, allowing for a maximum possible score of 14 for agencies that underwent field testing and 12 for agencies that did not.

	P1: Agency provided data on FY15 encounters.	Did the agency record its encounters with LEP/NEP constituents and report them to OHR? Do records include the languages and number of speakers encountered?				
Preparedness	P2: Method for collecting data was comprehensive.	Is the agency using more than one method to collect data? Will the methods yield accurate data? Did the agency implement OHR recommendations or BLAP action items related to data collection?				
	P3: Agency staff were trained in FY15.	Did the agency train staff on language access requirements and resources? How many people were trained, and who provided the training? Did the agency implement OHR recommendations and/or FY15/16 BLAP action items related to staff training?				
	P4: Agency communicated effectively.	Did the agency send a representative to the bimonthly LA Coordinators meetings hosted by OHR? Did the agency participate in special trainings on electronic reporting? Was the agency responsive to OHR inquiries? Did the agency proactively reach out to OHR?				

	A5: Direct requests for interpretation and/or translation services were met.	Did the agency provide translation and interpretation to constituents who asked for these services? Is there evidence that the agency provides language assistance as part of its routine service delivery process?				
Accessibility	A6: Vital documents were translated and/or updated in FY15.	What documents did the agency translate in FY15? Are the agency's vital documents translated in other languages? Did the agency implement OHR recommendations or FY15/16 BLAP action items related to document translation?				
	A7: Translated vital documents are accessible on agency website.	Does the agency have any web pages in languages other than English? Are the agency's vital documents available in other languages? Did agency implement OHR recommendations or FY15/16 BLAP action items related to the online accessibility of translated documents?				
	A8: Vital documents translated in FY15 reflect the needs of LEP/NEP customers.	Are the agency's vital document translations appropriate to the LEP/NEP population(s) it encountered? Has the agency translated documents into languages besides Spanish that meet the agency's threshold? Did the agency implement OHR recommendations or FY15/16 BLAP action items related to the translation of documents into specific languages?				
	A9: Efforts were made to reach out to LEP/NEP communities in FY15.	Did the agency conduct any outreach that specifically targeted LEP/NEP communities? Did the agency's outreach initiatives bring the agency into meaningful contact with LEP/NEP constituents? Did the agency implement OHR recommendations or FY15/16 BLAP action items related to outreach to LEP/NEP communities?				
Quality	Q10: No complaints were filed against the agency in FY15.	Were any complaints filed against the agency?				
	Q11: Agency was not found in non-compliance in FY15.	Did any complaints result in a non-compliance finding?				
	Q12: No tester was turned away during tests.	ONLY FOR AGENCIES THAT UNDERWENT FIELD TESTING Did all testers receive interpretation and, when appropriate, translation services? If not, were there any mitigating circumstances?				
	Q13: All testers who accessed interpretation received requested information or services.	ONLY FOR AGENCIES THAT UNDERWENT FIELD TESTING When testers did receive language assistance, were they able to obtain the information or resources that they requested? Were they able to communicate effectively through the services offered?				
	Q14: OHR has observed significant improvement in LA implementation in FY15.	Has the agency taken steps to provide or sustain full access to LEP/NEP customers? Has the agency addressed some, if not all, systemic issues to close gaps in compliance and improve its service to LEP/NEP customers? Looking at FY15 testing outcomes and public complaints (where applicable), agency self-reported updates, OHR observations, and stakeholder feedback, is the agency on track with LA implementation?				

## Summary of Findings

The LA Program assessed 33 District agencies' FY15 efforts to implement and fulfill the requirements of the Language Access Act.

# 504

DPEG4PEONES

Perstit

employees were trained on language access at locally-funded public service organizations.

# 45%

Pugur

of the telephone field tests conducted at 14 agencies provided adequate language assistance in FY15.

## 23

agencies reported conducting outreach to LEP/NEP communities over the course of FY15.

# 89%

of the in-person field tests conducted at 9 agencies provided adequate language assistance in FY15.

# 32

language access policies have been adopted by covered entities with major public contact Districtwide.

# 89

4CC55598117

different languages were requested by customers and provided by District agencies.

### By the Numbers:

Implementation of Act Requirements

Amharic

Spanish

# 204,783 LEP/NEP encounters reported by major public contact agencies

**80,563** agency calls to provide telephonic interpretation

vide **1,657** in-person agency

interpretations provided

Top 10 languages based on telephonic-interpretation usage

68,373	5,841	1,989	1,100	903	430	365	275	246	124
Spanish	Amharic	Chinese	French	Vietnamese	Arabic	Tigrinya	Bengali	Korean	Russian
Top 10 languages spoken by LEP/NEP residents in the District*									
17,465	3,720	2,070	1,824	627	552	475	432	389	281

Russian

Portuguese

Tagalog

1,325	agency staff members trained on language	
·/ <b>·</b>	access by OHR	

French

2,533

agency staff members trained by in-house staff members

### 1,045

Chinese

vital documents translated by agencies increase in language access complaints received in FY15.

35%

Italian

Vietnamese

Japanese

45%

increase in language access complaints docketed in FY15.

Translated documents are now available on the **websites of 23 agencies**.

## New Major Public Contact Agencies

Five new agencies were designated as covered entities with major public contact as a result of 2014 changes to the Language Access Act regulations. OHR's LA Program has since been working with these agencies to conduct baseline assessments, develop Biennial Language Access Plans (BLAPs), and put in place basic infrastructure for providing translation and interpretation services. OHR will issue compliance assessment scorecards for these agencies in FY16. Currently, here is where each agency stands at the end of FY15:



• Appointed a Language Access Coordinator

#### PRIORITIES FOR FY16

- Develop a Biannual Language Access Plan
- Adopt a language access policy
- Train frontline and senior staff
- Identify a data collection mechanism
- Institute a system for telephonic interpretation
- Begin translation of prioritized vital documents
- Conduct outreach to LEP/NEP communities
- Appointed a Language Access Coordinator
- Instituted a system for telephonic interpretation
- Translated vital documents

#### PRIORITIES FOR FY16

- Develop a Biennial Language Access Plan
- Adopt a language access policy
- $\cdot\,$  Train frontline and senior staff
- Indentify a data collection mechanism
- $\cdot$  Continue translating of vital documents
- Conduct outreach to LEP/NEP communities





REHABILITATION SERVICES





- Appointed a Language Access Coordinator
- Adopted a Biennial Language Access Plan
- Adopted a language access policy
- Trained senior staff
- Identified data collection mechanisms
- Instituted a system for telephonic interpretation

#### PRIORITIES FOR FY16

- Conduct outreach to LEP/NEP communities
- Begin translating vital documents
- Train frontline staff
- Appointed a Language Access Coordinator
- Began translating vital documents
- Trained staff
- Identified data collection mechanisms
- Instituted a system for telephonic interpretation

#### PRIORITIES FOR FY16

- Develop and adopt a Biennial Language Access Plan
- Conduct outreach to LEP/NEP communities
- Develop a language access policy
  - Appointed a Language Access Coordinator
  - Adopted a Biennual Language Access Plan
  - Adopted a Language Access policy
  - Trained senior staff
  - · Identified data collection mechanisms
  - Instituted a system for telephonic interpretation
  - Began translating vital documents

#### PRIORITIES FOR FY16

- Continue translating vital documents
- Conduct outreach to LEP/NEP communities

## Progress Update and FY16 Recommendations

Below are updates on recommendations presented in OHR's FY14 language access report for Districtwide improvement in language access compliance over the FY15/16 BLAP period:

### Improving quality of service provided to LEP/NEP customers through recurring training, effective signage, multilingual automated telephone prompts, and hiring of bilingual staff

Guaranteeing that LEP/NEP customers receive language assistance in every single interaction with covered entities remains the topmost language access priority - and FY15 field testing results as well as data on Districtwide use of telephonic interpretation services indicate small yet steady progress in this area. FY15 field tests conducted at nine agencies show that in 89 percent of the in-person tests, customers were provided language assistance (a remarkable increase of 22 percent compared to FY14 results) and 45 percent of the telephone field tests conducted at 14 agencies resulted in customers receiving language assistance (an increase of 5 percent from FY14 results). Collectively, District employees made over 80,563 calls in FY15 to access an interpreter over the phone, which represents a 13 percent increase from the 71,139 calls made in FY14. Additional data points indicating that agencies are taking steps to increase their effectiveness in providing quality service to non-English speaking customers

#### ACTION TAKEN:

- 3,858 District employees (compared to 3,017 in FY14) and 504 public service organization employees were trained in language access compliance requirements and resources;
- Two agencies with some of the highest LEP/NEP encounters DMV and DHS now display in their centers large multilingual signs promoting the availability of language assistance and/ or providing directions to customers in multiple languages. MPD and DHCA are following suit;
- DBH, DHS, OTR, DCHR, DCPL, DCPS, MPD, and OUC took proactive steps in FY15 to hire bilingual staff in key public-facing positions where added cultural and linguistic skills stand to build their capacity to serve LEP/NEP customers; and
- Over 30 agencies adopted language access policies that outline internal processes and guidelines for providing access to LEP/NEP customers.

#### PLANNING AHEAD:

While these achievements are all steps in the right direction, a 13 percent increase in the number of language access complaints filed with OHR in FY15, and OHR's finding that less than half of telephone tests received language assistance point to persistent gaps in access afforded to LEP/NEP populations. OHR urges all covered entities to tackle rigorous training, signage, multilingual prompts, and bilingual hiring in FY16 to eliminate barriers to access and reinforce agency-wide commitment to providing equitable services to LEP/NEP customers. Clear and firm directives from agency leaders, and close monitoring of day-to-day service delivery practices are needed to fully institutionalize a culture of inclusive, culturally and linguistically competent customer service throughout District agencies.

Improving the quality of data collected on LEP/ NEP encounters through increased authority and support for Language Access Coordinators, improved internal reporting systems, and rigorous training for grantees and contractors. ACTION TAKEN:

Agencies with major public contact collectively reported a total of 204,783 encounters with LEP/NEP individuals in FY15. This number represents a notable 34 percent surge from the 152,732 encounters reported in FY14, and is largely due to higher numbers reported by DCPL, DHS, DMV, MPD, and OUC, all agencies who have successfully implemented a comprehensive data collection mechanism.

OHR applauds these agencies for this achievement. However, the fact that half of the assessed agencies have not yet invested in effective systems points to possible major gaps in citywide compliance. OHR urges these agencies to remedy this by ensuring agency Language Access Teams, led by Language Access Coordinators, design and implement a comprehensive data collection mechanism. With technical assistance and support from OHR, the Language Access Team should a) undertake a thorough audit to identify all public-facing functions and activities within the agency, including those conducted through grantees and contractors; b) develop the requisite tools needed for recording language needs of customers and use of language services at all points of interaction with the public; c) identify the most efficient process for tracking and centralizing data collected by employees, and once a process is formalized in the agency's language access policy; and d) train all font-line staff on data collection and reporting procedures.

#### PLANNING AHEAD:

OHR also notes the new Language Access Compliance Monitoring Database, which Language Access Coordinators are now required to use for planning and reporting purposes, is intended to streamline the information agencies submit to OHR and allow Coordinators to update information in real time. While this migration to an electronic reporting system has allowed OHR to better perform its compliance monitoring function and centralize citywide language access implementation data into a searchable system, some Language Access Coordinators need additional support from their agencies to make full use of this system and submit reports electronically in an efficient and timely manner. Improving accessibility through translation of vital documents and availability of translated materials on agency's website.

#### ACTION TAKEN:

Twenty-three agencies translated at least one document and contributed towards the 1,045 total documents translated by the District's citywide vendors in FY15. Nearly two-thirds of the agencies with major public contact made translated documents available on their website in FY15. This is nearly double the number of agencies who successfully met this compliance requirement in FY14.

The lack of reliable data on agencies' LEP/NEP encounters continues to prevent covered entities from accurately identifying the languages that meet the legally mandated threshold for document translation. OHR reminds agencies that combining data on LEP/NEP encounters with an assessment of emerging LEP/NEP communities will be required to properly identify languages encountered or likely to be encountered by the agency. OHR urges covered entities to take stock of vital documents used throughout the agency, and prioritize them for translation based on frequency of use. In the meantime, agencies must ensure, at a minimum, that all vital documents include simple multilingual tag-lines instructing LEP/NEP customers to call the agency for language support.

While more agencies are taking steps to centralize vital documents online, many still lag behind in meeting this critical accessibility requirement. Failing to make already translated vital documents accessible under the language-specific pages online prevents employees as well as the general public from easily locating important documents even when these documents have already been translated by the agency. OHR recommends that all Language Access Coordinators work with their Language Access Team, translation vendors and OHR to identify all translated documents, and upload them to the 'language support' section on the agency's website.

DC Gov Speaks Your Language Find more about the DC Gov Speaks Your Language campaign at ohr.dc.gov.



### Stakeholder Recommendations

The Language Access Act names the Mayor's Offices on African Affairs (MOAA), Asian and Pacific Islander Affairs (MOAPIA), and Latino Affairs (MOLA) as consultative agencies, and the DC Language Access Coalition (LA Coalition) as a community-based stakeholder mandated to advise and assist OHR in the implementation of the Act. Each year, these partners recommend priorities for improving the access and quality of service provided to LEP/NEP constituents across the District. These recommendations reflect the unique needs and experiences of the various constituencies served by each consultative agency or coalition member.

Top priorities across all four stakeholders include increasing language access training for agency front-line staff as well as spreading awareness of the rights and services available to the District's LEP/NEP populations.

Consultative Agencies

Learn more about these agencies at ohr.dc.gov/page/languageaccess.



- Provide recurring training for all relevant staff on obligations and resources;
- Ensure accurate data collection and distribution on LEP/ NEP groups served and likely to be served;
- Make information about complaints, determinations, and corrective actions publicly available in an accessible format;
- Increase the number of staff with language access responsibilities within DCPS and the DC Public Charter School system;
- Provide salary incentives to bilingual employees and increase the number of bilingual frontline staff at all agencies; and
- Increase funding to OAA, given the prevalence of African language speakers.

### MOLA

• Unify language access signage across major public contact agencies;

- Establish bilingual information centers at designated customer service locations to direct LEP/NEP constituents to appropriate services;
- Conduct well-structured outreach campaigns that include the LEP/NEP population;
- Implement a quality control system for all translations released to the public; and

• Invest resources into consultative agencies for developing materials, tools, and additional resources to help covered entities with major public contact serve LEP/NEP populations.

### MOAPIA

- Provide refresher training for frontline staff at covered entities and agencies with major public contact;
- Raise awareness about language access among the LEP/NEP population through outreach conducted by individual agencies;
- Improve the quality of translated documents in the Asian languages; and
- Collect and analyze data on the AAPI population and prioritize the community needs.

### MOAA

- Encourage agencies to hire bilingual staff;
- Improve the accessibility of agency websites by including prominent language preference menus on agency homepages;
- Post multilingual signage with appropriate images at agencies; and
- Allocate resources to consultative agencies to cover the costs associated with offering quality review and other language access services.

Agency Scorecards

### Alcoholic Beverage Regulation Administration



ABRA reported FY15 encounters but failed to meet critical preparedness requirements, mainly training frontline staff and implementing a comprehensive data collection mechanism.



ABRA conducted outreach to LEP/NEP ABC license holders and business owners and translated one document into Spanish, but failed to provide translated materials in other languages.



ABRA was not tested in FY15. While no complaints were filed against the agency in FY15, agency made insufficient efforts to provide quality service to LEP/NEP customers.



### FY15 Top Languages Encountered:

Spanish, Vietnamese, and Thai

OHR commends the Alcoholic Beverage Regulation Administration (ABRA) for conducting outreach to LEP/NEP communities in FY15, and for hosting multilingual trainings to engage LEP/NEP ABC license holders actively. However, OHR also urges the agency to take serious steps to improve overall compliance by developing a comprehensive data collection system, translating vital documents into other languages in addition to Spanish, and training public contact and field staff on language access compliance.

Last year, OHR strongly recommended that ABRA take immediate steps to implement a comprehensive system for tracking interactions with LEP/NEP customers to generate a more accurate picture of the agency's encounters. ABRA has made no provisions to address this need, and as a result, the number of FY15 encounters is considerably lower than what might be expected given the ethnic and linguistic diversity of the District's hospitality and restaurant business community. Based on information from reception desk sign-in sheets, ABRA reported a total of 23 encounters with LEP/NEP customers for FY15. The agency's encounters with LEP/NEP customers—mainly over the phone, during inspections in the field, and during hearings—remain unrecorded and unreported.

### Child and Family Services Agency





CFSA translated two documents into Spanish in FY15. Agency can improve its accessibility by translating documents into other languages and by centralizing documents on its website.



In FY15, no complaints were filed against CFSA. Two out of four telephone testers were turned away.



### FY15 LEP/NEP Encounters: 626 FY14 Score: 12/12 FY15 Top Languages Encountered:

Spanish, Mandarin, Amharic, Vietnamese, Arabic, French, Polish, and Tamil

OHR acknowledges the continuing efforts of the Child and Family Services Agency (CFSA) in providing LEP/NEP constituents with meaningful access to resources for child welfare. However, the FY15 telephone tests conducted at CFSA revealed an area for improvement. While all of the staff members who answered the CFSA hotline during the field tests attempted to provide language assistance – an outcome that OHR recognizes and applauds – they were only successful in doing so in half of the calls. Given that 50% of the tests resulted in denial of service, OHR recommends that CFSA take immediate steps to train all call center staff on language access to ensure that they understand their legal obligation to provide language assistance, have access to relevant tools and resources, and are fully capable of obtaining telephonic interpretation services to assist LEP/NEP customers over the phone.

In FY14, CFSA generated 35 vital documents in Amharic, French, Vietnamese, Chinese, and Korean as well as Spanish. In FY15, however, the agency only translated two documents into Spanish. Going forward, OHR recommends that CFSA continue translating vital documents into other top languages encountered by the agency to facilitate access for its linguistically diverse LEP/NEP customer-base. With regard to online accessibility, OHR recognizes the agency's inclusion of extensive information on its language support pages, but reiterates the need to centralize links to translated documents under these pages for easy access.

### Department of Behavioral Health



DBH met training and data collection requirements in FY15. Agency is prepared to serve LEP/NEP customers.



Translated documents are available on agency's website, and DBH made proactive efforts to engage LEP/NEP residents in FY15.



One complaint was filed against DBH in FY15. All but one field tester at DBH received language assistance.



In-Person Tests 4 out of 4 in-person tests provided the requested service, information, or appropriate resources.



Telephone Tests 3 out of 4 telephone tests provided the requested service, information, or appropriate

### FY15 LEP/NEP Encounters: 5,269 FY14 Score: 10/12 FY15 Top Languages Encountered:

Spanish, Amharic, Mandarin, Chinese, Vietnamese, Haitian Creole, French, Urdu, Korean, and Kurdish

OHR commends the Department of Behavioral Health (DBH) for consistent efforts through the years to fully meet the requirements of the Language Access Act and to provide quality services to LEP/NEP customers. OHR credits DBH for the outcomes of field testing conducted in FY15 at the Multicultural Services Division and Access HelpLine, in which all but one tester received language assistance.

In FY15, DBH trained over 172 frontline staff on language access compliance requirements and how to use LanguageLine Solutions, the District's contracted telephonic interpretation provider. DBH participated in 11 outreach events to engage linguistically and culturally diverse communities across the District, and also made proactive efforts to recruit bilingual staff for key public-facing positions, an objective from the agency's FY15/16 BLAP.

In FY16, OHR encourages DBH to engage its provider network proactively by training providers on their legal obligations under the Language Access Act, as well as resources available for serving LEP/NEP customers. DBH should also continue exploring strategies for improving data collection during the agency's transition to the ICAMS computer software program to ascertain that data on LEP/NEP encounters is recorded and tracked across DBH divisions and provider locations.

## Department of Consumer and Regulatory Affairs

5/14 overall compliance score preparedness 1/4

Without agency-wide language access training or a comprehensive data collection mechanism, DCRA remains unprepared to serve LEP/NEP customers.

accessibility 2/5

In FY15, DCRA reported no translated documents and no outreach targeting LEP/NEP customers.

# quality 2/5

OHR received multiple public complaints against this agency in FY15. While all in-person testers received language assistance, five out of eight telephone testers were hung up on.



#### **DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS**

In-Person Tests 8 out of 8 in-person tests provided the requested service, information, or appropriate resources.

Telephone Tests

3 out of 8 telephone tests provided the requested service, information, or appropriate resources.

### **FY15 LEP/NEP Encounters:** 1,195 **FY14 Score:** 10/14 **FY15 Top Languages Encountered:**

Spanish, Korean, Mandarin, Amharic, French, Vietnamese, Tigrinya, Arabic, Mongolian, and Turkish

OHR commends the Department of Consumer and Regulatory Affairs (DCRA) for FY15 field testing results indicating that all in-person testers who visited the agency's Business Licensing Center, Permits Center, and Small Business Resource Center received language assistance. However, only three out of eight telephone testers received language assistance; in the other five instances, the DCRA employee hung up on the tester.

In light of these results, OHR urges DCRA to take proactive steps to monitor the quality and accessibility of the service provided to LEP/NEP callers over the phone, and to prioritize agency-wide language access and customer service training in FY16. DCRA has yet to take action to meet this compliance requirement despite repeated recommendations from OHR. Without this critical preparedness measure, DCRA staff will remain unequipped to fulfill their legal obligation to provide language assistance to all LEP/NEP customers who visit or call the agency.

DCRA continues to rely solely on telephonic interpretation usage reports to document encounters with LEP/NEP customers. As recommended by OHR in the FY13 and FY14 compliance reviews, DCRA needs to take immediate steps to institute a comprehensive data collection mechanism that captures encounters at the reception desk and outreach events, as well as language assistance provided via in-person interpreters or bilingual personnel. This information needs to be centralized in the agency's customer tracking system and reported back to the agency's Language Access Coordinator.

### Department of Corrections





### FY15 Top Languages Encountered:

Spanish, Amharic, Turkish, French, Korean, Arabic, Bengali, Mandarin, Urdu, and Dutch

In FY14, OHR commended the efforts that the Department of Corrections (DOC) had made to ensure accessibility for Spanish-speaking customers, who comprise the agency's largest LEP/NEP population. DOC continued such efforts in FY15, providing information on the agency's video visitation program on its Spanish-language web page. DOC additionally translated 14 vital documents into Spanish, including the Inmate Handbook and a brochure on reentry. OHR encourages DOC to translate vital documents into other languages encountered by the agency.

OHR also recommended in FY14 that DOC partner with the Language Access Program to provide agency-wide training on compliance. While DOC included this objective as a priority in its planning for FY15, no staff training actually occurred. DOC also did not meet its goals for outreach. OHR commends DOC for its consistency in creating meaningful access for LEP/NEP constituents, but also urges DOC to follow through on all of its initiatives so as to be in full compliance with the Language Access Act.

Finally, OHR encourages DOC to meet its outreach and community education goals fully in FY16, and to engage community organizations and partners proactively.

### Department of Employment Services



DOES needs to continue training frontline staff and to refine its data collection mechanism to improve its preparedness.

accessibility 5/5

DOES translated vital documents into Spanish in FY15 and conducted regular outreach.



OHR received one public complaint against DOES in FY15, and 40% of telephone field tests did not result in language assistance.



In-Person Tests No in-person tests were conducted at DOES. E E

Telephone Tests 5 out of 8 telephone tests provided the requested service, information, or appropriate resources.

### **FY15 LEP/NEP Encounters:** 2,868 **FY14 Score:** 9/14 **FY15 Top Languages Encountered:**

Spanish, Amharic, French, Mandarin, Vietnamese, Arabic, Portuguese, Korean, Thai, and Tigrinya

OHR credits the Department of Employment Services (DOES) for taking preliminary steps in FY15 to address longstanding gaps in the agency's compliance with the Language Access Act.

Nevertheless, a public complaint was filed against DOES in FY15 alleging that the agency denied service to an LEP/NEP customer. Additionally, 40 percent of the FY15 testers did not receive language assistance when they called American Job Centers, the Office of Wage and Hour, and the Office of Worker's Compensation. While OHR credits DOES for training over 250 employees in FY15, the agency needs to accelerate training efforts in FY16 to ensure that all frontline personnel are equipped to serve LEP/NEP customers fully.

OHR also recognizes DOES for FY15 efforts to translate vital documents into Spanish, and once again reminds DOES to include other frequently encountered languages in its translation initiatives, as well as to aggregate the translations online under language support pages, as with Spanish.

Finally, OHR recommends that DOES increase outreach with targeted emphasis on specific LEP/NEP communities to ensure that the constituents represented therein can enjoy comprehensive employment services.
### Department of Energy and Environment



DOEE has taken all the necessary preparedness steps to ensure that it can provide meaningful access and linguistically competent service to LEP/NEP customers.



DOEE participated in nine outreach efforts, and translated vital documents into multiple languages.



No field tests were conducted at DOEE in FY15, and no complaints were filed against the agency.



FY14 Score 11/12



FY15 Encounters 2,051

#### FY15 Top Languages Encountered:

Spanish, Amharic, Korean, Vietnamese, Mandarin, French, and Pashto

OHR commends the Department of Energy and Environment (DOEE; formerly District Department of the Environment/DDOE) for its efforts to facilitate access for LEP/NEP constituents and ensure they can meaningfully participate in its programs and services.

Following OHR's recommendations in FY14, DOEE expanded its outreach initiatives, which in FY15 included nine events that specifically targeted Amharic and Spanish-speaking communities. In addition to this exemplary endeavor, DOEE staff attended three OHR-led trainings over the course of the year and implemented a comprehensive data collection system that includes tallies from bilingual staff, information from sign-in sheets, records from customer management tracking software, and reports from grantees and subcontractors.

While DOEE translated numerous documents into Amharic, Chinese, French, Korean, Spanish, and Vietnamese, DOEE has yet to centralize its translations online on language-specific pages. OHR once more advises DOEE to centralize the translated vital documents online under the language support pages and thereby maximize the agency's accessibility to LEP/NEP constituents.

### Department of Health

# 3/14 overall compliance score preparedness

Agency provided no data on encounters or training in FY15.



DOH provided no data on the provision of language assistance, vital document translations, or outreach to LEP/NEP communities for FY15.



FY15 testing results indicate that DOH needs to address the responsiveness of its service providers to phone inquiries from LEP/NEP constituents. Agency received no complaints in FY15.





In-Person Tests 8 out of 8 in-person tests provided the requested service, information, or appropriate resources.

Telephone Tests 2 out of 10 telephone tests provided the requested service, information, or appropriate

### FY15 LEP/NEP Encounters: No dataFY14 Score: 8/14FY15 Top Languages Encountered:

No data

As a major public contact agency providing critical health and safety services to District residents, the Department of Health (DOH) needs to take aggressive steps to address a decline in compliance from FY14 to FY15. According to FY15 field test results, only 20% of callers received language assistance. These results indicate that DOH service providers (i.e., Community Connection, Unity Health – Upper Cardozo) and DOH's Vital Records Division consistently deny services to LEP/NEP constituents over the phone. In addition to this finding, OHR notes that for FY15, DOH reported no data on encounters, training, vital document translations, or outreach to LEP/NEP communities. DOH does feature language support pages for Amharic, Chinese, French, Korean, Spanish, and Vietnamese on its website. However, these pages do not house any of the vital documents that DOH uses to educate the public.

OHR urges DOH to take immediate corrective measures, as the agency is currently not meeting any of the legally mandated reporting requirements under the Language Access Act. As a result, any efforts the agency may be making with regard to preparedness and accessibility are going unrecorded.

#### Department of Housing and Community Development



DHCD did not provide data on FY15 encounters and staff training, and did not communicate with OHR in FY15.



DHCD has yet to translate vital documents slated for translation since FY13. No outreach efforts were reported in FY15.



DHCD was not tested in FY15 and no complaints were filed against the agency. However, OHR did not observe improvements in language access implementation in FY15.



Based on its FY15/16 BLAP recommendations, the Department of Housing and Community Development (DHCD) planned several language access initiatives for FY15. These initiatives included streamlining data collection and training frontline staff, as well as improving customer service and translating vital documents.

However, OHR records show minimal progress towards these compliance goals. In FY15, DHCD did not report any encounters with LEP/NEP customers, or any outreach efforts. While the agency did not receive any language access complaints in FY15, DHCD is not systemically equipped to meet the needs of LEP/NEP constituents. OHR advises DHCD to take immediate steps toward improving its preparedness and accessibility in order to ensure the agency is in compliance with the Language Access Act. These steps include creating a comprehensive data collection system, training frontline staff, translating vital documents, and consistently reporting developments to OHR.

OHR further instructs DHCD to take immediate steps to ensure that its large network of service provider grantees and contractors are trained on and comply with their legal obligations under the Act.

### Department of Human Resources



DCHR met all preparedness requirements in FY15, and expanded data collection on encounters to include written communication with LEP/NEP customers.



DCHR conducted outreach to LEP/NEP job seekers. However, no vital documents were translated in FY15.



DCHR was not tested in FY15 and no complaints were filed against the agency.



FY14 Score 12/12



FY15 Top Languages Encountered:

Spanish and Amharic

OHR applauds the Department of Human Resources (DCHR) for consistent efforts to comply fully with the Language Access Act. As the agency interacts primarily with District government employees and English-proficient job seekers, DCHR reports minimal encounters with LEP/NEP customers.

Nevertheless, DCHR made proactive efforts in FY15 to engage and serve LEP/NEP residents by offering interpretation at DC government job fairs and in job readiness and resume building classes offered by the agency. DCHR also partnered with the Mayor's Constituency Offices to conduct outreach specifically targeting LEP/NEP communities, including an informational session hosted by the Office on Latino Affairs and the 6th Annual DC Africa Festival hosted by the Office on African Affairs. DCHR also instituted a new tool for tracking its interaction with LEP/NEP customers through written correspondence, successfully trained all of the agency's new hires, and provided refresher training for frontline employees in FY15.

OHR commends DCHR for these initiatives and encourages the agency to continue exploring and supporting the District's efforts to attract and hire bilingual staff and increase linguistic competency across District agencies.

#### Department of Human Services



accessibility 4/5

DHS translated vital documents into Spanish and Amharic. Centralizing translations under the language support pages would improve agency's accessibility online.

### **quality** 1/5

OHR received two public complaints against DHS in FY15. During field tests, 3 out of 19 visitors and 6 out of 10 callers did not receive language assistance.



information, or appropriate

Telephone Tests 4 out of 10 telephone tests provided the requested service,

information, or appropriate

FY15 LEP/NEP Encounters: 53,463 FY14 Score: 7/14 FY15 Top Languages Encountered:

Spanish, Amharic, French, Mandarin, Vietnamese, Tigrinya, Arabic, Cantonese, Bengali, and Portuguese

OHR recognizes proactive efforts from the Department of Human Services (DHS) in FY15 to improve language access compliance. These efforts include a) training frontline staff and hosting "train the trainer" sessions for the DHS training division and service providers, b) identifying and convening Language Access Liaisons at the service center level, c) instituting checklists to ensure each service center is fully equipped with language access resources and tools, and d) placing multilingual signage at ESA Service Centers to better guide LEP/NEP customers.

FY15 field test results indicated that 85 percent of in-person testers and only 40 percent of telephone testers successfully received language assistance. With more than half of telephone testers denied access, DHS needs to take immediate steps to address persistent barriers that continue to prevent LEP/NEP customers from successfully accessing DHS services, particularly over the phone.

OHR encourages DHS to continue implementing systemic interventions to close compliance gaps and accelerate efforts to refine the language access training provided to frontline staff, cultivate a culture of quality service to LEP/NEP customers at all service centers, and certify and/or hire bilingual social service representatives and front-line staff.

### Department of Motor Vehicles



DMV has a comprehensive data collection mechanism in place, and trained all frontline staff and new hires on language access compliance in FY15.

accessibility 5/5

DMV translated vital documents and conducted outreach to LEP/NEP communities to improve accessibility, particularly in the context of LPL issuance.



Several public complaints were filed against DMV in FY15, and 20% of in-person testers did not receive language assistance.



In-Person Tests 16 out of 20 in-person tests provided the requested service, information, or appropriate resources.



Telephone Tests No telephone tests were conducted at DMV.

### **FY15 LEP/NEP Encounters:** 32,162 **FY14 Score:** 10/14 **FY15 Top Languages Encountered:**

Spanish, Amharic, French, Chinese, Arabic, Mandarin, Vietnamese, Russian, Tagalog, and German

OHR credits the Department of Motor Vehicles (DMV) for FY15 testing scores indicating that 80 percent of in-person testers who visited a DMV service center received language assistance - a slight improvement from FY14, when 77 percent of testers received assistance.

OHR further acknowledges DMV's efforts in FY15 to improve the agency's implementation of the Limited Purpose License (LPL) credentialing process by partnering with OHR and the Mayor's Office on Latino Affairs to devise linguistically and culturally targeted strategies for providing greater access to a pool of applicants that is primarily LEP/NEP. As part of this interagency effort, DMV a) hosted special outreach sessions, b) translated the knowledge test into thirteen languages, c) worked with OHR to have the quality of translations reviewed, d) translated the practice test in six languages and made them available online, and e) placed large multilingual banners in DMV service centers to inform LEP/NEP customers of their right to request language assistance.

While OHR applauds these improvements as well as the interagency collaboration to improve access for LEP/NEP customers, repeated complaints alleging denial of language assistance and discrimination at DMV Centers point to persistent barriers to access that require immediate action in FY16. OHR urges DMV to redesign its internal language access and customer service training in consultation with OHR, and to retrain all frontline staff. OHR further urges DMV to explore disciplinary measures for staff who deny service to LEP/NEP customers, and to send clear directives to all DMV center managers and staff on their legal obligation to provide language assistance.

### Department of Parks and Recreation



DPR can improve its preparedness by training frontline staff and refining its data collection mechanism to capture elusive encounters.

accessibility

DPR translated over 24 vital documents in FY15 and conducted proactive outreach. Translated documents are centralized on agency website.



No complaints were filed against DPR in FY15. All seven telephone testers were denied language assistance during the field tests.



DC DEPARTMENT OF PARKS AND RECREATION

In-Person Tests No in-person tests were conducted at DPR.



Telephone Tests 0 out of 7 telephone tests provided the requested service, information, or appropriate

#### **FY15 LEP/NEP Encounters:** 2,028 **FY14 Score:** 10/12 **FY15 Top Languages Encountered:**

Spanish, Amharic, French, Mandarin, Vietnamese, German, Italian, Russian, Arabic and Persian

OHR applauds the Department of Parks and Recreation (DPR) for consistent efforts in FY15 to create meaningful access for LEP/NEP constituents. This past fiscal year, DPR was proactive in conducting outreach, collaborating with the Mayor's Constituency Offices to engage diverse communities.

DPR also continued its practice of translating and disseminating vital documents, particularly during the pre-summer season when the agency circulates materials regarding summer employment and camp opportunities. For the Multicultural Summer Opportunity Fair, DPR translated the following vital resources into the top six languages most encountered by the agency: flyers, brochures, a popup banner, and the Reduced Rate Application, which provides TANF-qualified families with greatly reduced summer camp rates.

OHR applauds these initiatives, and encourages DPR to continue efforts to capture data on all LEP/NEP encounters, as many constituents use DPR facilities without leaving any record (dropping in to use the basketball courts, for instance, does not require any registration or sign-in). OHR anticipates improved outcomes given DPR's current efforts to institutionalize the use of multilingual sign-in sheets at all locations, and recommends the agency continue to pursue creative data collection strategies that will enable it to better project and respond to the linguistic needs of the population it serves.

### Department of Public Works





DPW translated one vital document into Spanish in FY15 and conducted no outreach. Agency should prioritize these compliance requirements to ensure full accessibility.



No complaints were filed against the agency in FY15, but two of the five telephone testers were denied access during field tests.



No in-person tests were conducted at DPW.

Telephone Tests 3 out of 5 telephone tests provided the requested service, information, or appropriate resources.

#### FY15 LEP/NEP Encounters: 169 FY14 Score: 10/12 FY15 Top Languages Encountered:

Spanish, French, Chinese, Korean, Bengali, and Vietnamese

OHR credits the Department of Public Works (DPW) for providing extensive information online via language support pages in the top languages encountered by the agency, and encourages DPW to expand those efforts in FY16 to keep LEP/NEP constituents informed about making the District's streets and public spaces clean, safe, attractive, and accessible.

Only about half of the telephone field testers who called DPW in FY15 were given language assistance. For the second year in a row, OHR urges DPW to train staff to ensure all of the agency's frontline personnel are aware of their legal obligation to provide language assistance, and are equipped to make use of telephonic interpretation services.

OHR also reiterates the need for DPW to put data collection mechanisms in place to ensure its reports fully capture the contact the agency has with LEP/NEP individuals. DPW reported a total of 169 encounters in FY15, a decline from the 239 encounters reported in FY14. Again, agency-wide training on language access compliance is critical for DPW, as it is the only way to ensure DPW frontline staff both serve and document each LEP/NEP customer encountered, whether at agency locations or in the field.

#### Department of Small and Local Business Development



DSLBD needs to take immediate steps to institute a reliable data collection mechanism, and ensure that grantees and contractors accurately record and share LEP/NEP encounters.



DSLBD must better document contact and targeted outreach to LEP/NEP business-owners.



DSLBD was not tested in FY15 and no complaints were filed against the agency.



#### FY15 Top Languages Encountered:

No data

In FY14, OHR tasked the Department of Small and Local Business Development (DSLBD) with several initiatives: a) reinforcing data collection and reporting requirements for its grantees and service providers; b) conducting targeted outreach to engage LEP/NEP-owned businesses and communities; and c) prioritizing vital documents for translation, such as forms related to CBE certification.

In FY15, DSLBD reported little to no data on encounters, outreach initiatives, or vital document translations. In January 2015, the entire staff of DSLBD attended a language access compliance training given by OHR. Since then, however, the agency has not communicated effectively with the Language Access Program. OHR urges DSLBD to take immediate steps to accomplish its tasks from FY14 and fulfill its requirements under the Language Access Act.

OHR strongly recommends DSLBD improve reporting of ongoing contact with LEP/NEP business. OHR also advises the agency maintain its language-specific web pages, which were inoperable for extended periods of time. The language-specific pages also contain links to English pages with no additional translations available. DSLBD should make the information on these pages accessible to LEP/NEP constituents.

### Department of Disability Services





DDS translated four documents into Spanish in FY15. Agency can improve accessibility by incorporating more languages in its translations, and by centralizing translated documents online.



All five in-person tests and two out of six telephone tests resulted in language access services. No complaints were filed against DDS in FY15.



#### In-Person Tests

5 out of 5 in-person tests provided the requested service, information, or appropriate resources.



#### Telephone Tests

2 out of 6 telephone tests provided the requested service, information, or appropriate resources.

#### FY15 LEP/NEP Encounters: 189 FY14 Score: 9/12 FY15 Top Languages Encountered:

Spanish,Amharic, Vietnamese, Russian, Mandarin, and Tigrinya

OHR commends the Department on Disability Services (DDS) for receiving full marks on the in-person field tests conducted at the Developmental Disabilities Administration and the Rehabilitation Services Administration. However, agency staff only provided language access services in one-third of the telephone field tests across both administrations. OHR notes that DDS is working to develop an in-house language access training, and urges DDS to include and emphasize a component within this tool for staff members who are responsible for receiving inbound calls.

OHR further notes the continued downward trend in the encounters reported by DDS in the last three years – from 922 in FY13, to 512 in FY14, and now 189 in FY15. This sharp decline in encounters defies the District's well-established increase in the LEP/NEP population, suggesting one of two possibilities: either a) DDS's data collection mechanism is failing to capture its interaction with LEP/NEP customers fully, or b) LEP/NEP constituents are not accessing the agency's services. As recommended in FY14, OHR urges DDS to re-examine its data collection strategies, and to cultivate a stronger presence within LEP/NEP communities by expanding targeted outreach in FY16.

#### District Department of Transportation





DDOT generated 75 translations of vital documents in FY15. Agency needs to make efforts to engage LEP/NEP customers to improve accessibility.



DDOT was not tested in FY15 and no complaints were filed against the agency.



Spanish and Chinese

OHR commends the District Department of Transportation (DDOT) for its efforts to comply with the requirements of the Language Access Act and provide meaningful access to the District's LEP/NEP communities. Following recommendations from FY14, DDOT partnered with OHR to provide three language access trainings to DDOT staff. The agency continues to improve its performance in recording LEP/NEP encounters, and generated a remarkable 75 translations from 18 vital documents. The translation languages included, in order of frequency, Spanish, Amharic, French, Korean, Chinese, Vietnamese, and Portuguese.

While DDOT's performance was particularly strong in the area of translation, the agency neglected to conduct outreach aimed at engaging LEP/NEP constituents. OHR advises DDOT to prioritize outreach for FY16, and to continue improving its staff's capacity for tracking LEP/NEP encounters by training field staff, contractors, and grantees.

### District of Columbia Housing Authority



DCHA has made consistent efforts in FY15 to train public contact staff and improve agency's data collection mechanism.



DCHA has translated key vital documents, improved accessibility of its website, and conducted outreach in FY15.



In FY15, OHR issued a finding of language access violations at three DCHA properties. Telephone field test results further indicate that agency needs to improve quality of service to LEP/NEP customers.





In-Person Tests No in-person tests were conducted at DCHA.



Telephone Tests 3 out of 4 telephone tests provided the requested service, information, or appropriate

#### FY15 LEP/NEP Encounters: 2,027 FY14 Score: 10/14 FY15 Top Languages Encountered:

Spanish, Mandarin, Cantonese, Amharic, Vietnamese, French, Albanian, Arabic, Haitian Creole, and Tigrinya

OHR credits DCHA for accelerating efforts to improve accessibility and preparedness in FY15. DCHA implemented a more comprehensive data collection strategy across agency offices and properties, trained frontline and call center staff on language access compliance, revamped the agency-wide language access policy and call center manual, and translated 14 vital documents into Mandarin.

While OHR applauds DCHA for these improvements and for the focused action and follow-up on the corrective actions that OHR issued in August 2015, the quality of service provided by DCHA employees to LEP/NEP customers remains a real area of concern. As in FY14, 25% of telephone testers from FY15 did not receive language assistance. Given this outcome, OHR urges DCHA to plan for another round of rigorous training for all DCHA frontline staff in FY16, using the agency's newly developed language access policy and call center manual as procedural guides. Additionally, DCHA needs to take immediate steps to display clear multilingual signage indicating the availability of language assistance at all public-facing locations. Finally, OHR recommends DCHA closely monitor the compliance of its properties by working with property managers to ensure that all signage, language access tools, and relevant resources are fully available and institutionalized at each property.

### District of Columbia Lottery and Charitable Games Board



DCLB trained select staff in FY15 but has not communicated with OHR or provided data on encounters for FY15.



OHR has no record showing that agency made efforts to translate vital documents or made them available to LEP/NEP retailers or customers.



DCLB was not tested in FY15 and no complaints were filed against the agency. Nevertheless, DCLB needs to take immediate steps to address critical gaps in compliance.





FY14 Score 5/12



FY15 Encounters No Data

#### FY15 Top Languages Encountered:

No data

The DC Lottery and Charitable Games Control Board (DCLB) has made a few efforts to improve its accessibility to LEP/NEP constituents – its website, for instance, contains a page in Spanish on how to claim prizes – but the agency needs to take aggressive steps to address increasing compliance gaps.

In FY15, the agency reported no vital document translations and no outreach initiatives. While DCLB did accomplish some language access training for staff, and showed signs of increased compliance early in the fiscal year, it ultimately provided no information on FY15 encounters and preparedness efforts.

OHR recognizes that DCLB interfaces with two sets of constituents, retailers and winners, and that recording this diverse set of interactions presents particular challenges. OHR strongly recommends that DCLB leverage its existing constituent databases to track LEP/NEP encounters, and that DCLB communicate this information to OHR. Improved communication with OHR would be a good first step that would greatly improve outcomes for this agency.

### District of Columbia Office of Zoning



With a comprehensive data collection method and quarterly training for staff, DCOZ is prepared to serve LEP/NEP constituents.

accessibility 5/5

DCOZ translated two vital documents in FY15, and is following a two-year plan for outreach. DCOZ's language support online is exemplary.



No complaints were filed against DCOZ in FY15 and no field testing was conducted.



#### FY15 Top Languages Encountered:

Spanish, Korean, Amharic, and Mandarin

OHR congratulates the Office of Zoning (DCOZ) on its continued efforts to comply with the Language Access Act, which resulted in the agency's fourth consecutive perfect annual compliance score. OHR further commends DCOZ for training all employees in public contact positions on language access compliance, and for carrying out quarterly role-plays to practice using telephonic interpretation for walk-in customers.

DCOZ reports minimal but steadily increasing encounters with LEP/NEP customers – seven in FY13, nine in FY14, and twelve in FY15. To increase the agency's limited interactions with LEP/NEP communities, OHR recommended in FY14 that DCOZ translate its introductory "Zoning 101" training into languages likely to be encountered. DCOZ implemented this recommendation, and the zoning tutorial is now available in Amharic, French, and Vietnamese. For FY16, OHR advises the agency to increase its targeted outreach to linguistically diverse neighborhoods so as to distribute these materials to the right audiences, and reach LEP/NEP individuals who may not yet be aware of DCOZ programs and services.

OHR also congratulates DCOZ on its website, which houses translated vital documents under the appropriate language-specific page, making the agency's online content highly accessible to LEP/NEP users.

### District of Columbia Office on Aging



DCOA provided comprehensive data on LEP/ NEP encounters, and trained new hires in FY15.



DCOA translated critical vital documents into six languages, and conducted outreach. Agency should centralize its documents online to improve accessibility.



DCOA was not tested in FY15, and no complaints were filed against the agency.



#### FY15 Top Languages Encountered:

Spanish, Chinese, Korean, Amharic, Vietnamese, French, Bengali, Tagalog, and Arabic

OHR credits the DC Office on Aging (DCOA) for its commitment to language access and continued efforts to serve the District's LEP/NEP senior population. Following OHR's FY14 recommendation to refine its data collection system, DCOA implemented a new database to track the languages of its customers. The agency's new system recorded 2,566 LEP/ NEP encounters, with Bengali, Tagalog, and Arabic represented as well as the District's six most common non-English languages. Additionally, DCOA partnered with OHR to train 27 staff members, and translated its educational planning guide on long-term care into Amharic, Chinese, French, Korean, and Spanish.

OHR applauds DCOA for these efforts, and recommends that in FY16, the agency work on ensuring that translated vital documents are available online in languages other than English. OHR reiterates that DCOA can improve the accessibility of its website by uploading translated documents under the appropriate language-specific pages. Centralizing the documents online would make it easier for LEP/NEP customers to find information, and also make the documents simple to locate for DCOA staff and community-based partners.

### District of Columbia Public Library



accessibility 5/5

While DCPL vital documents are available online, translating document titles and headers will further improve accessibility of the website to LEP/NEP users.



DCPL was not tested in FY15 and no complaints were filed against the agency.



#### FY15 Top Languages Encountered:

Spanish, Chinese, Amharic, Russian, French, German, Italian, Japanese, Tagalog, and Arabic

In FY15, DC Public Library (DCPL) continued its exceptional efforts to comply fully with the requirements of the Language Access Act, proactively facilitating the inclusion of LEP/NEP residents. Throughout the year, DCPL provided language access training to new hires as well as refresher training for existing staff, and in September, the agency adopted an internal language access policy.

DCPL relies primarily on library card application forms and LanguageLine usage reports to identify the top non-English languages it encounters. The 47,224 encounters recorded represent a diverse LEP/NEP population that speaks languages from five continents, demonstrating the importance of wide-ranging language access services. DCPL makes all of its vital documents available online in Amharic, Chinese, French, Korean, Spanish, and Vietnamese. These documents are available on language-specific pages that the public can reach via a dropdown menu that says "select language." To maximize the website's accessibility, OHR recommends that DCPL change this format, as LEP/NEP constituents may not read English text and as a result, not realize that information is available in other languages. For the same reason, OHR also recommends that DCPL provide the translations of its vital document titles on each language-specific page, enabling constituents to identify each document without having to open it.

### District of Columbia Public Schools



Lack of school-level language access training for administrators and teachers remains a major gap in compliance for DCPS.

accessibility

DCPS translated vital documents in multiple languages and conducted extensive outreach to LEP/NEP families across the District.

# quality

One public complaint was filed against DCPS in FY15. During the field tests, 4 out of 23 visitors and 5 out of 13 callers did not receive language assistance.





BLIC SCHOOLS

Telephone Tests 8 out of 13 telephone tests

provided the requested service, information, or appropriate

#### FY15 LEP/NEP Encounters: 4,551 FY14 Score: 10/14 **FY15 Top Languages Encountered:**

Spanish, Amharic, Vietnamese, Mandarin, French, Bengali, Arabic, Tigrinya, Cantonese, and Russian

OHR commends DC Public Schools (DCPS) for translating vital documents into multiple languages, for conducting extensive outreach to LEP/NEP families, and for taking steps to identify school-level language access liaisons in FY15.

However, FY15 field test results show a decrease in accessibility and quality of service to LEP/NEP customers, with language assistance having been provided in only 60 percent of calls and 80 percent of visits to a DCPS school.

In light of these scores, pending corrective actions that have yet to be implemented from previous findings, and a public complaint filed against DCPS in FY15, OHR again reiterates the dire need for system-wide compliance with language access requirements, especially in the area of training. While DCPS trained central staff and select school-level language access liaisons in FY15, the agency's inability to train administrators and teachers to date continues to leave the school-system as a whole unequipped to serve its LEP/NEP students and parents.

As recommended last year, OHR stresses that DCPS should formally designate Language Access Points of Contact and train frontline personnel in all schools whose populations consist of more than 25 percent English Language Learner students. Additionally, DCPS needs to continue taking steps to centralize all translated documents on its website in FY16.

### Fire and Emergency Medical Services Department



# 3/5

No complaints were filed against FEMS in FY15. Telephone field tests reveal frontline staff are not equipped to serve LEP/NEP constituents.





In-Person Tests No in-person tests were conducted at FEMS.



Telephone Tests 2 out of 7 telephone tests provided the requested service,

information, or appropriate resources.

#### FY15 LEP/NEP Encounters: No data FY14 Score: 4/14 FY15 Top Languages Encountered:

No data

While telephone field tests conducted at DC Fire and Emergency Medical Services (FEMS) in FY15 showed slight improvement over FY14, these results (only two out of seven callers receiving language assistance) continue to show the agency is not prepared to serve LEP/NEP constituents.

Despite meeting with OHR several times in the beginning of FY15 to set a course for improved compliance, FEMS did not follow through on agreed-upon action steps. OHR warns yet again that as an agency charged with providing emergency and safety services to the public, FEMS must immediately address its persistent compliance gaps in order to preserve the lives and promote the safety of LEP/NEP residents, workers, and visitors in the District.

OHR once again urges FEMS to prioritize language access in FY16, and to take immediate action on the most basic requirements of the Language Access Act, starting with data collection, vital document translation, and training.

#### Homeland Security and Emergency Management Agency





HSEMA conducted extensive outreach in FY15. However no new vital documents were reported or made available through centralized links on the agency's website.



HSEMA was not tested in FY15 and no complaints were filed against the agency.



No data

The Homeland Security and Emergency Management Agency (HSEMA) fulfilled its training requirements in FY15, and OHR additionally recognizes the extensive targeted outreach the agency conducted. HSEMA's outreach partners in FY15 included, among others, the Mayor's Constituency Offices, the Singapore Embassy, Vida Senior Center, and the Togolese Diaspora in Washington (Diaspora Togolaise de Washington/DTW).

While HSEMA has made consistent efforts through the years to ensure its compliance with the Language Access Act, the agency provided no data on LEP/NEP encounters or vital document translations in FY15. As recommended in FY14, OHR instructs HSEMA to address gaps in data collection immediately, and to ensure that LEP/NEP communities have access to emergency preparedness information by providing translations. While existing vital documents are available on HSEMA's website, OHR urges HSEMA to take immediate steps to implement recommendations from last year to consolidate links to translated vital documents on language-specific webpages.

### Metropolitan Police Department



MPD has a comprehensive system in place for data collection. Agency-wide training in FY16 will improve MPD's preparedness in FY16.



MPD can improve the accessibility of its website by centralizing translated documents.



One complaint was filed against MPD in FY15, and field testing results point to a gap in MPD's ability to provide quality services to LEP/NEP customers.



#### In-Person Tests 5 out of 8 in-person tests

provided the requested service, information, or appropriate resources.



Telephone Tests No telephone tests were conducted at MPD.

#### FY15 LEP/NEP Encounters: 9,147 FY14 Score: 11/14 FY15 Top Languages Encountered:

Spanish, Korean, Vietnamese, Amharic, Mandarin, Cantonese, French, Arabic, Tigrinya, and Russian

OHR recognizes the DC Metropolitan Police Department (MPD) for sustained efforts in FY15 to comply with the Language Access Act. Targeted outreach to LEP/NEP constituents, proactive recruitment of bilingual staff, and systematic translation of vital documents into frequently encountered languages remain MPD's strengths in implementing language access.

Nevertheless, OHR notes that MPD continues to lag in the quality of service LEP/ NEP constituents receive when interacting with MPD frontline staff – both in the field and at MPD District Stations. In almost half of the in-person field tests conducted in FY15, testers who visited the Fourth, Fifth, and Sixth District Stations did not receive adequate language assistance. In two of the tests, MPD employees communicated with the tester by using interpretation from unsanctioned sources, and in one of the tests, the MPD employee turned the tester away because a bilingual employee could not be located.

OHR urges MPD to take immediate steps to finalize its web-based language access training and to guarantee agency-wide language access training in FY16. OHR also recommends MPD prioritize placing multilingual signs in District Stations, and ensuring that all frontline employees fully understand the language access resources available to them as well as their responsibilities under the law.

#### Office of Contracting and Procurement





Although the Office of Contracting and Procurement (OCP) had shown progress in language access implementation in FY14, the agency's performance declined dramatically in FY15. OCP provided no data on LEP/ NEP encounters, vital document translations, staff training, or outreach initiatives – all areas that OHR flagged for improvement in FY15.

However, OHR acknowledges early FY16 efforts to bring a new Language Access Coordinator onboard and to address compliance gaps. OHR recommends OCP continue these efforts and immediately take the following steps to bring the agency into greater compliance: a) translating vital documents prioritized in the agency's FY14 compliance review, b) instituting a reliable data collection mechanism, and c) training all public contact staff in FY16.

While OCP received no complaints in FY15, OHR urges the agency to address the gaps in compliance to better serve LEP/NEP business owners who are currently excluded from agency resources, including opportunities to bid on contracts.

### Office of Planning



3/3

No complaints were filed against OP in FY15 and no field testing was conducted at this agency.



OHR recognizes the Office of Planning (OP) for its outreach efforts in FY15. Among other initiatives, OP provided interpreters and translations for public meetings, and translated documents into Spanish for distribution at the community open house and public meeting related to the Adams Morgan Vision Framework. OP also delivered language access trainings to senior staff, public contact staff in its Neighborhood Planning division, and frontline administrative assistants.

OP reported low numbers on FY15 encounters, suggesting that the LEP/ NEP community is still not fully engaged in OP's programs and services. As recommended in FY14, OHR urges OP to develop an agency-wide strategy for culturally and linguistically targeted public engagement to ensure the agency's exchange with the public is inclusive and accessible to LEP/NEP residents and businesses.

Additionally, OP's website would be more accessible to LEP/NEP persons if the agency centralized its vital documents under the appropriate language-specific webpages. OHR advises OP to revise its reporting protocol and update its website.

#### Office of Tax and Revenue





#### FY15 Top Languages Encountered:

Spanish, Amharic, Korean, Mandarin, Vietnamese, French Bengali, Cantonese, Haitian Creole, and Portuguese

OHR once again urges the Office of Tax and Revenue (OTR) to take swift action to put in place the infrastructure needed to meet language access compliance requirements. OHR commends the agency for continuing to include taglines in six languages on its notice letters, an initiative started in FY13, and encourages OTR to continue such efforts to meet the needs of LEP/NEP customers.

Per OHR records, the agency continues to lag behind on key compliance requirements for major public contact agencies, namely the adoption of a signed Language Access Policy and routine planning and reporting expectations that have gone unfulfilled.

OTR documented 3,062 encounters with LEP/NEP individuals, including speakers of Bengali, Cantonese, Haitian Creole, and Portuguese in addition to the six most common non-English languages in the District. However, OTR has not positioned itself to engage effectively with this population, as the agency conducted no training and no outreach this year. OHR recognizes OTR's translation of a poster into Spanish, and encourages the agency to expand its translation efforts to other frequently encountered languages.

#### Office of the People's Counsel





OPC produced 19 translations in FY15 and conducted 47 outreach events. Language support on the agency website is exemplary.



No complaints were filed against OPC in FY15 and no testing was conducted at this agency.



#### FY15 Top Languages Encountered:

Spanish, Chinese, Amharic, French, Vietnamese, and Korean

OHR commends the Office of the People's Counsel (OPC) for exemplary efforts in FY15 to meet the compliance requirements of the Language Access Act and for taking proactive steps to facilitate meaningful access and inclusion for LEP/NEP residents.

On OHR's recommendation, OPC expanded its translation of vital documents to encompass all of the languages that the agency encounters. In FY15, OPC translated five documents into Spanish, its most frequently encountered language. The agency additionally translated four of these documents into Amharic and Chinese, two documents into French and Korean, and two into Vietnamese (for a total of 19 translations). OPC also exceeded its outreach goals, participating in 47 events in FY15. Outreach highlights include two public dialogue meetings with Amharic-speaking residents as well as the OPC-sponsored symposium, "Horizons 2015: Uniting Energy, Technology & Consumers," which for the first time offered simultaneous interpretation in multiple languages for LEP/NEP persons in attendance. OPC also conducted walkthroughs in LEP/NEP communities, during which the agency distributed information about public utility issues.

OHR also recognizes OPC's efforts in making its website accessible to LEP/NEP users. The agency's home page includes visible links to language-specific pages, which in turn house the appropriate vital document translations. OHR encourages the agency to continue its exemplary work in the coming fiscal year.

### Office of the State Superintendent of Education





One public complaint was filed against OSSE in FY15. No field tests were conducted at OSSE.



#### FY15 Top Languages Encountered:

Spanish, Amharic, Bengali, French, Arabic, Chinese, German, Portuguese, Russian, and Tigrinya

OHR credits the Office of the State Superintendent of Education (OSSE) for conducting extensive outreach in FY15 to engage LEP/NEP residents throughout the District.

While OSSE made improvements in language access implementation in FY14, these efforts were not sustained in FY15, and persistent compliance gaps remain unaddressed in the areas of data collection, public contact staff and grantee training, and vital document translation. Until OSSE fulfills these preparedness and accessibility measures, the agency will continue to be unequipped to provide meaningful access to LEP/NEP students and families in the District.

OHR urges OSSE to take swift action in FY16 to implement all outstanding OHR recommendations and fully meet its obligations under the Language Access Act. Pending action items include a) updating OSSE's statewide data tracking system to capture students' language needs; b) introducing a dropdown field to the Parent Call Center database to include use of telephonic interpretation; c) providing bilingual staff with a form to track encounters; d) recruiting Divisional Language Access Liaisons to join the language access team; e) adding a language support feature on the agency website and centralizing translated documents by language; and f) training all public contact staff, grantees, and service providers on their legal obligation to provide language assistance and to track all encounters with LEP/NEP students and families.

### Office of the Tenant Advocate





OTA produced one translation in FY15. OTA can improve accessibility by conducting targeted outreach to the LEP/NEP community and translating the "D.C. Tenant Bill of Rights" into additional languages.



No complaints were filed against the agency in FY15, and all telephone field tests resulted in language access.





In-Person Tests No in-person tests were conducted at OTA.



Telephone Tests 4 out of 4 telephone tests provided the requested service, information, or appropriate resources.

#### FY15 LEP/NEP Encounters: No data FY14 Score: 8/12 FY15 Top Languages Encountered:

No data

OHR congratulates the Office of the Tenant Advocate (OTA) for providing language assistance in all of the telephone field tests conducted at the agency in FY15. OHR also acknowledges OTA's translation efforts, which include providing the new "D.C. Tenant Bill of Rights" in Spanish, the non-English language that the agency encounters most frequently, according to data from previous years. OHR notes OTA did not report any data on encounters for FY15, and advises the agency to take immediate steps to address this issue. Data collection has been an area of concern in previous years, as the agency has consistently reported low encounter numbers that stand in contrast to the established diversity of the District's residents. It follows that OTA's efforts fall short either in the area of data collection or in that of community engagement.

For FY16, OHR recommends OTA review and revamp its existing data collection system, increase its concerted efforts to conduct targeted outreach among the LEP/NEP community, and translate vital documents into additional languages encountered by the agency.

### Office of Unified Communications





#### FY15 Top Languages Encountered:

Spanish, Amharic, Mandarin, Korean, Vietnamese, French, Arabic, Portuguese, Russian, and Tigrinya

OHR applauds the Office of Unified Communications (OUC) for exemplary efforts in FY15 to implement both requirements and recommendations.

In light of OUC's extensive contact with LEP/NEP populations – 20,154 reported encounters in FY15 – OHR encouraged the agency to continue training all public contact staff to ensure they are equipped to provide quality service to LEP/NEP customers. OHR also recommended OUC translate outreach material and recruit bilingual staff to enhance the agency's cultural and linguistic competency. In response, OUC partnered with OHR and DCHR to provide training, and also translated outreach material into Amharic, Chinese, Korean, Spanish, and Vietnamese. To encourage bilingual applicants for existing vacancies, OUC participated in recruitment initiatives with DCHR and the Mayor's Constituency Offices. In terms of outreach, OUC promoted 311 and 911 services as well as new product offerings (Smart Prepare and Smart911) at community events. OHR credits the agency for implementing a comprehensive data collection system that clearly distinguishes the sources of its LEP/NEP encounters, and encourages the agency to continue its efforts in the coming fiscal year.

### Compliance Details

Agencies' scores are based on questions related to compliance with the Language Access Act. An 'X' indicates successful completion of the requirement. An 'n/a' indicates a particular question does not apply to the specific agency for FY15.

AGENCY NAME	ABRA	CFSA	DBH	DCRA	DOC	DOES	DOEE	DOH	DHCD	DCHR	DHS	DMV	DPR	DPW	DSLBD	DDS
PREPAREDNESS																
<b>P1.</b> Agency provided data on FY15 encounters	Х	Х	Х	Х	Х	Х	Х			Х	Х	Х	Х	х		Х
<b>P2.</b> Method for collecting data was comprehensive.		х	х		Х		Х			х	х	х				
<b>P3.</b> Agency staff were trained in FY15.		х	х			х	Х			х	х	х			х	х
<b>P4.</b> Agency communicated effectively.		х	х		Х	х	Х			х	х	х	х	х		х
PREPAREDNESS SCORE	1	4	4	1	3	3	4	0	0	4	4	4	2	2	1	3
ACCESSIBILITY																
<b>A5.</b> Direct requests for inter- pretation and/or translation services were met.	х	х	х	х	Х	Х	Х	Х	х	х	х	х	х	х	x	х
A6. Vital documents were translated and/or updated in FY15.	Х	х	х		Х	х	Х				х	х	х	х		х
<b>A7.</b> Translated vital docu- ments accessible in agency website.	х		х	х	Х	х	Х		х	х		х	х		х	
<b>A8.</b> Vital documents trans- lated in FY15 reflect the needs of LEP/NEP.		х	х		х	х	х			х	х	х	х			
A9. Efforts were made to reachout to LEP/NEP com- munities in FY15.	х	х	х		х	х	х			х	х	х	х		x	х
ACCESSIBILITY SCORE	4	4	5	2	5	5	5	1	2	4	4	5	5	2	3	3
QUALITY																
<b>Q10.</b> No complaints were filed against the agency in FY15.	х	х	х		х		х	Х	х	х			х	х	x	х
<b>Q11.</b> Agency was not found in non-compliance in FY15.	х	х		х	х	х	х	х	х	Х		х	х	х	x	х
Q12. No tester was turned away during tests.	n/a				n/a		n/a		n/a	n/a					n/a	
Q13. All testers who accessed employee or interpretation received requested informa- tion or services.	n/a	х	х	х	n/a	х	n/a		n/a	n/a	х	х		х	n/a	х
<b>Q14.</b> OHR has observed significant improvement in LA implementation in FY15.		х	х		х		х			x			x	x		х
QUALITY SCORE	2	4	3	2	3	2	3	2	2	3	1	2	3	4	2	4
TOTAL AGENCY SCORE	7	12	12	5	11	10	12	3	4	11	9	11	10	8	6	10
TOTAL POSSIBLE SCORE	12	14	14	14	12	14	12	14	12	12	14	14	14	14	12	14

AGENCY NAME	DDOT	DCHA	DCLB	DCOZ	DCOA	DCPL	DCPS	FEMS	HSEMA	MPD	OCP	OP	OTR	OPC	OSSE	OTA	OUC
PREPAREDNESS																	
<b>P1.</b> Agency provided data on FY14 encounters.	х	х		х	х	х	х			х		Х	х	х	х		х
<b>P2.</b> Method for collecting data was comprehensive.		х		x	х	х				х		Х	х	х			х
<b>P3.</b> Agency staff were trained in FY15.	Х	Х	Х	х	Х	х	х		Х			Х		х			х
<b>P4.</b> Agency communicated effectively.		Х		х	Х	Х	Х			х				Х	х	Х	х
PREPAREDNESS SCORE	2	4	1	4	4	4	3	0	1	3	0	3	2	4	2	1	4
ACCESSIBILITY																	
<b>A5.</b> Direct requests for inter- pretation and/or translation services were met.	х	х	х	x	х	х	х	х	х	х	х	Х		х	x	х	x
A6. Vital documents were translated and/or updated in FY15.	х	х		х	х	х	х			х		Х	х	х		х	x
<b>A7.</b> Translated vital docu- ments accessible on agency website.	х	х		х		х	х		х	х	х	х		х	х	х	х
A8. Vital documents trans- lated in FY15 reflect the needs of LEP/NEP.	х	х		х	х	х	х		х			х		х			x
A9. Efforts were made to reachout to LEP/NEP com- munities in FY15.		х		х	х	х	х		х	х		х		х	x		x
ACCESSIBILITY SCORE	4	5	1	5	4	5	5	1	4	4	2	5	1	5	3	3	5
QUALITY																	
Q10. No complaints were filed against the agency in FY15.	х	х	Х	х	х	х		х	х		х	Х	х	х		х	x
<b>Q11.</b> Agency was not found in non-compliance in FY15.	Х		Х	Х	Х	Х	Х	Х	Х		х	Х	Х	Х	Х	Х	х
Q12. No tester was turned away during tests.	n/a		n/a	n/a	n/a	n/a			n/a		n/a	n/a	n/a	n/a	n/a	Х	n/a
<b>Q13.</b> All testers who accessed employee or interpretation received requested informa- tion or services.	n/a	х	n/a	n/a	n/a	n/a	х	х	n/a	х	n/a	n/a	n/a	n/a	n/a	х	n/a
<b>Q14.</b> OHR has observed significant improvement in LA implementation in FY15.	х	х		x	х	х					х	х		х		х	x
QUALITY SCORE	3	3	2	3	3	3	2	3	2	1	3	3	2	3	1	5	3
TOTAL AGENCY SCORE	9	12	4	12	11	12	10	4	7	8	5	11	5	12	6	9	12
TOTAL POSSIBLE SCORE	12	14	12	12	12	12	14	14	12	14	12	12	12	12	12	14	12

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