

## Recommendations to the Assembly on the development of comprehensive language access and procedures to the municipalities of Anchorage - Build upon existing language access

- Title 6 - Federal funding needs to be accessible by those with limited english
  - If it starts as a federal dollar, it ends as a federal dollar
- Every department should know where to go when a person comes in and needs language access- and the organizations they give funding to (including housing)
  - Could be a poster that lists where to go
  - Some departments are unaware that they need to be doing this, despite receiving federal money
    - How do you apply language access to miranda rights
  - Departments need to share their language access plans, their use, their trainings
    - Need to share the data of what languages are being used by Language Access - Does not have to be public, but needs to be able to be accessible by request
    - During Covid, this information was easier to access
  - Maybe the Muni needs to release their progress as they go
- There is such a lack of language access that past (and current) recommendations were to bring a friend or child who can translate for them
  - Experience with specialized medical appointments are not providing language access
    - ANMC - Lori was advocating for language translation and they dismissed the patient for refusing medical care
    - Could produce data based on experiences going to different hospitals based on race, age

Recommendations from the Language Access Plan that the Municipality already has:

**2. POLICY** It is the policy of the Municipality of Anchorage to provide timely and meaningful access to LEP **and all individuals that would qualify for ADA support** and deaf or hard-of-hearing individuals in the conduct of municipal business. The MOA will utilize readily accessible telephonic language lines and professional face-to-face interpreters in the conduct of municipal business rather than to rely on less effective **inappropriate** communication methods, or including friends, family and children, to interpret. **The recognized use of plain language for all communications for those with English Language Learners and those with low literacy levels.**

**3. ORGANIZATIONS AFFECTED** All Municipal agencies. **And all those that receive funds from the Municipality. Emphasize ALL Departments are to be held to the same standards regarding this Language Access Plan, including ASD, APD, Healthcare**

**4. REFERENCES** Title VI of the Civil Rights Act of 1964, and implementing regulations, which prohibit discrimination based on national origin (42 U.S. Code 2000d). The Justice Department has issued guidance which includes a four factor analysis to determine the level of need for

language services. Presidential Executive Order 13166 (August 11, 2000) requires any state or local agency that receives federal funding to examine the services they provide, identify any need for services to those with Limited English Proficiency. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency. **We want all people to feel included and welcome, so its important that Muni follows their own policies.**

5. DEFINITIONS A. Essential Public Information: Any information used by a department when dealing with the public which is necessary to accomplish the department's mission and with respect to public safety, public health, and economic development.

B. Department Language Access Representative: The employee designated by the department director to be responsible for the department Language Access Plan (LAP) program.

C. **Five** Factor Analysis: The procedure to determine the level of need for language services by documenting: 1) the number and proportion of LEP persons as reported by the most recent census; 2) the frequency with which LEP persons visit various MOA locations; 3) Subject: Language Access Policy P&P No. 16 - 6 Page 3 of 7 the nature and kind of programs or activities LEP persons use; and 4) **the available resources and overall costs for LEP services.**

**Is it because its too expensive? To become and remain compliant with the language policies...write the grants with that line item to fund our language translation services.**

#### **5) Listening sessions - with members of the LEP community**

D. Frontline: Applies to departments and/or personnel that have regular and substantive contact with the public via in person or telephonic communication. See addendum for MOA organization chart with highlighted departments required to have written Language Access Plans.

E. Interpretation: The immediate spoken communication of meaning from one language (the source language) to another (the target language).

F. Interpreter: A person who is bilingual or multilingual and possesses the ability to successfully convey a message from one language to another through oral communication.

**Have a committee to ensure that all interpreters are culturally appropriate. Could contract out. This team can read it in English and then read it in the translated language and make sure that its accurate and communicates the information effectively. Liaison can be the person to send it to the contracted person and make sure its culturally appropriate to the correct committee.**

G. Language Access Plan (LAP): Department specific documents outlining the procedures and practices that the department will implement to provide language access services to LEP individuals.

H. Limited English Proficient (LEP): Someone who is not able to speak, read, write or understand English at a level that allows the person to interact effectively with department staff. Individuals maintain the right to self-identity as a LEP person and should not in any circumstances be expected to pay for translation or interpretation services in order to effectively communicate with the department.

I. Mayor's Language Access Liaison: The employee designated by the Mayor to support the LEP program and to support the Department Language Access Representative.

J. Telephonic Interpretation: A service that connects human interpreters via telephone to individuals who wish to speak to each other but do not share a common language. The telephone interpreter converts the spoken language from one language to another, enabling listeners and speakers to understand each other. Interpretation over the telephone most often takes place in a consecutive mode, which means that the interpreter waits until the speaker finishes an utterance before rendering the interpretation into the other language.

Telephonic interpretation should not be the first option for an interpreter. It's awkward, clunky, sometimes the translators can't be found over the phone, it's hard to hold those translators accountable for correct translation when the staff uses them do not speak the language.

The Muni should hire many bilingual employees to work as frontline workers and compensate them highly for that skillset.

K. Translation: The written communication of meaning from one language (the source language) to another (the target language). L. Translator: A person who is bilingual or multilingual and possesses the ability to translate from one language to another in written form.

## 6. RESPONSIBILITIES

A. The Mayor's Office shall: i. Designate a Mayor's Language Access Liaison; and ii. Facilitate publication of this policy and the department LAPs on municipal websites.

B. The Mayor's Language Access Liaison shall:

i. Designate which municipal departments qualify as "frontline" for purposes of this policy;

ii. Provide support and technical assistance to frontline departments and employees to assist in the development and implementation of the department's language access plan;

iii. Establish a reporting format template for department representatives to use for annual Language Access Plan updates;

- iv. Manage the content on the language access website;
- v. Take reasonable steps to inform LEP individuals and stakeholders about the availability of LEP services and the complaint process;
- vi. Work with Language Access Representatives to develop protocols used to measure department utilization of telephonic and in-person interpretation, translated documents and other currently unidentified needs in effort to provide language access services; and
- vii. Monitor and address feedback from the public and LEP persons which has been gathered through the Language Access Complaint form or through other forms of communication, i.e. email, phone calls, in-person communication, etc.

Where should the Mayor's LA Liaison be? Have a discussion about where is best for the discretion of the Assembly and recommend that it shouldn't be in the Mayor's Office.

Should work with and report to the Equity Committee directly so that they have a team working to implement these recommendations

Needs to be somewhere that is self-sustaining or autonomous and cannot be eliminated by one Mayor. Needs to be a protected position.

Should be repercussions for those that refuse to follow this language access. Needs protection and power in ensuring that LA is protected.

Monitoring should include going into the community and surveying the Language Access in the City.

C. The Department Language Access Representative shall:

- i. Be designated by the department director;
- ii. Be responsible for ensuring that their department is in compliance with this policy;
- iii. Use reporting format template to record: language services provided to LEP persons, language access plan utilization, and recommendations for changes to be shared periodically with the department director and the Mayor's Language Access Liaison;
- iv. Work with the Mayor's Language Access Liaison in developing the department's Language Access Plan; and v. Prepare annual report, reviewing the department's Language Access Plan and resources.

Departments with high numbers of frontline workers, should have their own language liaison (Large outfacing departments IE: Parks and Rec, Police, Anc Health Dept)

They need to ensure investment in this liaison. Whoever it is, they need to have it line item recognized in their job description with funding and reporting and a valued part of their job. One employee recognizes they need to spend 25% of their time focusing on Language Access and how well their department adheres to their policies in place.

Focused on the person that spends the most time with people needing language services.

Dedicated people with funding. How they're going to put time and effort into their job.

D. Frontline Municipal Departments shall:

- i. Develop and implement department specific Language Access Plans to provide services to LEP persons at no cost;
- ii. Ensure that frontline employees are trained in language access policies and procedures for assisting LEP populations, including efficient communication techniques, how to secure an interpreter, and the effective use of an interpreter;
- iii. Ensure Language Access Services and iSpeak posters are posted at public service counters and on the department's web page;
- iv. Allocate funds in the department annual budget to cover the cost of language access services. **And to be responsible for finding those funds from independent grant sources; To be in compliance with Title Six and**  
  
**Not having positions filled is not a reason to not be compliant with federal guidelines. If this position is not filled, the responsibility falls to the department head.**
- v. Develop billing procedures and maintain billing records for employees' use of professional interpretation services.

E. Non Frontline Municipal Departments shall:

- i. Be exempt from implementing a Language Access Plan; and  
**Are NOT exempt for understanding the Muni's language access plan. Non-Frontline employees still need to know how to give referrals and how to assist the Muni.**
- ii. Keep their employees aware and current with the development of the Municipality's Language Access Plan and resources.  
  
**Be aware that there is a plan, if their position changes they need to be aware of the plan.**

F. Frontline Employees shall: i. Implement their department's language access plan; ii. When working with a LEP person:

Every department doesn't need their own plans- instead the Municipality develops a plan to apply to each department that each department can modify upon the approval of the LA liaison to best fit their services (ie Healthcare needs vs Fire Department)

a. Utilize "iSpeak Language Identification" posters to identify language and communication needs;

Language Identifying Poster / Point to the Language Poster - in easy view of all front desks (stay general, not just Language Link)

Google Translate will be utilized for quick assistance - If someone comes to the desk with a quick question about the bus, time, department number, etc

b. Upon determining language needs, determine the appropriate language resource to use:

1) Professional telephonic interpreter, current MOA vendor is CTS Language Link;

Video, live translation with contracted translators - Providence has a system in place with this already

Professional telephonic interpreter- stay general, use Multilingual Staff, *that are highly compensated for their skills at a higher level than those that don't have those skills, first*

2) Professional in-person interpreter, current MOA vendor is Alaska Institute for Justice Language Interpreter Center;

3) Bilingual staff; and/or

4) Other community resources.

c. Refer to addendum for more about interpretation resources.

G. Essential Public Information and Vital Documents shall be:

i. Selected by department staff and the Mayor's Language Access Liaison;

ii. Submitted to both CTS Language Link and Alaska Institute for Justice Language Interpreter Center for translation quote; and

iii. Made available on department's webpage

We would like to know the guidelines for how they decide what is essential for translation. Please create a Muni Guideline for this

Include languages at the top of every consistent webpage to remain accessible.

## 8. LANGUAGE ACCESS COMPLAINT PROCESS

A. A complaint may be made in person, in writing, or online. All complaints shall be directed to the Mayor's Language Access Liaison: Mayor's Language Access Liaison  
632 W 6th Avenue, Suite 840, Anchorage, AK 99501 (907) 343-7100 Online:  
[https://moa\\_onlineforms.formstack.com/forms/language\\_access\\_complaint](https://moa_onlineforms.formstack.com/forms/language_access_complaint)

Must exist. Clarity about where the forms are for complaining - does every department have one? Are they at the library? Residents should be able to file in any language they want and call and complain in their chosen language - responsibility of the Municipality to translate it in a culturally appropriate and uncensored manner in order to preserve the voice of the complaint.

B. Any LEP individual has the right to file a complaint where he or she believes that the Municipality did not provide necessary LEP services as appropriate.

C. Frontline Departments shall take reasonable steps to inform LEP individuals and stakeholders about the complaint process. This shall include posting information about the complaint process and making it available in the most commonly spoken languages.

D. The complaint should specify the **date, individuals involved, the nature of the complaint** (i.e. the interpreter was summarizing, or a LEP individual was denied services because they did not bring their own interpreter), and the complainant's contact information.

The agencies or advocates should be able to complain without identifying the individual. Need a place to upload any evidence.

E. The language access liaison shall investigate whenever it receives a complaint, report, or other information that alleges or indicates possible noncompliance. The complainant will be informed in writing of the outcome of the investigation. If the coordinator makes a finding of noncompliance, the letter to the complainant shall include the steps that will be taken to correct the noncompliance.

If the finding finds that the resident did not receive adequate language access and receives punishment for missing a deadline, that punishment should be alleviated.

## 9. ANNUAL REVIEW DATE

A. Annual departmental reports will be due to Mayor's Language Access Liaison for review and assessment on or before July 31.

If they're found in violation, then audits should happen every 6 months. For departments that are passing and in compliance could advance to being audited every other year.

B. Mayor's Language Access Liaison will submit an overview report to the Mayor and Municipal Manager for review on or before September 31.

Training - Get contracted professionals to audit the trainings that are given to employees in Language Access and Plain Language

Needs to be a person with experience in working with ELL

## Questions for the Administration

- Release the information of the languages that are accessed by the Muni's Language Link