



**CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF CIVIC ENGAGEMENT & IMMIGRANT AFFAIRS**

**LANGUAGE ACCESS ORDINANCE
ANNUAL COMPLIANCE SUMMARY REPORT
MARCH 2012**



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

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March 1, 2012

For nearly 15 years, the San Francisco Immigrant Rights Commission (IRC) has been a champion for the inclusion and integration of San Francisco's immigrant residents and workers. The IRC has fought for fair and humane policies at the local, state and federal levels.

The San Francisco Language Access Ordinance (LAO), one of the most far reaching in the nation, was enacted in 2001 to ensure equal access to city services for all San Franciscans, including those with limited proficiency in English. The LAO requires the Office of Civic Engagement & Immigrant Affairs (OCEIA) to ensure citywide compliance with language access laws and to provide a summary report each year to the Immigrant Rights Commission (IRC), Board of Supervisors and Mayor indicating which Tier 1 departments have filed their annual language access plans as required by the law.

The IRC is committed to ensuring that monolingual and limited-English proficient individuals have equal access to city services, programs and timely information in languages besides English. As early advocates for language rights, we applaud Mayor Edwin M. Lee, President David Chiu and the Board of Supervisors for their leadership, vision and continued commitment to meeting the language needs of all San Francisco residents.

The Commission commends the OCEIA staff, under the leadership of Executive Director Adrienne Pon, for preparing this annual report and for its partnership in improving the lives of San Francisco's most vulnerable residents.

A handwritten signature in blue ink, reading "Angus McCarthy".

Angus McCarthy, Chair

2012 LAO ANNUAL COMPLIANCE SUMMARY REPORT

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An electronic version of this report will be available after April 1, 2012 at www.sfgov.org/oceia. To view complete versions of individual Tier 1 department plans, please contact the Office of Civic Engagement & Immigrant Affairs at (415) 554.5098 or email civic.engagement@sfgov.org.

I. OVERVIEW

Navigating the public process and obtaining critical, timely information are often difficult, even for longtime city residents. Imagine the additional challenges faced by newcomers who speak little or no English— routine activities such as obtaining a driver’s license, seeking services and information, taking public transportation, or enrolling children in school can become extremely difficult and confusing. During crisis or emergencies situations, effective communication between local government agencies and residents, regardless of the languages they speak, is absolutely critical to ensuring public safety and saving lives.

Recent results from the 2010 Census and American Community Survey reflect dramatic demographic changes across the nation and here in San Francisco. Approximately 34 percent of San Francisco’s 805,235 residents are immigrants.¹ Of all San Franciscans over the age of five, 44 percent speak a language other than English at home, with the largest language groups being Chinese, Spanish, Tagalog and Russian. Thirteen percent of San Francisco households are “linguistically isolated” with no one over the age of 14 indicating that they speak English “well” or “very well.”²

In June 2011, the Office of Civic Engagement & Immigrant Affairs (OCEIA) released *Language Matters*, a groundbreaking report focusing on language access issues and laws at the local, state and national levels. The report also included information on efforts by city departments in San Francisco to comply with the city’s Language Access Ordinance (LAO), one of the most comprehensive in the nation.

The 2011 report noted that, for many immigrant and newcomer communities, language access is a core civil right and one of the essential keys to full and meaningful participation in a democracy. Limited English Proficient (LEP) and Non-English Proficient (NEP) persons face significant challenges in accessing timely and relevant information in languages other than English. Despite multiple laws at every level of government that ensure linguistic rights, the compliance and provisioning of services in a diversity of languages remain challenging.

The purpose of this follow-up report is to provide a current evaluation of citywide progress in complying with provisions of the LAO. The report looks at improvements and incremental changes, and addresses three main issues: 1) the extent to which departments are currently meeting the spirit and intent of the LAO, 2) language access progress and barriers to compliance, and 3) recommendations to further strengthen the efficacy of the LAO, ensure

¹U.S.Census Bureau. (2010). *State and County QuickFacts*. Data derived from Population Estimates, Census of Population and Housing, Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits, Consolidated Federal Funds Report. Washington, D.C. Retrieved from: <http://quickfacts.census.gov/qfd/states/06/06075.html>.

²A “linguistically isolated household” is defined by the U.S. Census Bureau as one in which no member 14 years old and over (1) speaks only English or (2) speaks a non-English language and speaks English “very well.” In other words, all members 14 years old and over have at least some difficulty with English.

ongoing compliance, and better serve and inform monolingual and Limited-English Proficient individuals in San Francisco.

All Tier 1 departments filed compliance plans for this report period. OCEIA conducted mandatory training sessions in September 2011 which were well attended by both Tier 1 and Tier 2 department representatives.

The number of LEP clients reported by Tier 1 Departments increased by over two percent in the last fiscal year. While half of all Tier 1 departments reported facing no barriers to compliance, the majority of findings, challenges and recommendations from the previous report period remain uncorrected or have yet to be implemented.

It is clear that most city departments recognize the need and importance of providing meaningful and timely access to city programs, services and information in languages other than English and are making significant progress with LAO compliance. The increased number of departments attending training sessions and seeking guidance or assistance are indicators that departments are attempting to make good faith efforts to comply with the law. But while many departments reported plans to improve annual goals, budgets and strategies to meet ongoing language services needs, common obstacles remained for others. These include budgetary limitations and/or the lack of priority placed on language access given other critical demands; the absence of written protocols for serving LEP clients; limited LEP client data collection; insufficient standards for bilingual staff; inadequate complaint procedures; and few or no translated documents.

San Francisco is considered a language access leader but more can be done to fully meet the needs of LEP residents. With nearly half of the city's residents speaking a language other than English at home, language access must remain a priority for the city and especially for departments that directly serve the public. This should be reflected in all aspects of normal operations and planning, including budgets, signage and public notices. The importance of complying with language access laws needs to be regularly stated by the top levels of city leadership, including the Mayor, the Board of Supervisors, elected officials and department heads.

Although a lack of funding and competing priorities are often cited as barriers to meeting the language needs of San Francisco's LEP residents, city departments can partner with the community to develop creative solutions and ensure equal access to information and services. By taking intentional steps to honor the spirit and intention of the Language Access Ordinance, the city can better engage, inform and serve all its residents.

II. KEY FINDINGS AND RECOMMENDATIONS

Departments reported results for the report period covering FY2010-11 (July 1, 2010 through June 30, 2011), as well as language services budgets and improvements for the next fiscal year FY2012-13. Several of the following actions were recommended in previous reports and continue to be critical to strengthening the efficacy of the LAO and improving citywide compliance:

Accountability, Consistency and Thoroughness of Reporting

- ✓ Despite the number of tools and resources available, departments continue to report limited year to year progress, which may indicate a need for stronger guidelines and metrics, as well as clearer penalties for non-compliance.
- ✓ Many departments included descriptions of what they implemented in the last fiscal year as part of newly planned improvements, provided descriptions that did not respond to the questions or entered information not relevant to the questions. Several departments provided incomplete or inconsistent information when comparing information such as total clients citywide, the number of LEP clients, the percent of total clients who are LEP, and information on public contact staff.
- ✓ Despite repeated attempts by OCEIA staff to clarify or obtain missing information, some department representatives filed late reports or were nonresponsive. For the next report period (due December 31, 2012), OCEIA will utilize a clearer set of metrics to ensure that departments are held accountable for submitting accurate, complete, and timely reports. OCEIA will also issue an assessment letter to department heads listing deficiencies and suggested improvements.

Amendments and Clarifications

- ✓ As written, the LAO allows Tier 1 departments to self-assess their compliance progress and determine the adequacy of departmental language access efforts. A mechanism that provides for more objective criteria should be developed and penalties for non-compliance clearly stated. To further assist departments, administrative guidelines for implementation and ongoing compliance will be developed by OCEIA within the next six months.
- ✓ The LAO should be reviewed for appropriate amendments and clarifications. Department names should be updated. In addition, some offices or divisions are designated as Tier 1, while the agency or overarching department are not considered Tier 1 (for example, City Hall Building Management is listed as Tier 1 but not the Department of Real Estate or the General Services Agency which oversee this division).
- ✓ As written, the LAO mandates that both city departments and OCEIA determine annually the Concentrated Number of Limited English Speaking Persons and the Substantial Number of Limited English Speaking Persons, resulting in varying numbers. A single entity such as OCEIA should be responsible for determining the language thresholds in order to ensure consistency across departments.

Capacity Building and Communicating Effectively with LEP Persons

- ✓ When asked to self-assess the adequacy of their methods to communicate with LEP clients, most Tier 1 departments responded that their methods were adequate. However, significant gaps remain in this area. Several departments reported ongoing barriers to providing language services, including: translation accuracy and speed, providing adequate and effective language services, and budgetary constraints.
- ✓ Some Tier 1 departments still lack written policies on how to communicate with LEP clients. OCEIA will develop a sample template to assist them in developing protocols.
- ✓ In addition to general training, Tier 1 departments should provide specific training geared towards assessing, building and sustaining the language skill levels of their bilingual staffs.

Community Collaboration and Needs Assessment

- ✓ The city and Immigrant Rights Commission should collaborate with community-based organizations and academic experts to conduct a citywide language access needs assessment.
- ✓ The partnership with community-based organizations and advocates can be enhanced by forming a language access advisory committee to the Immigrant Rights Commission and OCEIA. This committee can engage in an ongoing discussion about language access needs and recommend improvements and innovations to better serve the needs of LEP and monolingual residents.

Complaint Processes

- ✓ The LAO requires all city departments to forward complaints regarding violations of the LAO to OCEIA and the Immigrant Rights Commission. During this report period, only one complaint was forwarded by a city department, however, departments reported receiving a total of 18 LAO complaints in FY 10-11, all resolved internally.
- ✓ Fifty percent of Tier 1 department still do not publically post procedures for accepting and resolving complaints of alleged violations of the LAO. This requirement is clearly spelled out in the LAO and can be easily met. OCEIA has provided templates and shared examples from other Tier 1 departments. Educating both city departments and LEP client populations remain vitally important.
- ✓ In the next year, OCEIA and the Immigrant Rights Commission will develop a centralized process for filing complaints about LAO violations and increase community outreach efforts.

Crisis and Emergency Protocols

- ✓ Processes and protocols to ensure accurate and appropriate translations during crisis situations continue to vary significantly among city departments. Although most Tier 1 departments may be able to assist residents in crisis or in general emergency situations, more specific protocols should be developed to address the needs of LEP persons.
- ✓ Thirteen Tier 1 departments reported not having written protocols for serving LEP clients in emergency situations. Although some departments are less likely to encounter

emergencies due to the nature of their work, others with high public contact such as the Department of the Environment, Recreation and Parks Department and the Zoo should develop these protocols in the next year.

Cultural and Linguistic Competency

- ✓ Citywide cultural and linguistic competency standards should be developed, incorporating best practices and National Standards on Culturally and Linguistically Appropriate Services (CLAS). Although CLAS standards are primarily directed at health care organizations, they can be leveraged to ensure that city services are more culturally and linguistically accessible to LEP residents. Cultural Competency Training must move beyond ineffective slide presentations and incorporate honest and frank conversations about attitudes and approaches towards cultural and linguistic differences.
- ✓ Most departments continue to rely on the basic language certification administered by the Department of Human Resources (DHR) to determine eligibility for bilingual pay, not specific levels of language fluency required for translation or interpretation work. Some departments use separate examination processes while others are developing specific training scenarios to certify bilingual staff. Content, breadth and depth of employee training differ significantly among departments.
- ✓ Language fluency standards beyond the minimum level should be developed by OCEIA and DHR with the advice of language experts, academic institutions, and community-based organizations. The focus should remain on the accuracy and appropriateness of translations and interpretation services provided by bilingual public contact employees, especially in crisis, emergency and public safety situations.

Data Collection and Evaluation Tools

- ✓ There is clearly a lack of consistency in if and how departments collect and report LAO data. Methods used vary across departments. Departments expressed the most difficulty with providing citywide data, specifically by supervisorial districts in which department facilities are located. The majority of departments lack data tracking mechanisms and face challenges capturing required information on clients, and in particular, LEP clients. Many rely on sources such as annual estimates from the U.S. Census Bureau or simply track phone calls received by the department.
- ✓ For this report period, OCEIA agreed that departments could report estimates of total LEP clients derived from internal surveys or through U.S. Census and other data.
- ✓ Tracking, evaluation and data collection mechanisms and tools need to be improved. A technology solution could be developed by the Department of Technology to help departments collect useful and relevant language access data.
- ✓ Citywide metrics and standards for language access should be developed, including an annual “report-card” or dashboard tool to better assess progress.

Immigrant Rights Commission (IRC)

- ✓ The IRC should conduct effective and regular language rights education by partnering with community-based organizations.
- ✓ The IRC continues to recommend that the following departments be added to the Tier 1 list: 311, Department of Children, Youth & Their Families, Office of Citizen Complaints, Clerk of the Board of Supervisors, Office of Contract Administration, County Clerk, General Services Agency, Department of Human Resources, Human Rights Commission, Office of Labor Standards Enforcement, Mayor's Office of Housing, Mayor's Office of Neighborhood Services, Department on the Status of Women and Real Estate.
- ✓ The IRC and OCEIA should be adequately funded and staffed to assist departments with implementing expanded language services responsibilities, particularly all activities associated with compliance, data documentation and analysis, translations and interpretations, community outreach and education, and training.

Multilingual Skills: An Asset

- ✓ Bilingual ability should be an additional factor in recruiting qualified candidates for future job openings.
- ✓ A centralized team of highly qualified translators and interpreters from the community and from the city should be identified to coordinate with OCEIA in providing 24/7 year-round assistance to city departments during crisis situations, emergencies and disasters. If adequately funded, this team can also be available to assist departments with translating website information, public documents and other essential information for LEP residents.

Quality Assurance and Translation Accuracy

- ✓ Many departments remain unclear on the quality controls required to ensure accurate translations. While departments reported that controls were in place, none were specific in describing exactly how they ensured quality in translations, language fluency or competency. A method of independent monitoring should be established and adequately funded within OCEIA.
- ✓ Without quality controls in place, departments should exercise extreme caution when using on-line translation tools for website and technical translations. Accurate translations are critical when disseminating crisis, emergency or public safety information. Online translation tools do not accurately translate complicated vocabulary, grammar, context and language nuances, particularly with character-based languages.

III. PRACTICING GOOD GOVERNMENT

Most city departments recognize the need and importance of providing meaningful and timely access to city programs, services and information. Tier 1 departments clearly are making good faith efforts to improve their communications with LEP persons.

During this report period, many departments requested and received technical assistance with the LAO. OCEIA received several inquiries regarding data tracking and worked with departments to ensure that information was as consistent and accurate as possible. In general, departments were advised to indicate in their compliance plans if data were not available and to work towards solutions for the next reporting cycle. It is important to note however, that many departments are still struggling with meeting goals reported in previous plans.

To assist LEP residents and facilitate better compliance with language access laws, OCEIA implemented a number of improvements and programs in the past year:

Language Services Unit (LSU)- In early 2011, OCEIA established the Language Services Unit (LSU). Initiated by the Board of Supervisors under the leadership of President David Chiu, Chinese for Affirmative Action and other community advocates, the LSU was created to provide high quality, 24/7 translation and interpretation services during crisis, emergency and urgent public safety situations. The LSU has in-house capability in Cantonese, Mandarin, Spanish and Russian.

While the LSU was initially created to provide assistance during emergency situations (fires, officer-involved shootings, community protests, disasters, et cetera), the majority of requests for assistance have been urgent or short-turnaround assistance for special public information projects, technical advice, and on-site translations for meetings and hearings. In its first year of operation, the LSU provided hundreds of document translation and on-site interpretation services to both city departments and community-based organizations serving immigrant, monolingual and/or limited-English proficient persons. The majority of services have involved Cantonese and Spanish translations and interpretations. In some cases, the LSU has translated or coordinated translations in other languages, including Russian, Tagalog and Vietnamese. The unit has also handled walk-in and telephonic requests for assistance, and reached over 400 LEP/monolingual city residents through community events, meetings and convenings.

Increased Language Services Support- OCEIA continued to work with quality and responsible language services vendors that are in full compliance with city contracting requirements. LSU senior staff worked closely with Language Line, the largest and most commonly used vendor, to assist client departments with data collection, tailored reports, and account/billing management.

Mandatory Citywide LAO Compliance Training-Two mandatory training workshops were conducted in fall 2011 to reinforce LAO requirements and rationale. The format included presentations on the importance of language access, changing demographics and general legal requirements. An interactive break-out session entitled *Challenges, Best Practices &*

Innovations gave participating departments an opportunity to share best practices, challenges and solutions. The workshops also included a general tools and resources section designed to make departments aware of available resources. Finally, the workshops included an interactive session for Tier 1 departments on how to complete annual compliance plan reports. The trainings allowed OCEIA to gather direct feedback from departments on compliance challenges and innovations.

Technical Assistance to City Departments- OCEIA provided ongoing technical assistance to Tier 1 and other city departments, including recommendations for wording of notices and signage, as well as identification of resources and low-cost solutions. OCEIA instituted an open-door policy for departments to schedule one-on-one consultations with staff experts.

Department Head Approval of Annual Plans– OCEIA required all Tier 1 departments to submit annual reports that were reviewed and signed by their respective department heads.

Community Ambassadors Program (CAP) - CAP is a street-smart safety program designed to bridge tensions in the community due to cultural or linguistic differences. Developed and operated by OCEIA, the program was initiated in 2010 by community leaders and advocates concerned about public safety and intergroup conflicts. Multiracial, multilingual Ambassador teams speaking a total of eight different languages are assigned to “hotspots” along major transit and business corridors in Districts 10 and 6, and as needed elsewhere. Ambassadors act as a visible safety presence and provide residents with safety tips, language assistance, and bilingual information on city services and programs. Ambassadors also provide language services and other assistance for public information meetings, community events and emergencies.

IV. LANGUAGE ACCESS ORDINANCE REQUIREMENTS

Following is a summary of key requirements under the Language Access Ordinance for all city departments that provide information to the public.

DEPARTMENTS	LAO REQUIREMENTS
<p>TIER 1 <i>All departments designated as Tier 1 must comply with the full extent of the law and submit Annual Compliance Plans to the Board of Supervisors, Mayor, and the Immigrant Rights Commission through the Office of Civic Engagement & Immigrant Affairs.</i></p> <ol style="list-style-type: none"> 1. Adult Probation Department 2. Airport (San Francisco International) 3. Assessor Recorder (Office of the) 4. Building Inspection (Department of) 5. Building Management (City Hall) 6. District Attorney’s Office 7. Elections (Department of) 8. Emergency Management (Department of) 9. Environment (Department of the) 10. Fire Department 11. Human Service Agency 12. Juvenile Probation Department 13. Mayor’s Office of Economic and Workforce Department 14. Municipal Transportation Agency 15. Planning Department 16. Police Department 17. Public Defender’s Office 18. Public Health (Department of) 19. Public Library (San Francisco) 20. Public Utilities Commission 21. Public Works (Department of) 22. Recreation and Park Department 23. Residential Rent Stabilization and Arbitration Board 24. Sheriff’s Office 25. Treasurer and Tax Collector (Office of the) 26. San Francisco Zoo 	<p>In addition to meeting the minimum requirements listed under Tier 2 Departments, Tier 1 Departments must also track and provide the following information in their annual plans:</p> <ol style="list-style-type: none"> 1. Total number and percentage of limited English speaking persons who use the department's services listed by language. 2. Total number and percentage of limited English speaking clients residing in the supervisorial district in which the department is located who use department services, listed by language. 3. A demographic profile. 4. Total number of public contact positions. 5. Bilingual public contact positions. 6. Language access liaison. 7. Telephone-based interpretation services. 8. Protocols to communicate with limited English-speaking clients. 9. Employee development and training strategy, and quality control protocols for bilingual employees and individuals in crisis situations. 10. An assessment of the adequacy of bilingual staff public contact positions. 11. List of all designated bilingual staff assigned to review accuracy and appropriateness of translation materials. 12. List of the department's written materials required to be translated by language. 13. Written copies on providing services to Limited English Speaking Persons. 14. Procedures for receiving and resolving complaints of any alleged violations of the ordinance. 15. Department goals for the upcoming year and a comparison to the previous year’s goals. 16. Budget allocation and strategy. 17. Changes between previous Plan submittal and current submittal. 18. Any information requested by the Immigrant Rights Commission necessary for implementing listed requirements above.

DEPARTMENTS	LAO REQUIREMENTS
<p>Tier 2 All other city departments not specified as Tier 1 that provide information or services directly to the public must comply with minimum requirements of the LAO.</p> <p>Based on the extent of their work with the public, the following departments are considered Tier 2 (list not limited to these departments):</p> <ol style="list-style-type: none"> 1. 311 2. Animal Care and Control 3. Child Support Services 4. Department of Children, Youth & Their Families 5. Office of Citizen Complaints 6. City Administrator’s Office 7. City Attorney 8. Clerk of the Board of Supervisors 9. Office of Contract Administration 10. Controller’s Office 11. County Clerk 12. General Services Agency 13. Human Resources 14. Human Rights Commission 15. Office of Labor Standards Enforcement 16. Mayor’s Office 17. Mayor’s Office of Criminal Justice 18. Mayor’s Office on Disability 19. Mayor’s Office of Housing 20. Mayor’s Office of Neighborhood Services 21. Medical Examiner 22. Port of San Francisco 23. Office of Public Finance 24. Purchasing 25. Office of Small Business 26. Department on the Status of Woman 27. Department of Technology 	<p>Minimum Requirements</p> <ol style="list-style-type: none"> 1. Inform Limited English Speaking Persons who seek services in their native tongue of their right to request translation services from all city departments. 2. Translate all publicly-posted documents related to (1) services provided and, or affecting a person’s rights to, determination of eligibility of, award of, denial of, or decrease in benefits, or (2) services into the languages spoken by a Substantial Number of Limited English Speaking Persons. 3. Post notices in public areas of their facilities. 4. Ensure translations are accurate and appropriate. 5. Designate a staff member for quality control. 6. Oral interpretation of any public meeting or hearing if requested at least 48 hours in advance. 7. Translate meeting minutes if (1) requested; (2) after the Legislative body adopts the meeting minutes; and (3) within a reasonable time period thereafter. 8. Allow complaints alleging violation of the LAO. 9. Document actions to resolve complaints and maintain copies of complaints for not less than 5 years. A copy shall be forwarded to the Immigrant Rights Commission and OCEIA within 30 days of receipt.

V. CITYWIDE REVIEW AND EVALUATION METHODOLOGY

The LAO was enacted in 2001 to ensure equal access to city services for all San Franciscans, including those with limited proficiency in English. As amended in 2009, the LAO requires OCEIA to ensure citywide compliance with language access laws and to provide a summary report each year to the Immigrant Rights Commission, Board of Supervisors and Mayor indicating which Tier 1 departments have filed their annual language access plans.

The LAO imposes on Tier 1 City departments the obligation to use sufficient numbers of bilingual employees in public contract positions to provide the same level of information and services to Limited English Proficient (LEP) persons as they provide to English speakers in each language that meets certain language thresholds.³ There are currently 26 city departments designated as Tier 1 that must comply with the full extent of the law. All other departments that provide information or services directly to the public are designated as Tier 2 and must meet minimum requirements.

In 2009, OCEIA developed a standardized compliance plan form to simplify the reporting process and facilitate analysis across diverse Tier 1 departments. The mandatory reporting form, which is based on Chapter 91 of the Administrative Code, is divided into three sections: 1) Departmental Results, 2) Language Access Planning and, 3) Language Access Documentation. Tier 1 departments must complete the form and provide relevant attachments to supplement the information requested, including written policies, assessments, goals, and protocols for emergency situations. All compliance plans must be reviewed and signed by respective Department Heads.

Following is an overview of the LAO Process:

Mandatory Training- Since 2010, Departments have been required to attend mandatory training sessions. OCEIA developed the training to reinforce LAO requirements and rationale.

Two levels of interactive training are provided:

- ✓ Mandatory Tier 1 training to reinforce and clarify compliance reporting requirements. The trainings include information on collecting, monitoring and reporting language services for each department. Tier 1 departments are trained on LAO legal requirements, language access rights, complaint procedures and cost-effective methods of tracking data.
- ✓ General training to familiarize all departments providing information to the public (Tier 1, Tier 2 and interested parties) with local, state and national legal requirements, LEP demographics, and an overview of San Francisco's LAO. Departments are encouraged to participate in dialogue and share best practices, challenges and innovations.

³ Departments must provide information and services in each language spoken by either a Concentrated or Substantial number of Limited English Speaking Persons. "Concentrated Number of Limited English Speaking Persons" means either five percent of the population of the district in which a covered department facility is located or five percent of those persons who use the services provided by the facility. Section 91.2(e). "Substantial Number of Limited English Speaking Persons" means either 10,000 city residents or five percent of those persons who use the department's services. Section 91.2(k).

Reporting Period- Compliance plans from Tier 1 Departments are due on December 31 of each year. Departments report data from the previous complete fiscal year (July 1 to June 30). Reminders are sent to department heads and liaisons several times during the year in advance of the filing date. The summary compliance report prepared by OCEIA is due on March 1 of each year to the Mayor, the Board of Supervisors and the Immigrant Rights Commission (IRC).

Submission of Annual Compliance Plans- Once individual Tier 1 department plans are submitted, they are reviewed by OCEIA staff for completeness and accuracy. Incomplete reports are not accepted and departments must first correct their plans before resubmitting.

Annual Plan Review and Analysis- OCEIA conducts a thorough analysis and comparison of all submitted data. Individual department reports are recorded and the annual summary report is prepared and reviewed several times. An IRC advisor reviews the data sections of the summary report in advance.

Immigrant Rights Commission Oversight- The IRC reviews citywide compliance with the LAO and may conduct a joint hearing with the Board of Supervisors. The Commission is responsible for conducting outreach to LEP persons about their rights under the law; reviewing complaints about alleged LAO violations; working with Departments to resolve complaints and maintaining records of complaints and their resolution; coordinating a language bank for Departments that choose to have translation done outside the Department and need assistance in obtaining translators; and reviewing Annual Compliance Plans. Most of this work is conducted by OCEIA staff on behalf of the IRC.

Public Hearings on Language Access- By June 30th of each year, OCEIA may request a joint public hearing with the Board of Supervisors and the Immigrant Rights Commission to assess the adequacy of the city's ability to provide the public with access to language services. The Board of Supervisors may link LAO compliance to the annual budgeting process.

VI. SUMMARY OF DEPARTMENT COMPLIANCE DATA AND PLANS

This section provides a compilation of data provided by Tier 1 departments in their annual compliance plans for fiscal year 2010-2011 (FY 10-11), submitted on or before December 31, 2011 as required by the LAO. Each department was asked to respond to a standardized set of questions contained in the annual compliance plan form. The following table is a guide to departmental abbreviations and symbols used throughout this section.

Tier 1 Departments Abbreviation Key

APD = Adult Probation Department	ENV = Department of Environment	RNT = Residential Rent Stabilization and Arbitration Board
ASR = Office of the Assessor-Recorder	FIRE = San Francisco Fire Department	RPD = Recreation and Parks Department
BM = City Hall Building Management	HSA = Human Services Agency	SFO = San Francisco International Airport
DA = District Attorney's Office	JUV = Juvenile Probation Department	SFPD = San Francisco Police Department
DBI = Department of Building Inspection	MTA = Municipal Transportation Agency	SFPL = San Francisco Public Library
DEM = Department of Emergency Management	OEWD = Office of Economic/Workforce Development	SHF = Sheriff's Department
DPH = Department of Public Health	PDR = Public Defender	TTX = Treasurer and Tax Collector (Office of)
DPW = Department of Public Works	PLN = Planning Department	ZOO = San Francisco Zoo
ELEC = Department of Elections	PUC = San Francisco Public Utilities Commission	

Language Abbreviation Key

CAN = Cantonese	SPN = Spanish
MDRN = Mandarin	TAG = Tagalog
RUS = Russian	VIET = Vietnamese

Report Legend

√ = Complete information	~ = Partial/Incomplete information provided
- = Did not provide information or did not meet requirements	N/A = Not Applicable to the department
AVG = Average	

A. Compliance with Filing Deadline & Mandatory Training

The LAO requires all Tier 1 departments to submit their annual compliance reports by December 31 of each year. All Tier 1 Departments filed their reports, with 23 (88%) filing on time and the remainder filing by January 6, 2012. In addition to filing annual compliance plans, all Tier 1 departments were required by OCEIA to attend mandatory training in the fall of 2011. Twenty-five departments (96%) attended the training. In summary, overall compliance, timeliness of report submittal and mandatory training attendance were very good.

The following table reflects attendance at mandatory training, timeliness of report submittal, and the inclusion of key components required for compliance plans.

Table 1. Summary of department compliance participation and submitted materials

DEPT.	ATTENDED LAO TRAINING	SUBMITTED PLAN ON TIME	LEP CLIENT DATA	PUBLIC CONTACT & BILINGUAL EMPLOYEES	TRANSLATED MATERIALS	WRITTEN POLICY & PROTOCOL FOR SERVING LEP CLIENTS	TELEPHONIC TRANSLATION & RECORDED MESSAGE	ANNUAL GOALS, BUDGET & STRATEGY
APD	√	√	√	√	√	√	√	√
ASR	√	√	√	√	√	√	√	√
BM	√	√	~	√	√	~	√	~
DA	√	√	√	√	√	√	√	√
DBI	√	√	-	√	√	√	√	√
DEM	√	√	√	√	√	√	√	√
DPH	√	√	√	√	√	√	√	√
DPW	√	-	-	~	√	√	√	√
ELEC	√	√	√	√	√	√	√	√
ENV	√	√	~	√	√	√	√	~
FIRE	√	√	√	√	√	√	√	√
HSA	√	-	√	√	√	√	√	√
JUV	√	√	√	√	√	√	√	√
MTA	√	√	√	~	√	√	√	√
OEWD	√	√	-	-	~	~	√	-
PDR	√	√	√	√	√	√	√	√
PLN	-	√	√	√	√	√	√	√
PUC	√	√	√	√	√	√	√	√
RNT	√	√	√	√	√	√	√	√
RPD	√	-	√	~	√	-	√	~
SFO	√	√	√	√	~	√	√	√
SFPD	√	√	√	√	√	√	√	~
SFPL	√	√	√	√	√	√	√	√
SHF	√	√	√	~	√	~	√	√
TTX	√	√	√	√	√	√	√	√
ZOO	√	√	√	√	~	√	√	√

B. Demographic Data Tracking

The LAO requires Tier 1 departments to report various demographic data. This section groups reported demographic information, with a special emphasis on data for Limited English Proficient (LEP) individuals. Tier 1 departments are mandated by the LAO to provide statistics on the LEP population served by each department and a breakdown by supervisorial district. The information provided in this section correlates to questions 1, 2, 3 and 5 on the FY2010-11 reporting form.

Tier 1 departments do not utilize a standardized method of tracking general and LEP client information. A majority of departments did not provide information by supervisorial districts, thus, a meaningful comparison between overall client interactions and LEP client interactions was difficult.

1. General Demographics & Tracking Methods- Departments were asked to provide a general breakdown of the clients they serve. The following table provides an overview of the general client population served by each department, as well as how each department tracked the number, and characteristics of their client population. Twenty departments (77%) reported having a mechanism to track clients. As expected, Tier 1 departments serve a wide range of city residents, however, most did not report specific demographic data such as age, race, and gender; instead, they reported general categories of service seekers, such as contractors, persons seeking medical help, residents, et cetera.

Most Tier 1 departments do make an effort to track language data and do conduct some degree of tracking specific demographic data via departmental programs. For example the Department of Elections tracks demographic information included in voter registration records, and Recreation and Parks tracks information through their programs such as “Family Account” holders. Other departments simply do not track any demographic information. Some departments provided information about what data they track but did not provide information on how the data was tracked.

Table 2. Demographic Information of Clients and Tracking Methods

DEPT.	PRIMARY CLIENTS	SECONDARY CLIENTS	TRACKING METHOD
APD	Male (83%), Female (17%) 26-35 years (31%), 36-45 years (23%)	None	Age, race, gender and language.
ASR	Not provided	Not provided	ASR offers property owners the option of receiving their annual Notification of Assessed Value (NAV) in Spanish or Chinese. It also tracks requests for interpretation services through Language Line.
BM	Visitors to City Hall and CCSF employees.	None	Does not track clients.
DA	Victims and witnesses of crimes.	None	DA’s Victim Witness Unit tracks information by age, ethnicity, race, disability, gender, and language; First Offender Prostitution Program tracks race, language, gender, and age; and the Consumer Mediation Program tracks language spoken.
DBI	Contractors, design professionals, homeowners, and other City agencies’ staff.	None	DBI bilingual staff tracks the number of Chinese and Spanish bilingual phone calls received through the dedicated bilingual phone lines and the number of customers assisted in person.

DEPT.	PRIMARY CLIENTS	SECONDARY CLIENTS	TRACKING METHOD
DEM	Residents, visitors, and workers who call 9-1-1 for emergency services, and first responders who rely on DEM for dispatch services.	People who access information through DEM's website and public events.	DEM gathers annual information on the languages spoken by 911 callers who require translation services.
DPH	Residents requiring medical/behavioral health services or trauma services in San Francisco and Northern San Mateo County.	None	Race, Ethnicity, Language, Marital Status, age, City of Residence, State of Residence, Homeless Status, Financial information, and Family Size.
DPW	Client agencies, pedestrians, transit riders, bicyclists, motorists, businesses, homeowners, tenants, and visitors to San Francisco.	None	Under Title VI, DPW tracks and monitors demographic information at agency-hosted community meetings where participants are asked to fill out surveys that include questions pertaining to demographic information.
ELEC	Clients are primarily adults, ages 25-44 and 45-64 years. The top language preferences other than English are Chinese and Spanish.	None	ELEC tracks information provided through Voter Registration Cards, including home address, date of birth, U.S. State or foreign country of birth, political party preference, ethnicity/race, and language preference.
ENV	City and County of San Francisco residents.	San Francisco business and property owners.	ENV does not track client demographic information.
FIRE	Residents, visitors, or employees who work in San Francisco or at SFO at the scene of a 911 dispatch for an emergency.	Attendees of fire station visits and members of the public requesting information.	FIRE tracks demographic information through 911 call intake and dispatch, at the scene of 911 incidents, and emergency medical services (although the data is protected by federal and state law).
HSA	Families, young and old individuals.	CalWORKs, PAES participants, people living 200% below the federal poverty level.	HSA captures information on date of birth, race, gender, ethnicity, language, income, and address.
JUV	Juveniles ages 11-17 years who have been arrested or have been adjudicated of an offense and are made a formal ward of the court.	Parents and guardians of the youth under the department's jurisdiction.	JUV uses the REGGO method (Race, Ethnicity, Gender, Geography and Offense) to track clients. It also tracks information by age, primary language, category of charge, and length of stay in Juvenile Hall.
MTA	Primary clients include San Francisco residents, workers, students, local visitors, non-resident commuters, transit riders, automobile owners and drivers.	None	SFMTA tracks requests for language assistance: through Language Line usage; requests by walk-in customers in the SFMTA Customer Service Center for language assistance in Spanish or Chinese, and number of times multilingual webpages are viewed.
OEWD	None	None	None; OEWD is a contracting agency and does not provide services to San Francisco residents.

DEPT.	PRIMARY CLIENTS	SECONDARY CLIENTS	TRACKING METHOD
PDR	Adult and juvenile clients in the criminal justice process, and ex-offenders utilizing PDR's Clean Slate Program.	Families of juvenile and adult clients.	PDR inputs a client's age, race and sex into the Gideon System after the client has been arraigned and/or interviewed by his/her attorney, but this information is not tracked.
PLN	Residents, property and business owners, developers, consultants, elected and appointed officials.	None	PLN tracks language requests for non-English speakers, to ensure that residents of San Francisco have access to the department's services.
PUC	All adults, children, seniors, families and business owners/ operators within the City and County of San Francisco.	None	The Customer Service Bureau (CSB) call center tracks the number of calls received and by language requested.
RNT	San Francisco landlords and tenants.	None	RNT tracks language requirements through its use of Language Line telephonic-based interpreter services as well as its annual survey of LEP clients.
RPD	Youth (ages 2-18), adults, seniors, families, persons with disabilities, and low-income families	None	RPD captures some information from all individuals and families who sign up for its programs, including "Family Account" holders and families that apply for scholarships.
SFO	Travelers (only 8% of clients surveyed were San Francisco residents).	None	SFO obtains information regarding residency, method of arriving, age, gender, income, flight destination, and market destination through its Annual Customer Service survey. The survey was conducted in English, Spanish, Chinese and Japanese.
SFPD	Entire San Francisco population	None	SFPD tracks relevant demographic and required information needed for criminal investigations. SFPD's LAO liaison tracks the languages spoken by SFPD's clients.
SFPL	Active cardholders, individuals with physical access to a library facility or resources.	None	SFPL patron records include patron age and zip code.
SHF	Adults	None	Clients who require services spoken in a language other than English.
TTX	Business owners, property owners, and other adult users of City services.	Administrative support staff of businesses and industry-related professionals.	Does not generally track subsets of demographic information within the department or for individual service areas; however, there are minor exceptions where some demographic information is available for certain programs.
ZOO	Adults, children, families, students and instructors.	None	Does not track client demographic information.

2. LEP Clients Served and Tracking Methods- Nineteen Tier 1 departments (73%) have a mechanism to track language data in connection with the total population of LEP clients they serve. Many departments rely heavily on U.S. Census data when providing LEP client data; 18 (69%) reported using Language Line as their provider of telephonic interpretation and using Language Line reports as the primary tracking method for measuring LEP interactions. Data reported by departments do not truly represent the number of LEP clients served but rather the number of interactions with clients during FY 2010-11.

The following table compares client interactions between FY 09-10 and FY 10-11. The total number of client interactions as reported by departments for FY 10-11 was 5,642,630– 631,077 (or 11%) were LEP client interactions, an increase of 2.3% over the previous fiscal year.

Table 3. Two Year Comparison of Client Interactions

DEPT.	FY2010-11			FY2009-10		
	TOTAL CLIENT INTERACTIONS	LEP CLIENT INTERACTIONS	% OF TOTAL LEP CLIENT INTERACTIONS	TOTAL CLIENT INTERACTIONS	LEP CLIENT INTERACTIONS	% OF TOTAL LEP CLIENT INTERACTIONS
APD	6,131	566	9.2%	6,410	708	11.0%
ASR	36,624	300	0.8%	35,000	355	1.0%
BM	-	10	-	-	-	-
DA	22,751	3,533	15.5%	23,239	3,851	16.6%
DBI	-	-	-	-	-	-
DEM	980,032	14,897	1.5%	905,875	14,528	1.6%
DPH	141,362	46,839	33.1%	119,880	49,747	41.5%
DPW	-	-	-	465,181	25,938	5.6%
ELEC	468,418	26,864	5.7%	470,499	26,176	5.6%
ENV	12,500	2,500	20.0%	905,875	145	0.0%
FIRE	186,200	3,726	2.0%	181,600	3,632	2.0%
HSA	132,814	70,549	53.1%	185,805	91,308	49.1%
JUV	1,723	137	8.0%	1,921	191	9.9%
MTA	700,000	514	0.1%	700,000	1,671	0.2%
OEWD	-	-	-	-	-	-
PDR	25,000	1,500	6.0%	26,500	6,625	25.0%
PLN	32,000	96	0.3%	32,000	140	0.4%
PUC	805,235	281,500	35.0%	808,976	185,336	22.9%
RNT	31,035	2,951	9.5%	33,367	2,533	7.6%
RPD	45,000	284	0.6%	41,370	147	0.4%
SFO	39,000,000	2,574,000	6.6%	1,000,000	502	0.1%
SFPD	805,235	18,256	2.3%	798,176	23,634	3.0%
SFPL	805,250	117,978	14.7%	845,559	175,169	20.7%
SHF	5,120	661	12.9%	3,996	744	18.6%
TTX	175,200	37,416	21.4%	400,000	30,000	7.5%
ZOO	225,000	0	0.0%	200,000	-	-
CITYWIDE TOTAL⁴	5,642,630	631,077	11.2%	7,191,229	642,578	8.9%

⁴ Percentages exclude client population information submitted by SFO due to its large client population reported for FY2010-11, which constitutes 87% of total client interactions across the 26 Tier 1 departments. Including SFO's reported information, the percentages of LEP clients served for FY2009-10 and FY2010-11 are 7.9% and 7.2%, respectively.

3. LEP interactions by Language- This table shows the distribution of LEP client interactions by department and language. Most LEP client interactions took place in Cantonese (49%) and Spanish (30%), Some Tier 1 departments did not disaggregate LEP interactions by language. As a result, LEP clients grouped under “other languages spoken,” which accounts for 8%, may include clients who speak Cantonese, Mandarin, Russian, Spanish, Tagalog or Vietnamese.⁵

Table 4. LEP Client Interactions by Language and Department

DEPT.	TOTAL BY DEPT	CAN	MDRN	RUS	SPN	TAG	VIET	Other
APD	566	17	1	8	494	14	13	19
ASR	300	223	34	2	29	1	3	8
BM	10	2	-	-	8	-	-	-
DA	3,533	1,037	205	6	2,213	4	38	30
DBI	-	-	-	-	-	-	-	-
DEM	14,897	3,309	844	534	9,201	157	255	597
DPH	46,839	10,790	1,378	1,528	22,052	1,235	1,455	8,401
DPW	-	-	-	-	-	-	-	-
ELEC	26,864	22,732 ⁶	-	4	3,848	44	155	81
ENV	2,500	-	-	-	-	-	-	-
FIRE	3,726	827	211	133	2,300	39	64	152
HSA	70,549	15,307	1,215	4,619	18,198	3,485	3,492	24,233
JUV	137	23	0	1	100	3	0	10
MTA	514	125	59	6	309	0	3	12
OEWD	-	-	-	-	-	-	-	-
PDR	1,500	250	0	1,250	0	0	0	0
PLN	96	68	20	0	7	0	0	1
PUC	281,500	143,693 ⁷	-	14,215	88,356	24,120	11,116	0
RNT	2,951	1,384	62	161	1,161	62	0	121
RPD	284	108	41	0	134	0	0	1
SFO	2,574,000	663,000	0	0	1,131,000	0	0	780,000
SFPD	18,256	5,381	191	783	6,168	1,281	414	4,038
SFPL	117,978	81,740 ⁸	-	0	23,113	0	0	13,125
SHF	661	553	13	0	88	0	0	7
TTX	37,416	18,216	2,640	1,920	10,956	444	1,464	1,776
ZOO	0	0	0	0	0	0	0	0
TOTAL	631,077	305,785	6,914	25,170	188,735	30,889	18,472	52,612
% OF TOTAL (n=628,577)	100.4%	48.6%	1.1%	4.0%	30.0%	4.9%	2.9%	8.4%

⁵The total number of LEP interactions in Figure 2-1 (628,577 interactions) is less than that reported in Figure 1-2 (631,077 interactions) because some departments did not break out their reported totals by language.

⁶ Figure not disaggregated by department and includes both Cantonese and Mandarin speaking clients.

⁷ Figure not disaggregated by department and includes both Cantonese and Mandarin speaking clients.

⁸ Figure not disaggregated by department and includes both Cantonese and Mandarin speaking clients.

The following chart compares LEP client interactions by departments between FY 09-10 and FY 10-11. For FY 10-11 the PUC, HSA and TTX reported an increase in percentage of LEP client interactions, while PDR, SFPL and DPH reported a decrease.

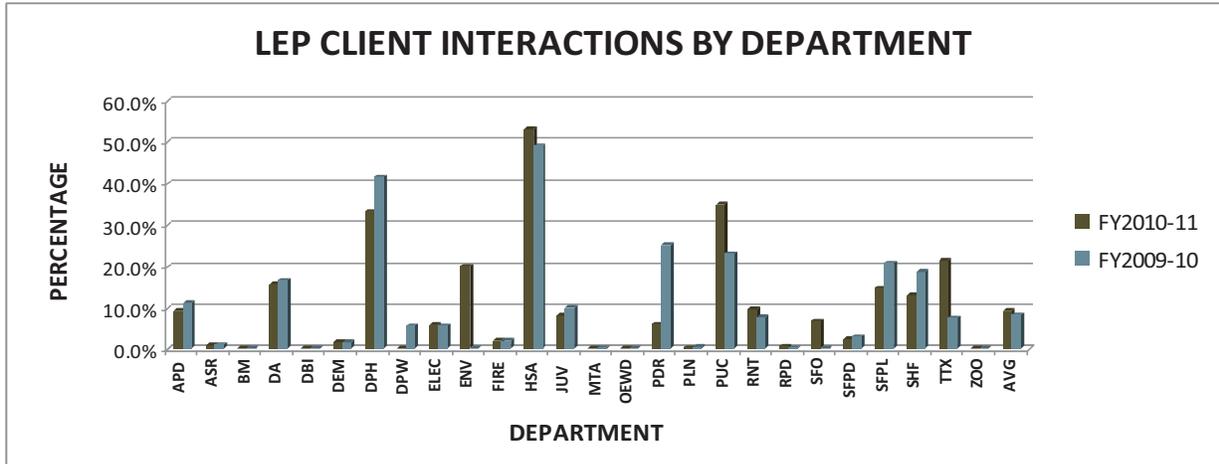


Figure 1. LEP Client Interactions by Department and Fiscal Year

This chart shows the distribution of LEP client interactions reported by departments (DA, DPH, ELEC, HSA, JUV, PDR, SFPL) by the supervisory district where the interaction took place. A total of 255,456 LEP interactions were reported by supervisory district as described below. Among these seven departments, 26% of all LEP client interactions were located in District 10, followed by 14% in District 3, and 13% in District 11.

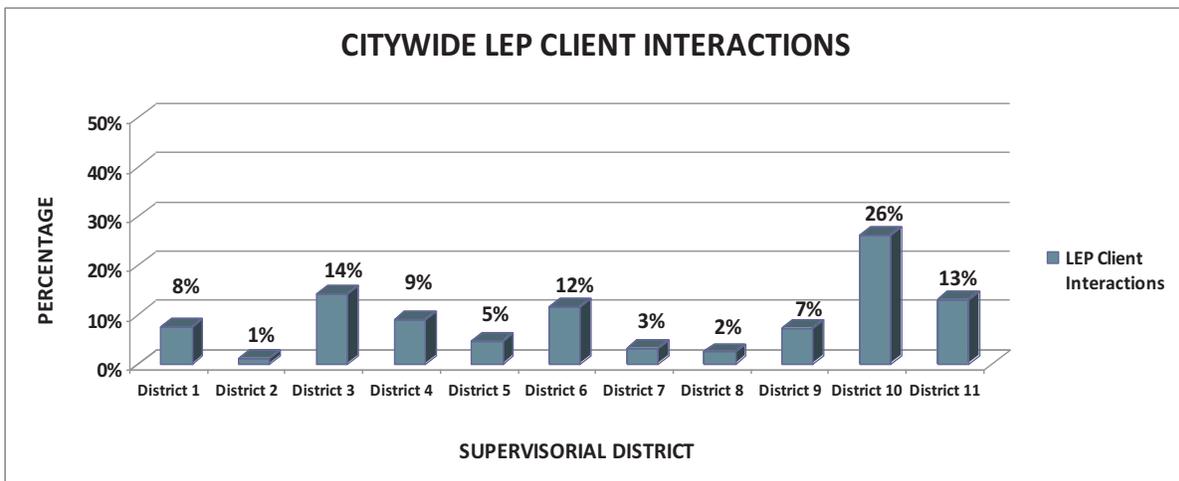


Figure 2. LEP Client Interactions by Supervisory District

The following table provides a description of in-language telephonic calls requested from Tier 1 departments by LEP clients. Among the calls reported, 44% were conducted in Spanish, 40% in Cantonese, and 6% in Vietnamese.

Table 5. Telephone-based Interpretation Volume by Department and Language⁹

DEPT.	TOTAL REQUESTS BY LEP CLIENTS	CALL VOLUME BY LANGUAGE						
		CAN	MDRN	RUS	SPN	TAG	VIET	Other
APD	71	38	4	2	14	0	5	8
ASR	300	223	34	2	29	1	3	8
DA	341	49	20	5	224	1	0	42
DBI	430	123	0	0	307	0	0	0
DEM	14,897	3,309	844	534	9,201	157	255	597
DPH	132,315	56,745	5,545	4,946	54,921	1,621	8,537	0
ELEC	2,905	1,768	0	0	1,137	0	0	0
FIRE	3,726	827	211	133	2,300	39	64	152
HSA	1,546	325	121	60	535	18	42	445
JUV	65	8	2	0	40	3	1	11
MTA	514	125	59	6	309	0	3	12
PLN	96	68	20	0	7	0	0	1
RNT	160	77	25	2	44	3	3	6
RPD	284	108	41	0	134	0	0	1
SFO	521	5	71	16	207	0	14	208
SFPD	1,777	301	119	54	1,093	6	50	154
TOTAL	159,948	64,099	7,116	5,760	70,502	1,849	8,977	1,645
% OF TOTAL	100.0%	40.1%	4.4%	3.6%	44.1%	1.2%	5.6%	1.0%

Figure 3 summarizes the volume of telephonic interpretation services citywide by language for Tier 1 and Tier 2 departments that use Language Line’s services.

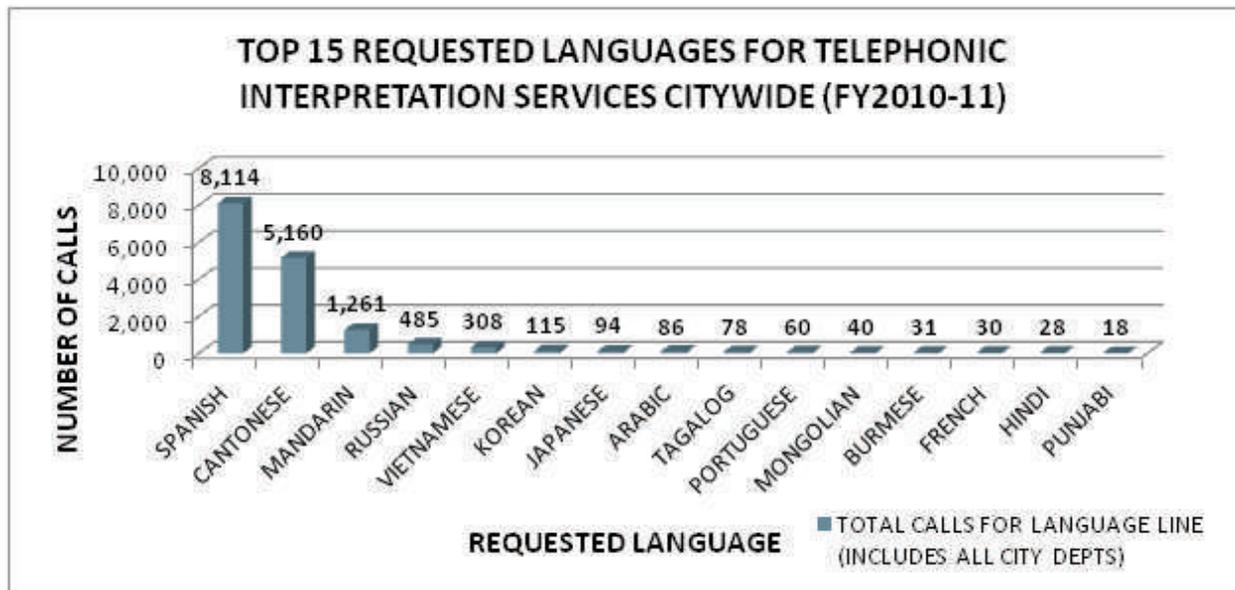


Figure 3. FY-10-11 top 15 requested languages for telephonic interpretation citywide for all departments

⁹Based on self-reported data. Does not include departments that did not track requests for telephonic interpretation by language, except for ELEC and FIRE, which provided an estimate of calls received. All departments above except DBI and ELEC use Language Line. PLN uses Language Line in addition to another method.

4. LEP Clients Served by Supervisorial District- As shown in the table below, eight Tier 1 departments (31%) reported the distribution of their client interactions by supervisorial district.¹⁰ This is an increase of two departments from the last reporting period. Information by district is not tracked by most departments, particularly for those with a central office serving the entire city or that offer services not specific to a particular district. For example, the SFPL has branches throughout the city in addition to the main branch, and ELEC is equipped to track voters by district but serves the entire city. Since fewer than half of Tier 1 departments were able to break down the number of clients served by district, the partial information provided in response to this question does not reflect a complete citywide picture.

Table 6. Client Information reported by Departments by Supervisorial District

SUPERVISORIAL DISTRICT	TOTAL CLIENT INTERACTIONS	TOTAL LEP CLIENT INTERACTIONS	% OF TOTAL CLIENT INTERACTIONS THAT ARE LEP	DEPARTMENTS SERVING CLIENTS IN DISTRICT
District 1	114,732	19,256	16.8%	DA, ELEC, HSA, SFPL
District 2	97,441	2,794	2.9%	DA, ELEC, HSA, SFPL
District 3	123,908	36,100	29.1%	DA, DPH, ELEC, HSA, SFPL
District 4	114,481	23,202	20.3%	DA, DPH, ELEC, HSA, SFPL
District 5	150,888	12,005	8.0%	DA, ELEC, HSA, SFPL
District 6	180,807	29,501	16.3%	BM, DA, DPH, ELEC, HSA, PDR, SFPL
District 7	94,533	8,282	8.8%	DA, DPH, ELEC, HSA, JUV, PDR, SFPL
District 8	136,105	6,100	4.5%	DA, ELEC, HSA, SFPL
District 9	110,785	18,188	16.4%	DA, DPH, ELEC, HSA, SFPL
District 10	260,298	66,695	25.6%	DA, DPH, ELEC, HSA, SFPL
District 11	151,485	33,333	22.0%	DA, ELEC, HSA, SFPL

¹⁰ DA, DPH, ELEC, HSA, JUV, PDR, and SFPL provided client interaction information by supervisorial district. BM provided partial information, which is not included in the analysis of client interactions by supervisorial district.

C. LANGUAGE SERVICES

This section summarizes the range of language services that Tier 1 departments provide to LEP residents. As mandated by the LAO, departments must ensure that their public contact positions are adequately filled by bilingual employees in order to serve LEP clientele. Departments must also provide both written translations and interpretation services to LEP residents. The information provided in this section correlates to questions 4, 9, 10 and 11 on the FY2010-11 reporting form.

1. Public Contact Positions- According to the LAO, a public contact position is defined as “a position in which a primary job responsibility consists of meeting, contacting, and dealing with the public in the performance of the duties of that position.”¹¹ For FY 10-11, 3,091 out of a total of 13,034 Tier 1 department public contact employees were reported as bilingual. The following table provides a breakdown of the languages spoken by bilingual employees in public contact positions¹²: 41% speak Spanish; 28% speak Cantonese; and 8% speak Mandarin.

Table 7. Bilingual & All Public Contact Staff by Department and Language¹³

DEPT.	ALL PUBLIC CONTACT STAFF	BILINGUAL PUBLIC CONTACT STAFF	% OF ALL PUBLIC CONTACT STAFF THAT IS BILINGUAL	BILINGUAL PUBLIC CONTACT STAFF BY LANGUAGE						
				CAN	MDRN	RUS	SPN	TAG	VIET	OTHER ¹⁴
APD	100	15	15.0%	1	0	0	14	0	0	0
ASR	12	2	16.7%	1	1	0	1	0	0	0
BM	2	2	100.0%	1	0	0	1	0	0	0
DA	170	59	34.7%	7	3	1	30	2	3	31
DBI	230	25	10.9%	10	8	0	7	0	0	0
DEM	200	25	12.5%	5	2	1	14	2	0	1
DPH	3,500	1,002	28.6%	272	109	17	514	41	28	21
DPW	1,100	107	9.7%	-	-	-	-	-	-	-
ELEC	29	26	89.7%	13	5	3	8	1	0	0
ENV	30	27	90.0%	4	4	1	14	3	0	8
FIRE	1,458	198	13.6%	50	3	4	96	10	2	33
HSA	1,481	597	40.3%	227	44	45	233	51	39	8
JUV	263	65	24.7%	21		1	30	8	1	4
MTA	237	102	43.0%	24	6	1	18	16	3	-
OEWD	-	-	-	-	-	-	-	-	-	-
PDR	170	53	31.2%	4	3	1	34	2	2	7
PLN	6	2	33.3%	1	1		1			0
PUC	109	14	12.8%	6	2	1	5	0	0	0
RNT	11	4	36.4%	3	1	0	1	0	0	0
RPD	-	5	-	-	-	-	-	-	-	-
SFO	267	130	48.7%	26	19	3	30	9	0	42
SFPD	2,627	467	17.8%	103	20	9	180	44	5	106

¹¹ Section 91.2(j).

¹² The LAO defines a bilingual employee as “a city employee who is proficient in the English language and in one or more non-English language.” Section 91.2(b).

¹³ The breakdown of languages spoken by bilingual public contact staff may exceed the total number of bilingual public contact staff by department because one staff member may speak multiple languages. RPD and SHF provided only partial information and their information is not included in the citywide totals for public contact staff.

¹⁴ Includes Cambodian, French, Greek, Japanese, Korean, Laotian, Samoan, Toisanese, and other unspecified languages.

DEPT.	ALL PUBLIC CONTACT STAFF	BILINGUAL PUBLIC CONTACT STAFF	% OF ALL PUBLIC CONTACT STAFF THAT IS BILINGUAL	BILINGUAL PUBLIC CONTACT STAFF BY LANGUAGE						
				CAN	MDRN	RUS	SPN	TAG	VIET	OTHER ¹⁴
SFPL	861	72	8.4%	38	14	5	17	0	1	3
SHF	-	135	-	36	0	1	73	23	2	0
TTX	136	95	69.9%	32	15	1	32	14	1	13
ZOO	35	2	5.7%	1	0	0	1	0	0	0
TIER 1 TOTAL	13,034	3,091	23.7%	850	260	94	1,281	203	85	277
% OF BILINGUAL PUBLIC CONTACT STAFF TOTAL	-	-	-	27.5%	8.4%	3.0%	41.4%	6.6%	2.7%	9.0%
% OF ALL PUBLIC CONTACT STAFF TOTAL	-	-	-	6.5%	2.0%	0.7%	9.8%	1.6%	0.7%	2.1%

2. Translated Materials- Tier 1 departments are mandated to translate written materials that provide vital information to the public about department services and programs. Tier 1 departments reported a total of over 2,600 translated documents. The Planning Department and RNT produced the highest number of translated materials (approximately 1,000 and 509 translated documents, respectively) while other departments reported a wide range of types of documents translated and languages. The majority of documents were translated into Spanish and Chinese; a few included Russian, Vietnamese, and Tagalog. Departments like DPH, HSA and RNT translated materials in several other languages such as Arabic, Gujarati, Hindi, Thai, French and Korean.

Table 8. Number of Translated Documents by Department and Language

DEPT.	NO. OF TRANSLATED DOCUMENTS	TYPES OF TRANSLATED DOCUMENTS	LANGUAGES
APD	18	Forms, written notices, and important written documents.	Spanish
ASR	5	Forms, written notices, and important written documents.	Chinese, Russian, Spanish, Tagalog, and Vietnamese
BM	0	N/A	N/A
DA	Not reported	Program materials.	Chinese and Spanish
DBI	27	Written notices and important written documents.	Chinese and Spanish
DEM	Not reported	Written notices, program materials, and important written documents.	Chinese, Russian, Spanish, Tagalog, and Vietnamese
DPH	86	Forms, written notices, tests, program materials, complaint forms, and important written documents.	Arabic, Bengali, Chinese, Russian, Spanish, Tagalog, and Vietnamese
DPW	48	Written notices, program materials, complaint forms, and important written documents.	Chinese and Spanish
ELEC	70	Applications, forms, written notices, program materials, complaint forms, and important written documents.	Chinese, Russian, and Spanish
ENV	26	Program materials, notices, and important written documents.	Chinese and Spanish

DEPT.	NO. OF TRANSLATED DOCUMENTS	TYPES OF TRANSLATED DOCUMENTS	LANGUAGES
FIRE	32	Forms, written notices, program materials, complaint forms and important written documents.	Chinese, Japanese, Russian, Spanish, Tagalog, and Vietnamese
HSA	179	Applications, forms, written notices, program materials, complaint forms, and important written documents.	Arabic, Chinese, Farsi, French, Korean, Russian, Spanish, Tagalog, Thai, Vietnamese, and others
JUV	16	Forms, written notices and important written documents.	Chinese, Samoan, Spanish, Tagalog, and Vietnamese
MTA	461	Applications, forms, written notices, program materials, complaint forms, and important written documents.	Chinese, Russian, Spanish, Tagalog, and Vietnamese
OEWD	Not reported	Program materials.	Chinese and Spanish
PDR	4	Applications, forms, written notices, and program materials.	Chinese and Spanish
PLN	1,000	Written notices and complaint forms.	Chinese and Spanish
PUC	34	Brochures, fact sheets, promotional materials, and reports.	Chinese and Spanish
RNT	509	Forms, written notices, program materials, and important written documents.	Chinese, Gujarati, Hindi, Spanish, Tagalog, and Vietnamese
RPD	Not reported	Written notices and program materials.	Not reported
SFO	0	N/A	N/A
SFPD	17	Forms, written notices, and program materials.	Chinese, Russian, Spanish, Tagalog, and Vietnamese
SFPL	107	Applications, forms, written notices, program materials and complaint forms.	Chinese, French, Japanese, Korean, Russian, Spanish, and Vietnamese
SHF	5	Forms, written notices, program materials, and complaint forms.	Chinese, Russian, Spanish, Tagalog, and other (not identified)
TTX	15	Applications, forms, program materials, and important written documents.	Chinese, Russian, Spanish, Tagalog, and Vietnamese
ZOO	0	N/A	N/A

3. Interpretation Services & Telephonic Messages- Eleven Tier 1 departments (42%) provided oral translation/interpretation at public meetings or hearings when requested by the public. The following table is an overview of additional oral translation services beyond the services provided at department offices or facilities. For example, DBI provided interpretations in Chinese for two delegations from China, RNT provided interpreters at more than 50 public hearings and MTA offered interpretations in Chinese, Spanish and Tagalog at more than 50 community meetings.

Departments that utilize telephonic messages must also provide these messages in each language spoken by at least 10,000 LEP residents. Eighteen Tier 1 departments (69%) have a recorded telephonic message available in languages other than English. The Department of Public Health and SFPL have recordings in six and five languages, respectively, in addition to English. Sixteen Tier 1 departments (62%) have greetings in Spanish and Chinese (Cantonese and Mandarin); eight departments (31%) only offer greetings in English.

Table 9. Oral Translation/Interpretation & Telephonic Message

DEPT.	PROVIDED ORAL TRANSLATION AT PUBLIC MEETINGS/HEARINGS	HAS RECORDED TELEPHONIC MESSAGE IN LANGUAGES OTHER THAN ENGLISH
APD	No	Yes; the recorded message is in Spanish.
ASR	No	No
BM	No	No
DA	No	Yes; the telephonic message is recorded in Cantonese and Spanish.
DBI	Yes; the Director and Chinese bilingual speaking DBI staff briefed two delegations from China on building department operations during FY 2010-11. Each delegation had 30 members.	Yes; DBI's main telephone line has a recorded message in Chinese and Spanish. DBI's Interactive Voice Recognition System (IVR) allows customers to schedule inspections in Chinese and Spanish.
DEM	Yes; DEM provided interpretation at three public meetings and events, in Cantonese (two events), Mandarin (one event), and Spanish (one event).	Yes; DEM has a recorded telephonic message in Spanish, Cantonese, and TTY/TTD. DEM also manages the Outdoor Public Warning System. In neighborhoods with a high concentration of LEP residents, the message "This is only a test" is broadcasted in Spanish or Cantonese.
DPH	Yes; Interpretation at the SF AIDS Office meeting was provided in Spanish and Vietnamese. All Resident Care Conferences and Resident Council meetings at Laguna Honda Hospital are interpreted for LEP clients.	Yes; the Behavioral Health Access Center's (BHAC) outgoing message is in Spanish, Russian, Tagalog, Vietnamese, Cantonese, and Mandarin.
DPW	Yes; DPW provided oral translations in Cantonese and Mandarin at four public hearings.	Yes; DPW has a recorded telephonic message in Spanish and Cantonese. Staff members who provide translation services also have recorded messages in Spanish, Mandarin, Cantonese, and Tagalog.
ELEC	No	Yes; ELEC's language assistance hotlines provide messages in Cantonese, Mandarin, and Spanish.
ENV	Yes; Chinese interpretation was provided at eight public meetings. Spanish interpretation was provided at four public meetings.	Yes; the telephonic message is recorded in Cantonese, Mandarin, and Spanish.
FIRE	No	Yes; FIRE maintains a dedicated telephone line containing an informational message and directory in Spanish and Cantonese. FIRE is currently working to update all languages for this line and plans to have it completed within FY2011-12.
HSA	No	Yes; the recording is in Spanish and Cantonese.

DEPT.	PROVIDED ORAL TRANSLATION AT PUBLIC MEETINGS/HEARINGS	HAS RECORDED TELEPHONIC MESSAGE IN LANGUAGES OTHER THAN ENGLISH
JUV	No	Yes; the telephonic message is recorded in Spanish.
MTA	Yes; MTA bilingual staff provided oral translations at numerous meetings in FY10-11, primarily in Chinese and Spanish, but also in Tagalog. Staff also coordinated with community organizations or contracted out to provide interpretation at public meetings in Russian and Vietnamese.	Yes; MTA has a multilingual recorded telephonic message in both Spanish and Cantonese, which provides information including: office hours and locations, permit information, paying for a citation, etc.
OEWD	Did not provide information.	No
PDR	No	Yes; PDR has a voicemail tree message that is currently available in Spanish, Cantonese, and Mandarin.
PLN	Yes; PLN provided translation services in Spanish, Cantonese, Mandarin and Filipino at five public workshops.	Yes; the recorded message is in Spanish, Cantonese, and Mandarin.
PUC	No	Yes; there is a recorded message in Cantonese and Spanish.
RNT	Yes; RNT provided interpreters at 50 hearings, totaling 185 hours. The interpreters were provided in the following languages: Bosnian, Cantonese, Japanese, Mandarin, and Spanish.	Yes; the recorded message is in Cantonese and Spanish.
RPD	Yes; RPD utilized on-site interpretation services at approximately a dozen public meetings regarding capital improvement projects.	No
SFO	No	No
SFPD	Yes; SFPD provided Cantonese interpretation at one community meeting.	No
SFPL	Yes; public programs are regularly provided in Cantonese, Mandarin, Japanese, Russian, and Spanish.	Yes; regular-telephonic messages are available in Cantonese, Mandarin, Spanish, Russian, and Japanese. The library's telephone Story Line, is available in Spanish, Cantonese, and Mandarin.
SHF	No	No
TTX	No	Yes; TTX utilizes IVR ("pay-by-phone") systems for thousands of electronic payments. These services are available in Spanish, Cantonese, and Mandarin.
ZOO	No	No

D. DEPARTMENTAL POLICIES AND PROTOCOLS

The LAO requires that Tier 1 departments provide a description of the procedures used to facilitate communications with LEP clients. This section analyzes the answers provided to questions 6 and 7 in the FY2010-11 reporting form.

1. LEP Communication Protocol- Most departments have a written policy on how to communicate with LEP clients. The following table indicates which Tier 1 departments reported having written policies and provided examples in their annual compliance plan filings, as required by the LAO. Eleven departments (42%) do not currently have written policies (six of the eleven departments reported that these policies are in development).

Table 10. Departmental Policy on Providing Services to LEP Persons

DEPT.	PROVIDED WRITTEN POLICY ON PROVIDING SERVICES TO LEP PERSONS	POLICY/EXAMPLES OF WRITTEN POLICY
APD	√	Bilingual Premium Policy 100.44 (issued October 13, 2010)
ASR	-	ASR plans to draft this policy in 2012.
BM	-	None
DA	√	The DA's policy is to provide services to any Limited English Speaking Person to the best of the department's ability.
DBI	-	None
DEM	√	"Appendix A-7 Language Access Services" and memo dated January 28, 2009 "Department of Emergency Management Policy for Language Access Services for Limited English Proficient Persons"
DPH	√	Policy 9.05 Interpreter Services (Bilingual Services) explains how to ensure that limited English-proficient patients and surrogate decision-makers understand their medical conditions and treatment options. It also assists SFGH Medical Center staff to provide quality patient care to their LEP patients.
DPW	√	Written policies include Title VI Procedure, the DPW Communications Plan 2010-2012, and the DPW Emergency Preparedness Plan.
ELEC	√	"Multilingual Services Provided by the Department of Elections," "Bilingual Poll Worker Assignment Plan for November 2011 Election," "Voter Outreach and Education Program for November 2011 Election."
ENV	√	ENV Employee Manual includes "Language Diversity," which addresses language access and providing services to limited-English speaking clients.
FIRE	√	Written policies include Station-Based Training (Dec. 2010) "Understanding Cultural Differences in People" and "EVENTS/NOTICES: 311 Language Line Access & Instructions for using 311 Language Line."
HSA	√	"Section V: Services to Non-English Speaking, Limited-English-Proficient Applicants/Recipients and Applicants/Recipients with Disabilities"
JUV	√	"Assessment of Procedures used to Communicate with Limited English Speaking Persons" and Staff memos from the Chief Probation Officer address JUV's written policy on providing services to Limited English speakers.
MTA	√	SFMTA's Language Assistance Plan.
OEWD	-	None
PDR	-	None
PLN	-	Written policies will be developed during FY 2012-13.
PUC	√	Language Access Services Policies and Procedures 2011.
RNT	√	Rent Board Policy for Providing Services to LEP Persons.

DEPT.	PROVIDED WRITTEN POLICY ON PROVIDING SERVICES TO LEP PERSONS	POLICY/EXAMPLES OF WRITTEN POLICY
RPD	-	In development.
SFO	√	"Language Line Procedures for Assistance and Emergencies"
SFPD	√	SFPD General Order 5.20 "Language Access Services for Limited English Proficient (LEP) Persons"
SFPL	-	Written policies are in development.
SHF	-	None
TTX	-	Written policies are in development and will be formalized in 2012.
ZOO	-	In development.

2. LEP Protocol for Emergency or Crisis Situations- Although many Tier 1 departments are not considered first responders, 15 (58%) reported working regularly with clients in crisis or emergency situations, 17 (65%) have protocols in place for LEP clients in these situations, and 13 of the 17 have written protocols. Of the remaining 11 Tier 1 departments, two reported some, but not regular, contact with individuals in crisis or emergency situations (MTA has LEP protocols, although not written, and SFPL has general protocols but none specific to LEP persons); nine departments (35%) lacked protocols of any kind. Table 11 provides an overview of protocols reported by Tier 1 departments for serving LEP persons in emergency or crisis situations.

Table 11. Protocol for Serving LEP Persons in Crisis or Emergency Situations by Department

DEPT.	WORKS WITH CLIENTS IN CRISIS OR EMERGENCY SITUATIONS	CURRENT PROTOCOL FOR SERVING LEP PERSONS IN CRISIS OR EMERGENCY SITUATIONS	WRITTEN PROTOCOL
APD	Yes; public contact positions work with clients in crisis situations, including victims and probationers. However, APD staff is not designated as first responders and will refer phone calls to the appropriate authorities if needed.	Staff is trained to assess the situation, administer basic First Aid if appropriate, and to contact 911 if the situation is beyond their abilities. A list of all bilingual staff is posted for staff in case of emergencies. For languages other than those spoken by bilingual staff, Language Line services are used.	√
ASR	No	None	N/A
BM	No	None	N/A
DA	Yes; Victim Witness Advocates occasionally assist witnesses or victims who are in a crisis situation. The DA also handles a few crises through its front desk public contacts or its help lines.	Employees are trained to access employees who speak languages proficiently through a list that is available to everyone in the office. If a person is not available, employees are trained to use a Language Line telephone.	√
DBI	Yes; construction-related emergencies such as a landslide or building collapse, and building structural safety issues.	Contact a designated bilingual staff to assist in translation or contact 311 for assistance.	-
DEM	Yes; DEM manages the 911-call system for the City and County of San Francisco.	DEM does not have separate written protocols for serving LEP clients, as all 911 callers are by definition in an emergency situation.	√
DPH	Yes; DPH serves clients requiring medical, trauma, or psychiatric attention.	DPH has no policies or protocols specific to crisis situations, as interpreter services are available to all LEP patients and clients 24/7.	-

DEPT.	WORKS WITH CLIENTS IN CRISIS OR EMERGENCY SITUATIONS	CURRENT PROTOCOL FOR SERVING LEP PERSONS IN CRISIS OR EMERGENCY SITUATIONS	WRITTEN PROTOCOL
DPW	Yes; during emergency situations include flooding, earthquake, and severe storms.	DPW receives direction from DEM and utilizes 311 as a resource call-in center in the event of a crisis or emergency situation. The Emergency Preparedness Plan outlines procedures for common emergencies and how to continue operations during an emergency situation.	√
ELEC	Yes; such as the postponement of an election or the cancellation of an election (if ordered by the Governor of California); changes in polling place locations.	ELEC will disseminate information to the community through community contacts and the ethnic media. Additionally, ELEC will record a voice mail message providing information in Chinese and Spanish and post a notice on its website. Polling place changes are announced through trilingual postcards and trilingual signs posted at the former site.	√
ENV	No	ENV directs calls to 311 or Recology.	-
FIRE	Yes; FIRE works with clients in crisis and emergency situations everyday. Virtually all of its field personnel work with clients who are experiencing an emergency or crisis situation.	If an appropriate bilingual member is not on scene, crews will request SFPD assistance. In medical situations where SFPD is not available, and the patient is being transported to the hospital, assistance from hospital staff will be requested.	√
HSA	Yes; HSA provides a broad array of services that are usually provided as services of last resort or safety net services.	HSA's normal protocols for working with individuals that are LEP are also designed to address LEP persons in crisis.	√
JUV	Yes; JUV is prepared to respond to and address most emergency situations, and provides crisis intervention to the families it serves.	Section 10.2 of the Juvenile Hall Policy and Procedures is a nine-page policy related to Fire Safety and details the procedures to follow in the event of a fire or other emergency.	√
MTA	No; MTA does not work with clients in crisis or emergency situations on a regular basis, but may encounter an emergency situation in the event of a natural catastrophe, terrorist activity, national emergency, etc.	MTA's Language Assistance Plan includes the protocols for serving LEP persons in emergency situations that affect transit service. Protocols include mobilizing staff to provide in person information to passengers, broadcasting multilingual station announcements, and translating related documents if the situation allows.	√
OEWD	No	None	N/A
PDR	No	None	N/A
PLN	No	None	N/A
PUC	Yes; the PUC may on occasion experience an event such as a broken water main or wastewater main.	If a situation occurs, the Communication Division works with residents in the impacted area and with media to notify residents of any issues that may arise.	√
RNT	No	None	N/A
RPD	No	None	N/A
SFO	Yes; employees are trained to call 911 from airport phones and the Communications Center will dispatch fire, paramedics or police if necessary.	SFO's "Language Line Procedures for Emergencies" protocols detail how to contact emergency responders and Language Line in the event of an emergency.	√

DEPT.	WORKS WITH CLIENTS IN CRISIS OR EMERGENCY SITUATIONS	CURRENT PROTOCOL FOR SERVING LEP PERSONS IN CRISIS OR EMERGENCY SITUATIONS	WRITTEN PROTOCOL
SFPD	Yes; SFPD members are first responders in emergency situations, and has a select group of trained officers who make-up the Crisis Intervention Team.	SFPD's protocol is as follows: 1) Use a qualified bilingual police officer; 2) Use a qualified civilian employee or professional interpreter; and 3) Use a qualified interpreter over the phone who is either summoned by dispatch or by an officer.	√
SFPL	No; however, SFPL occasionally faces crises situations, such as theft, overdose/unconsciousness, and altercations between patrons.	SFPL employs a full time DPH Social Worker at the Main Library to assist with serious issues but otherwise does not have a separate protocol for serving LEP patrons in emergency situations.	N/A
SHF	Yes; SHF works with clients who are in the custody of the department, during the eviction process pursuant to Court Orders, and provides security at designated city and county buildings.	SHF provides on-premises interpretation services when available, and utilizes Language Line when an interpreter is not available on premises. A policy has been written and signed by the Sheriff; however, it has not yet been issued at this time.	√
TTX	No	None	N/A
ZOO	Yes; examples include natural disasters, dangerous animal escapes and human disaster.	None	-

E. QUALITY ASSURANCE

The LAO mandates that all translated materials be accurate and appropriate for the target audience. Departments must designate a staff member to ensure that all translations meet the accuracy and appropriateness standard set in Section 91.4, subsections (d) and (e) of the LAO. Departments that lack qualified bilingual staff must obtain checks from external translators and are encouraged to obtain feedback from community organizations. The information provided in this section correlates to questions 7, 8 and 12 on the FY2010-11 reporting form.

1. Designated Staff to Ensure Accuracy- Twenty Tier 1 departments (77%) reported having designated bilingual staff to ensure translation accuracy. The following table provides a breakdown of the number of employees who ensure accuracy and their respective language capabilities. The majority of designated staff members provide translations and interpretations in Spanish and Chinese (Cantonese and Mandarin).

Table 12. Number of and Languages Spoken by Designated Staff Responsible for Ensuring Translation Accuracy

DEPT.	NO. OF DESIGNATED STAFF	LANGUAGES
APD	15	Cantonese and Spanish
ASR	Varies	Not reported
BM	2	Cantonese and Spanish
DA	11	Cambodian, Cantonese, Chao-Chow, Danish, French, Mandarin, Russian, Spanish, and Vietnamese
DBI	25	Cantonese, Mandarin, and Spanish
DEM	None	N/A
DPH	5	Cantonese, Russian, Spanish, Tagalog, and Vietnamese
DPW	7	Cantonese, Mandarin, Spanish, and Tagalog
ELEC	4	Cantonese, Mandarin, and Spanish
ENV	7	Cantonese, Mandarin, Russian, Spanish, and Tagalog
FIRE	40	Cantonese and Spanish
HSA	597	Cambodian, Cantonese, Greek, Japanese, Korean, Laotian, Mandarin, Russian, Spanish, Tagalog, and Vietnamese
JUV	3	Cantonese, Mandarin, Spanish, and Vietnamese
MTA	102	Cantonese, Hebrew, Mandarin, Punjabi Urdu, Romanian, Russian, Serbian, Spanish, and Tagalog
OEWD	None	N/A
PDR	None	N/A
PLN	Varies	Cantonese, Mandarin, and Spanish
PUC	6	Cantonese, Mandarin, Russian, and Spanish
RNT	2	Cantonese, Mandarin, and Spanish
RPD	3	Cantonese, Mandarin, and Spanish
SFO	2	Mandarin and Spanish
SFPD	None	N/A
SFPL	17	Cantonese, Mandarin, Russian, Spanish, Tagalog, and other (not identified)
SHF	None	N/A
TTX	12	Cantonese and Spanish
ZOO	None	N/A

2. Specific Training for Bilingual Staff- Table 13 summarizes the training and quality control mechanisms implemented by Tier 1 departments. Many departments are unclear on the level of quality control they need to impose on bilingual personnel to ensure quality translations. Although 15 departments (58%) reported that they offer training for bilingual staff and 17 (65%) reported maintaining quality controls, no department was specific in describing how quality was ensured and how language fluency was measured. Many departments use the Department of Human Resources (DHR) language certification as a starting point and a way of providing quality controls for bilingual staff. Although the DHR test sets the standard for citywide bilingual pay, there is no additional follow-up after the certification is rendered nor is there a citywide language competency standard for translation and interpretation services.

Table 13. Summary of Training and Quality Controls for Bilingual Staff by Department

DEPT.	OFFERS TRAINING FOR BILINGUAL STAFF	QUALITY CONTROLS FOR BILINGUAL STAFF
APD	Yes; APD has training available in basic Spanish and Cantonese for support staff and deputy probation officers.	Yes; all designated bilingual staff are tested and certified by the Department of Human Resources (DHR).
ASR	No; bilingual staff have just been appointed and appear to be proficient. If any weaknesses or gaps come to light, the department will schedule training accordingly.	Yes; document translations are done by Language Line and then checked by certified staff. All bilingual staff is expected to provide the correct information to all constituents.
BM	No; BM will provide training once employees have been certified by DHR.	No; BM will institute controls once staff are certified by DHR.
DA	No; the DA did not offer any training this year.	Yes; the DA has designated staff members who ensure the accuracy of translated material.
DBI	Yes; training is provided to all DBI staff on all processes and procedures. Bilingual staff uses the training received and their knowledge to assist customers.	No; bilingual staff mainly offers assistance in their designated areas. Their overall knowledge of DBI's operations allows the staff to provide a high quality of customer service, include bilingual services.
DEM	Yes; DEM offered elementary Spanish classes to employees through City College.	No
DPH	Yes; employees are trained to access interpreter services at orientation and periodic interpretation and translation training is provided. At Laguna Honda Hospital, all direct patient care staff receive training on patient centered care, communication and patients rights with a focus on cultural competency.	Yes; employees that receive bilingual premium must be certified by passing a medical interpretation test.
DPW	Yes; DPW's harassment prevention training materials for line-staff are being translated into Spanish and Chinese and DPW will be able to provide the training as needed.	Yes; employees are certified by DHR.
ELEC	Yes; ELEC developed a glossary of election specific terminology. All bilingual employees are familiar with this document and the proper usage of the terms.	Yes; only employees who passed the bilingual proficiency test administered by the City and County of San Francisco occupy the positions requiring bilingual fluency. Additionally, the hiring process for staff tasked with the production of multilingual materials includes consideration of prior work experience and proofreading tests. All applicants must attain a perfect or near-perfect score on these tests to be considered.
ENV	No; training is currently only available in English.	Yes; employee must be willing and speak the language fluently enough to answer client questions or present before large client meetings.
FIRE	No; FIRE does not offer training for bilingual staff. No need for training staff in any particular language skill was identified for improving the provision of or access to FIRE's services.	No; FIRE is developing language-testing scenarios to be submitted to DHR for the next language testing cycle. FIRE relies on DHR certification as quality control for bilingual employees.
HSA	Yes; select trainings are designed to cover working with special populations. Such trainings include "Crisis Prevention and Intervention" and "Cultural Competency: Appreciating Diversity."	Yes; HSA staff are certified as qualified bilingual through the Civil Service process, which involves testing in the designated language by the HSA Examinations Unit.

DEPT.	OFFERS TRAINING FOR BILINGUAL STAFF	QUALITY CONTROLS FOR BILINGUAL STAFF
JUV	No; JUV is exploring bilingual and/or language training.	No; qualified staff members are tested by the City and County of San Francisco to certify bilingual status, but JUV does not monitor ongoing bilingual status and skills.
MTA	Yes; public contact staff is trained to assist LEP clients. Informational materials provided by Language Line are also distributed to public contact staff. MTA hopes to partner with OCEIA staff for additional training for its employees.	Yes; designated staff and/or external resources review translated materials.
OEWD	No	No
PDR	No; training is related to the essential functions of a position and for software used by the department.	No; the performance standards are the same for all employees.
PLN	Yes; DHR provides Customer Service training.	Yes; bilingual staff review translated written materials for technical accuracy and work with Planners to ensure that services being requested via telephone are provided to the customer.
PUC	Yes; various divisions train bilingual staff to disseminate information and address water conservation issues in the appropriate client language.	Yes; the bilingual test administered by the City and County of San Francisco is used as verification of language ability, and a multi-language Glossary of Terms assists staff in consistent translation of water utility terminology.
RNT	Yes; RNT trains staff on the applicable requirements of the job, including how to serve the LEP community.	Yes; the quality of services provided to the public is monitored by supervisory staff that is physically present to audit interactions with all clients.
RPD	Yes; all front-line staff members are trained along National Parks and Recreation Association guidelines. One of the training topics includes interacting with non-English speaking clients.	Yes; all employees are expected to adhere to general customer service standards, including providing excellent service to the public.
SFO	Yes; SFO offers training to all employees and provides Language Line training through its Customer Service training.	Yes; all bilingual employees must be certified by the City and receive bilingual pay.
SFPD	No; SFPD's budgetary constraints due to the poor economic climate have hindered its efforts to offer training for bilingual staff.	No; employees who are bilingual undergo a one-time certification process conducted by the Department of Human Resources to determine whether they can acceptably act as interpreters.
SFPL	Yes; Bilingual staff may participate in any of the 1,071 training courses offered by SFPL to enhance their Library skills. Additionally, several International Book Fairs and Cultural Seminars are offered to staff.	Yes; SFPL reviews population and demographic reports to determine recruitment needs. The hiring process includes a comprehensive bilingual examination and selection process by a diverse panel focusing on public service needs.
SHF	No	Yes; the DHR provides a proficiency test for employees who wish to be certified as a bilingual employee.
TTX	Yes; TTX held mandatory training sessions this past year largely focused on the use of Language Line, but also to present and discuss language access issues related to customer service.	Yes; TTX requires certification for translations done in official capacities. Translated materials are reviewed by certified staff or externally. TTX intends to initiate more extensive quality controls for bilingual employees.
ZOO	No; currently the requests by LEP individuals are too low to warrant specific training. Once protocols are established the appropriate training will be undertaken.	No

F. SELF-ASSESSMENT

The LAO allows Tier 1 departments to assess their own progress relative to compliance and language access goals. This section analyzes the responses provided in the reporting form to questions 6, 8 and section B(2). Most departments did not provide direct answers to the self-assessment questions, suggesting a need for stronger guidelines or a need for additional amendments to the ordinance for more objective criteria.

1. Public Contact Position- Most Tier 1 departments reported having sufficient bilingual staff to meet LAO requirements and to serve LEP clients. Bilingual staff represent 25% of all public contact staff while LEP clients represent 11% of all client interactions for all Tier 1 departments. Departments reported no significant disparities in the proportion of bilingual staff available relative to LEP clients served among departments.

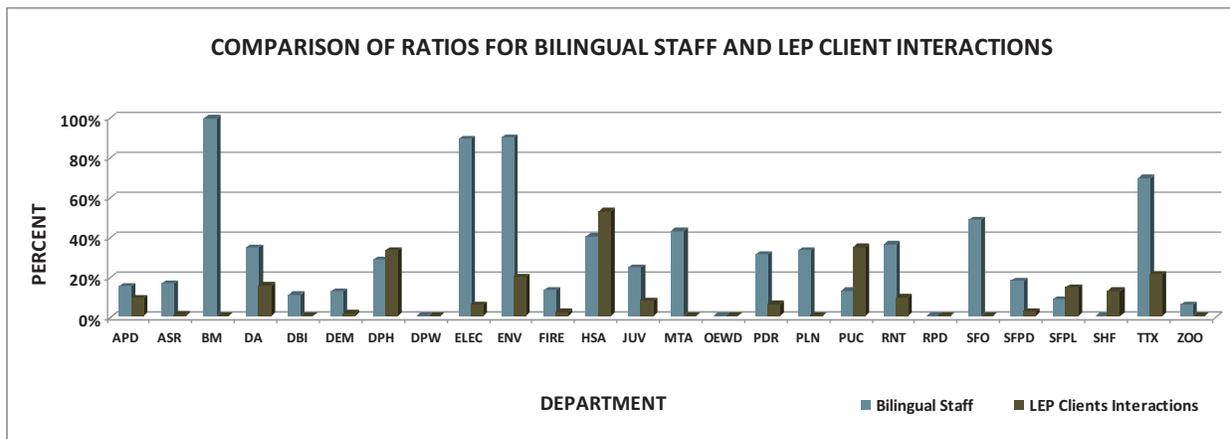


Figure 4. Ratios of Bilingual Staff and LEP Client Interactions

Table 14 provides information on various positions held by bilingual staff. Public contact positions include a variety of titles: clerks, attorneys, engineers, public relations officers and firefighters are some examples.

Table 14. Description and Assessment of Bilingual Employees by Department

DEPT.	STAFF POSITIONS	MEETS LAO REQUIREMENTS
APD	Clerks, probation officers	✓
ASR	Assessment clerk, senior legal process clerk	✓
BM	Administrative aide, senior secretary	✓
DA	Attorneys, paralegals, victim/witness advocates	✓
DBI	Clerks, building inspectors, typists	✓
DEM	Public safety dispatchers, public safety supervisors	✓
DPH	Managers, analysts, technicians, nurses, physician specialists	✓
DPW	Administrative analysts, assistant engineer, public relations officers	✓
ELEC	Elections clerks, junior clerks	✓
ENV	Environmental specialists, outreach associates	✓
FIRE	Captains, lieutenants, firefighters	✓
HSA	Clerk typists, protective services workers, senior eligibility workers, social work specialists	✓
JUV	Counselors, deputy probation officers, secretary	✓
MTA	Public relations officers, station agents, transit fare inspectors	✓
OEWD	Did not provide information	-
PDR	Investigators, legal process clerks, social workers	✓
PLN	Executive secretary and senior clerk typist	✓

DEPT.	STAFF POSITIONS	MEETS LAO REQUIREMENTS
PUC	Public information officers, senior water clerks, water service inspectors	√
RNT	Citizen's complaint officers	√
RPD	Facility coordinators, recreation leaders, recreation supervisor	√
SFO	Communications dispatchers, information volunteers, personnel analysts	√
SFPD	Civilians, inspectors, police officers, sergeants	√
SFPL	Librarian, library assistants	√
SHF	Not specified	√
TTX	Account clerks, senior collections officers, cashiers, management assistants	√
ZOO	Animal keeper, payroll coordinator	√

2. Protocols to Communicate with LEP Persons- Tier 1 departments were asked to summarize their procedures for serving LEP clients and self-assess whether their methods to communicate with LEP clients were adequate. Twenty-five departments (96%) provided a summary of their procedures for serving LEP clients. Twenty-four departments (92%) assessed their current methods for serving LEP clients as adequate. Most departments use bilingual staff or a telephonic language provider such as Language Line in their procedures for dealing with LEP clients. However, two departments use 311 as the main or only method of providing language services. 311 is not a Tier 1 department, but it serves as the primary agency providing information to the public and directs callers to city resources and programs.

Table 15. Summary of Procedures for Serving LEP clients and Self-Assessment of Procedures

DEPT.	SUMMARY OF PROCEDURES FOR SERVING LEP CLIENTS	ADEQUATE BY DEPT'S ASSESSMENT
APD	APD has bilingual staff in the Reception Area and assigns cases to bilingual officers based on language need when possible. For other language needs, APD uses Language Line.	√
ASR	ASR staff will first assist by locating a staff member on duty with the necessary language skills. If no bilingual staff is available, staff will use the Language Line dual-handset phones to communicate with customers.	√
BM	Front desk personnel and 311 help provide translation for Spanish, Mandarin and Cantonese as needed.	-
DA	Designated interpreters assist people in the front reception area and eight Language Lines are installed throughout various office locations. When required to conduct a class or community court, the DA hires bilingual translators. Anyone who needs an interpreter in court is allowed to access court litigation funds for an interpreter.	√
DBI	Designated Chinese and Spanish bilingual staff assist LEP clients by phone and walk-in clients that request bilingual assistance. Bilingual services are also provided on the field by inspection staff.	√
DEM	Bilingual staff communicates directly with 911 callers when available. Otherwise, interpretation services are provided through Language Line.	√
DPH	Signage in core languages advises clients of their rights to language access at point of service. Many clinics have certified bilingual staff to interpret and SF General Hospital has video monitor interpreter (VMI) services. If in person or VMI is not available, telephonic interpretation is provided.	√
DPW	Public information and community program staff routinely communicates with and solicit feedback from the public and provide community outreach services. Bilingual staff communicates with the public and provide the department with written translations.	√
ELEC	On Election Day, ELEC maintains adequate bilingual poll worker staffing levels for voting and all polling place signage is translated into Chinese and Spanish. ELEC actively conducts voter outreach to LEP communities to inform them of the voting process and the services available.	√
ENV	Most LEP calls are directed to 311 or the customer service line with Recology, the City's recycling service provider. Incoming calls that need to be taken by in house staff are directed to appropriate bilingual on-site staff.	√

DEPT.	SUMMARY OF PROCEDURES FOR SERVING LEP CLIENTS	ADEQUATE BY DEPT'S ASSESSMENT
FIRE	All 911, emergency and non-emergency calls are processed through DEM. For non-emergency and administrative calls received at headquarters or another office area, staff is instructed to conference-call the LEP client to the language vendor. At the scene of an incident, FIRE bilingual members may assist LEP clients or request the assistance of a SFPD bilingual officer.	√
HSA	HSA's protocols, "Services to Non-English Speaking, Limited-English-Proficient Applicants/Recipients and Applicants/ Recipients with Disabilities," detail how to allow individuals to self-identify language preferences, how to access interpretation/ translation services and define who is an acceptable interpreter for the individual.	√
JUV	JUV uses certified bilingual staff when possible, then non-certified bilingual staff, and then the phone line. JUV arranges interpretation services at public meetings as needed. Translators are provided at Probation Orientations when needed.	√
MTA	If a customer requires language assistance and there is no Language Line access or bilingual employee available, staff will ask a bilingual employee for assistance via phone or in-person. In the customer service center, LEP clients can self-select to enter the queue system for assistance in Chinese ore Spanish; other LEP clients can indicate language preference via "Interpretation Service Available" posters.	√
OEWD	None	-
PDR	Front desk staff communicates with clients and family members via telephone and in person. If there is a need for interpreters for languages not spoken by an employee, Language Line is utilized.	√
PLN	PLN utilizes Language Line and has a phone line for Cantonese/Mandarin and Spanish speaking and speaking customers. Bilingual staff is also available on the occasion that it is requested and appropriate.	√
PUC	Divisions such as Customer Service and the Communications Division are able provide telephonic services to clients. The Customer Service Bureau's call center also provides Chinese and Spanish voice messages to direct LEP customers to the appropriate service.	√
RNT	RNT assists walk-in clients and calls from LEP clients by first assessing the client's language requirements, and uses bilingual staff, if available, or telephone-based interpretation services (Language Line) to communicate with the client.	√
RPD	RPD communicates with LEP persons through a combination of direct interaction with the client and the use of Language Line. Bilingual staff may be asked to translate. For telephone calls and situations that require more complex translation, staff members are directed to inform the caller to wait while Language Line is accessed.	√
SFO	SFO utilizes Language Line as the primary means of translation used in the Communications Center and at the Information Desks. Bilingual airline staff, volunteers, and contract vendor staff are assigned throughout the airport to offer assistance.	√
SFPD	SFPD's protocol directs personnel to follow a specific order of preferred methods to communicate with LEP persons: first, with a qualified bilingual sworn employee; second, use a qualified bilingual civilian or professional interpreter; and finally, to use a qualified interpreter telephonically through dispatch of a city contracted service provider.	√
SFPL	Core library services are provided in multiple languages. Staff is able to provide live or over the phone interpretation as needed if on-duty staff do not have the specific language skill at a library location where it is needed.	√
SHF	SHF provides on-premises translation services when available. If an interpreter is not available, Language Line is utilized.	√
TTX	TTX relies upon its in-house certified translators and non-certified bilingual staff; the Mayor's Office of Neighborhood Services is contacted for other occasional needs. TTX also utilizes IVR ("pay-by-phone") systems for electronic payments annually, and these services are available in Spanish, Cantonese and Mandarin.	√
ZOO	In the past several years the ZOO's bilingual staff handled one or two requests made by LEP individuals. Any LEP-related requests will be handled on a case-by-case basis.	√

3. Assessment of FY 2011-12 Plans & Goals- Twenty-two Tier 1 departments (85%) provided an assessment of their goals and improvements for FY2011-12 and reported that: 1) they were achieving their goals, or 2) progress was ongoing. The goals included: increasing publicity of language services, maintaining bilingual staff and increasing translated materials.

Table 16. Assessment of FY2011-12 Plans and Goals

DEPT.	GOALS SUBMITTED FOR FY2011-12	ASSESSMENT OF GOALS FROM FY2011-12
APD	APD plans to maintain the current level of service for all LEP clients and adhere to the department's staff Bilingual Premium Policy to ensure compliance with collective bargaining unit's labor Memorandum of Understanding and City policies.	For FY 2011-2012, APD has been in full compliance with its goal to adhere by City standards for language services to LEP clients. Bilingual staff fills 15% of public contact positions in the Department.
ASR	ASR plans to be more aggressive in publicizing the availability of Language Line services at ASR and will work with BoE to advocate for the translation of more BOE forms.	ASR has increased publicity of its services by doing press releases in newspapers that penetrate LEP constituencies. It has increased the number of languages that the NAV letters are available in and made translated materials accessible online.
BM	None	BM has provided translations and interpretation as needed via front-desk staff or 311.
DA	DA plans to complete translation of its website as it completes designing the website, place an emphasis for language proficiency when hiring backfills, and continue to have informational materials translated into core languages.	The DA met its goals of hiring bilingual employees and maintaining bilingual employees in its public contact positions, particularly in its Victim Witness Unit. Many of the DA's newly hired attorneys are also bilingual, and the DA has improved the language capability of its Consumer Mediation Unit.
DBI	None	DBI maintained its designated bilingual staff of 25 since December 2010. Bilingual staff are assigned throughout the different department functions and bilingual inspectors are assigned to districts with the most bilingual population.
DEM	DEM's plans to continue providing fast and accurate oral translation services for 911 callers and accurate translated written materials.	DEM is satisfied with its progress in meeting its LAO goals.
DPH	Not reported	Currently clients have access to interpreter services 24/7 and wait time is minimal.
DPW	DPW plans to educate employees on LAO requirements and develop procedures for accepting and resolving complaints regarding alleged violations of the LAO. It will continue partnering with community-based organizations and ethnic media in order to provide program and project updates.	DPW continues to work with GSA to implement policies and procedures to ensure that LEP individuals have access to city services. DPW has an assigned point person to ensure compliance with Title VI requirements and works with ethnic media outlets to conduct outreach and disseminate information LEP individuals.
ELEC	ELEC plans to continue to screen applicants for bilingual poll worker positions in order to provide effective language assistance to voters on Election Day; ensure proper bilingual assistance through quality control methods; continue to partner with community-based organizations in order to disseminate information about multilingual services; and review the Department's language services as Census 2010 language information is released.	ELEC is meeting its goals for FY2011-12: it offered one-hour pollworker training classes in Cantonese, Mandarin, Spanish and Russian; partnered with community-based organizations to expand services to Chinese and Spanish-speaking communities; and accomplished its Outreach and Education Program objectives for the November 8, 2011 General Election.
ENV	ENV has no written goals for 2011-2012. It would be helpful if OCEIA could provide assistance in developing goals, or providing examples of such.	ENV did not submit goals in its FY2011-12 report.

DEPT.	GOALS SUBMITTED FOR FY2011-12	ASSESSMENT OF GOALS FROM FY2011-12
FIRE	FIRE plans to continue providing and maintaining translated materials that are currently available for the department and the Commission, and overall increase the public's accessibility to the department; improve internal resources by encouraging personnel to take the bilingual certification exam and creating an internal personnel database of bilingual members; and emphasize data collection through tracking various demographics.	FIRE has met some of its goals for FY2011-12. Others are still ongoing and are being carried over into FY2012-13, while others have been eliminated altogether as they no longer are applicable.
HSA	HSA plans to develop a central repository on its intranet containing materials for staff to use in working with bilingual clients, increase client access to benefits information, and increase resources for translation and interpretation services.	HSA spent \$891,700 on language services, which reflects an almost 17% increase in spending. HSA increased clients' access to benefit information, as the Benefits SF webpage is available in languages other than English. Work to develop a central repository on the HSA intranet has stalled due to limited resources for making changes to existing intranet and reconfiguration of the Bilingual Services Committee.
JUV	JUV plans to ensure that the Parent Guide to the Juvenile Justice System is up to date and available in all translated languages at Juvenile Hall and available to community partners. It will continue translating new material into key languages. JUV also hopes to work with OCEIA to review its protocols for communicating with LEP clients.	JUV has met most of its goals from FY2011-12. JUV is willing to meet with OCEIA to review its protocols if needed, and is in the process of finding a program that will allow it to track its clients by supervisorial district.
MTA	MTA plans to partner with OCEIA to provide training for public contact staff. It also plans to prioritize documents for translation, and expand available materials by utilizing in-house and external resources and leveraging existing products that have been developed and paid for by local, regional, state and federal government agencies. If resources are available, MTA would also increase bilingual capabilities in the Community Outreach group and in the Customer Service Center.	MTA identified and began translating priority documents. All other goals are ongoing for FY2012-13.
OEWD	None	None
PDR	PDR plans to translate additional materials into Cantonese and Spanish.	Current level of services meets the needs of LEP clients.
PLN	PLN's annual goal is to provide language services for any person needing to access the Department.	PLN was able to provide services to all individuals who have requested assistance in a language other than English and provided translation services at public workshops.
PUC	PUC plans to develop an agency-wide policy for communicating with LEP customers and a complaint procedure; assign a LAO liaison; develop a method for capturing and tracking information about languages spoken by customers; and assess the need for telephonic language interpretation services.	Staff has demonstrated a professional approach to achieving all goals detailed in the SFPUC Language Access Policy related to addressing LEP clients on all agency programs.
RNT	None	Translated documents and increased distribution. Also hired interpreters when needed by clients.

DEPT.	GOALS SUBMITTED FOR FY2011-12	ASSESSMENT OF GOALS FROM FY2011-12
RPD	In development	RPD increased the number of translated materials available and increased usage of Language Line services. It is still developing department protocols and assessing the department's Language Access needs.
SFO	SFO will continue to ensure that all LEP traveling public have access to Airport Services and will continue to monitor LEP needs throughout the year.	The needs of LEP clients have been adequately met by Language Line, bilingual staff, and volunteers and no complaints have been filed.
SFPD	None	None
SFPL	SFPL plans to analyze 2010 US Census results for San Francisco; develop a strategy for enhancing translation of print materials; implement a complaint procedure to manage alleged violations of the LAO; and review current public policies and procedures and identify those that should be adapted to address specific needs of LEP patrons.	SFPL was able to identify the populations served within each branch library service area and analyzed this demographic data when making incremental language-based staffing changes. SFPL also analyzed the acquisition and management of its language collections to ensure that appropriate language collections are developed in multiple formats. The review and implementation of various protocols and procedures are expected to begin January 2012.
SHF	SHF will continue to provide on premises translation services when staff is available or use Language Line. It plans to identify bilingual staff that have not been certified through the Department of Human Resources and develop a written policy regarding LEP persons.	None
TTX	TTX plans to create an awareness campaign regarding LAO requirements as needed in TTX; implement the use of Language Line throughout all service areas; allocate funds and staff project time for translation of widely used documents key languages; develop standard protocols and procedures required by the LAO; and leverage existing resources.	TTX began using Language Line's services and has translated or is in the process of translating key documents. It created a Language Access Project Team, which is tasked with developing and implementing formal procedures for serving LEP individuals.
ZOO	ZOO plans to develop plans once the requirements of the ordinance have been determined; assess current processes and materials for communicating and make adjustments if necessary; and determine if additional systems are required.	ZOO's goals from FY2011-12 are in progress and will be ongoing in the upcoming fiscal year.

4. Changes, Improvements, Barriers and Resources- Table 17 summarizes changes from the previous annual compliance plan report period. Tier 1 departments were asked to describe planned improvements for providing language services; barriers to complying with the LAO and proposed solutions; and planned redistribution of resources to meet gaps in providing language access services. Seventeen departments (65%) reported improvements in providing language services. Most departments reported increasing bilingual staff, publicizing bilingual services and implementing dedicated phone lines to address LEP needs. Notable changes include DBI’s implementation of Selectron Interactive Voice Recognition (IVR), which allows customers to schedule inspections in English, Chinese and Spanish, and the PUC’s development of universal icons to inform LEP clients of their territories in case of emergencies. Ten departments (38%) reported no changes from the prior reporting year. Fifteen departments (58%) plan to redistribute resources to meet language gaps. The most commonly reported barriers reported by departments included: budget constraints and lack of specialized bilingual personnel. However, half of all Tier 1 departments reported facing no barriers to compliance.

Table 17. Summary of Changes from FY 10-11 in Language Services Provided by Departments

DEPT.	OVERALL CHANGES FROM FY 2010-2011	IMPROVEMENTS IN PROVISIONING LANGUAGE SERVICES	BARRIERS TO COMPLIANCE & PROPOSED SOLUTIONS	REDISTRIBUTION OF RESOURCES TO MEET GAPS
APD	No changes	APD assigns LEP clients to bilingual staff when possible; otherwise, staff uses Language Line. Staff reports great satisfaction Language Line’s services.	None	APD is able to make staff reassignments when necessary and seek assistance from bilingual staff within the department.
ASR	ASR translated its Notice of Assessed Value letters into more languages, increased the number of certified bilingual staff, and is working with BoE to translate more forms in different languages.	ASR will be placing more emphasis on increasing awareness among ASR LEP constituents regarding the department’s language assistance options.	ASR is limited in its funds to support additional translation services. Most forms are mandated by state or local law, and translations must also be accepted by the overseeing entity.	ASR will be more aggressive in publicizing the availability of Language Line services and is working with the BoE to advocate for the translation of more BoE forms.
BM	No changes	BM plans to contact DHR to have staff members certified as bilingual employees.	None	There is no need to redistribute resources at this time.
DA	The DA increased its number of bilingual staff and maintained bilingual staff in key positions. Bilingual victim advocate staff members participate in neighborhood outreach programs.	The DA reviews its ability to reprint translated materials and Language Line usage to promote wide utilization. It is assessing points of contact to determine opportunities to provide additional language access and is improving neighborhood outreach.	The biggest barrier is finding wide and varied language skills among the specialized staff that the office employs, as language access isn’t the only consideration during hiring.	A list of people who are proficient in languages other than English is available to staff through the DA’s internal network and eight Language Lines phone sets are available throughout the office.

DEPT.	OVERALL CHANGES FROM FY 2010-2011	IMPROVEMENTS IN PROVISIONING LANGUAGE SERVICES	BARRIERS TO COMPLIANCE & PROPOSED SOLUTIONS	REDISTRIBUTION OF RESOURCES TO MEET GAPS
DBI	DBI implemented Selectron Interactive Voice Recognition System (IVR) that allows customers to schedule inspections in English, Chinese, and Spanish, and distributed a list of bilingual staff to supervisors for easy reference.	DBI has maintained its designated bilingual staff of 25 since December 2010.	None	DBI designated bilingual staff are assigned throughout the different department functions and bilingual inspectors are assigned to districts with the most bilingual population, facilitating communication essential to achieve code compliance.
DEM	No changes	There are no changes planned.	None	There is no need to redistribute resources at this time.
DPH	Maxine Hall now has access to VMI and SFGH Interpreters. All other clinics have access to interpretation through poly com phones that are used solely for interpreter services.	Currently, all languages are available 24/7 and all calls are routed through the interpreter services unit. If staff cannot interpret, the call is routed to a vendor. DPH's plans to expand VMI to more areas, to provide efficient interpreter services that allow for visual contact.	Currently, all requisitions are on hold. Additionally, budgetary constraints are barriers to replacing and upgrading the existing VMI and telephonic equipment.	VMI is part of a larger initiative to provide better and more efficient access to specialties across DPH. VMI allows access to interpreters without travel time and provides visual contact with patient and health care provider to ensure more accurate communication on medical issues.
DPW	DPW is in the process of having its harassment prevention training materials for line-staff translated into Spanish and Chinese and will provide the training as needed.	There are no changes planned.	None	DPW currently provides adequate resources to the LEP community at its counter and on the phone by utilizing available staff and 311's Language Line.
ELEC	No changes	There are no changes planned.	None	There is no need to redistribute resources at this time.
ENV	No major changes	ENV continues to partner with Recology, CBOs and contractors to ensure programs and services are delivered to San Francisco's diverse communities.	None	ENV uses a diverse set of tools to address service gaps, from utilizing CBOs, employees, vendors and volunteers to fill in any gaps.

DEPT.	OVERALL CHANGES FROM FY 2010-2011	IMPROVEMENTS IN PROVISIONING LANGUAGE SERVICES	BARRIERS TO COMPLIANCE & PROPOSED SOLUTIONS	REDISTRIBUTION OF RESOURCES TO MEET GAPS
FIRE	This year FIRE provided a more accurate count of bilingual employees and has better knowledge of the types of critical information that require translation.	FIRE is confident in its ability to provide services but will continue to seek how to utilize resources in a more efficient and productive manner. FIRE will have its own telephonic interpretation account, which will improve client demographic tracking.	More could be achieved if the need for more language resources was evidenced, existing computer software enabled specialized capabilities, and additional financial resources were available.	If additional needs arise, FIRE will use funds from the General Operating Budget and utilize the skills of the Department's bilingual personnel. FIRE may also seek assistance from employee groups with bilingual capabilities.
HSA	Client information and staffing pattern information has been updated to reflect the current realities of HSA.	HSA strives to maintain a staffing pattern that represents its client base and conducts an annual language service needs/staffing review to identify and remediate gaps. It has a bilingual services committee tasked with addressing ongoing needs and plans to improve access to services.	Fiscal and staffing resources were more limited than expected. Little progress has been made in translating the website; however, it is now more standardized which will allow for easier translation and consistent messaging.	HSA's Senior Management Team meets weekly to review staffing requests. One of the factors considered is language needs of the program in prioritizing which positions to fill.
JUV	The strategies instituted over the past five years were instrumental in helping JUV meet the needs of its clients. It will continue the same best practices and has not made many substantial changes.	JUV's goal is to make its work with LEP youth and parents part of its Standard Operating Procedure through leadership, education, and mentoring from JUV management to line staff.	The most prominent barrier is the lack of personnel to perform on-the-spot translation services. The reduction in JUV staff over the past several years has also impacted youth services.	JUV's strategy is to use its internal, existing resources to maximum advantage when dealing with language access-related situations.
MTA	MTA updated demographic information and information for public contact employees. MTA created a standardized spreadsheet for all public contact employees so that the information is centralized.	MTA will continue to provide information and language assistance to its customers through all measures mentioned in its report. In the past year, community-based organizations provided document translation assistance and language assistance at community outreach events.	Increased resources would allow MTA to translate more documents and hire more multilingual staff, which would offset translation costs. Until resources are available, MTA will rely on internal staff and external resources.	Assistance from MTA bilingual staff outside of the Communications team can be utilized to assist with written and oral language assistance as appropriate.
OEWD	-	-	-	-

DEPT.	OVERALL CHANGES FROM FY 2010-2011	IMPROVEMENTS IN PROVISIONING LANGUAGE SERVICES	BARRIERS TO COMPLIANCE & PROPOSED SOLUTIONS	REDISTRIBUTION OF RESOURCES TO MEET GAPS
PDR	No changes	There are no changes planned.	There are no barriers to compliance, but PDR will work on documenting client demographic information in the next reporting period.	There is no need to redistribute resources at this time.
PLN	PLN began tracking the number of clients requesting services in languages other than English.	The completion of the public engagement strategy and role of the Public Relations Officer will allow PLN to identify weaknesses in its outreach process and develop improvements to address those weaknesses.	None	There is no need to redistribute resources at this time.
PUC	PUC administered a language needs survey and translated five notices into five languages. It also developed universal icons to inform LEP clients of its service territory in emergencies.	PUC plans to track written documents, telephone and face-to-face customer contacts and media contacts to ensure that it meets the needs of LEP clients.	None	PUC will explore the use of services such as Language Line for inspectors and field personnel to use when working on projects and when working with the public at work sites.
RNT	RNT updated its client information and sections of the report to indicate its increased demand for interpreters and its commitment to bilingual staffing.	RNT continues its current strategy of making more documents accessible in more places to better meet the needs of LEP clients.	RNT believes it has achieved compliance and excellent service despite barriers to service delivery.	RNT believes it is meeting its service requirements, but it is seeking significant increases to its budget to better assist the community with more language accessibility.
RPD	RPD translated additional materials and increased its usage of Language Line services.	RPD is developing written protocols for the department as well as assessing clients' language needs.	RPD faces limited resources and continues to work to identify solutions to achieve its goals.	There is no need to redistribute resources at this time.
SFO	No changes	SFO will continue to monitor LEP needs and ensure that all LEP traveling public are provided access to airport services.	None	There is no need to redistribute resources at this time.

DEPT.	OVERALL CHANGES FROM FY 2010-2011	IMPROVEMENTS IN PROVISIONING LANGUAGE SERVICES	BARRIERS TO COMPLIANCE & PROPOSED SOLUTIONS	REDISTRIBUTION OF RESOURCES TO MEET GAPS
SFPD	The data regarding LEP contacts this year should be more accurate, as data was gathered from more sources. SFPD plans to hold additional divisions more accountable in reporting LEP contacts in the future to ensure greater accuracy.	Currently, SFPD is studying how to gather more detailed and accurate information regarding LEP contacts, specifically from the Airport Bureau's database.	The Office of Citizen Complaints indicated that 1.75% of all complaints were of violations of the SFPD's Language Access protocols. Due to the relatively low percentage of complaints, no obvious barriers have been identified. The biggest obstacle is the lack of funding.	There is no need to redistribute resources at this time.
SFPL	This year's plan includes more detailed information regarding demographics of library patrons by district, specifically those that are linguistically isolated.	A full review of policies and procedures will be completed this fiscal year and implemented in FY2012-13. A review of translated documents and plans for enhancing these services will be completed this fiscal year and implemented in FY2012-13.	SFPL reopened eight branch libraries during the past fiscal year, requiring a high percentage of time and resources to be focused on that effort; however, SFPL is on track to completing the work plan for the current fiscal year.	The Library will continue to reallocate language requisitions as positions become vacant, using demographic data to inform these decisions. An increase to the translation and interpreter budgets will enable staff to meet patron needs.
SHF	No changes	There are no changes planned.	None	There is no need to redistribute resources at this time.
TTX	Many of the goals from last year's plan have happened or are in progress. The number of employees designated to facilitate these efforts recently grew from two to four individuals, comprising a newly formed project team.	The recent allocation of additional staff time and resources to further the progress of the TTX's language access goals will make the most marked difference. The existing implementation and use of telephonic translation services and translation of widely used documents will build upon TTX's customer service.	Key barriers have been time, staff resources and staffing turnover, which have slowed TTX's progress in fulfilling its LAO goals.	TTX adjusted the job description and duties of some of its customer service staff so that there are now at least four staff members focusing efforts on language access in the department.
ZOO	No changes	The ZOO plans to begin capturing demographic information for requests and complaints.	None	There is no need to redistribute resources at this time.

G. COMPLAINTS

The LAO requires departments to allow the public to make complaints alleging violations of the LAO in each language spoken by a Substantial Number of Limited English Speaking Persons.¹⁵ The Complaints may be made by telephone or by completing a complaint form. All departments are required to document actions taken to resolve each complaint and maintain copies of complaints and documentation of their resolution for a period of not less than five years. A copy of each complaint must be forwarded to the IRC and OCEIA within 30 days of its receipt.

Tier 1 departments must provide information on their LAO complaint processes in their annual compliance plan filings. This section analyzes the answers provided in response to question 13 in the FY2010-11 reporting form.

1. Complaint Procedures- Table 18 describes complaint procedures used by Tier 1 departments. Tier 1 departments employ different methods for solving complaints- most complaints are reviewed by a specific unit or officer within the department. In FY 10-11, OCEIA received only one complaint regarding a violation of the LAO from a city department. However, annual compliance plans reveal that departments reported receiving a total of 18 LAO complaints in FY 10-11, 100% of which were resolved internally. Although the number of LAO complaints relative to the total number of other complaints received by Tier 1 departments was small (0.008%), all city departments are required by the LAO to forward complaints to OCEIA.

Table 18. Complaint Procedures by Department

DEPT.	WRITTEN & PUBLICALLY POSTED	DESCRIPTION OF PROCEDURE
APD	√	Complaints may be received in person or in writing.
ASR	-	All external complaints are addressed by the manager of the Public Service Division, the Assessor-Recorder, or the Chief Administrative Officer.
BM	-	None
DA	√	The complaint is accepted and forwarded to the staff member designated for ensuring the accuracy and appropriateness of the translation for each language. After review, the person will work with the office manager to present and recommend a solution to the District Attorney or their designee. A copy of the complaint will be forwarded to the Commission within 30 days of its receipt.
DBI	-	Complaints are routed to the Deputy Director of Administrative Services, who discusses the complaint with the Director. DBI will conduct an investigation to rectify the complaint, if needed.
DEM	√	DEM staff members review the Computer Aided Dispatch system to identify any delays in interpretation, and then send a complaint to Language Line if necessary.
DPH	√	In Community Programs, language access complaints are processed and resolved via the CBHS Client Complaint and Grievance Resolution Procedure. At the hospitals, complaints and are processed and resolved through the Patient Advocacy Office.
DPW	√	Complaints are reviewed, investigated, and recorded according to Title VI Procedure 3.3.7- Processing Discrimination complaints "National Origin."
ELEC	-	The Director approves all resolutions to complaints made to the department for a potential violation of the LAO and works with the managers and bilingual employees for information about any issue and may seek advice in resolving complaints.

¹⁵ As defined by section 91.2(k) means either 10,000 City residents, or 5 percent of those persons who use the Department's services.

DEPT.	WRITTEN & PUBLICALLY POSTED	DESCRIPTION OF PROCEDURE
ENV	-	ENV does not have a written LAO complaint process. If clients have concerns, they are addressed and resolved within program areas or forwarded to the appropriate agency that can resolve the problem.
FIRE	√	FIRE maintains a dedicated telephone line in English, Spanish and Cantonese, which includes instructions for filing complaints. The FIRE website also links to the sfgsa.org site, which refers language complaints to 311. FIRE's website is being upgraded to include language-based information and to include translated complaint forms.
HSA	√	All complaints can be registered with HSA's Civil Rights Officer or with the State's Office of Civil Rights. If such a complaint is registered, the Agency would investigate the complaint and take actions to remediate the situation as allowable. The Human Services Agency maintains a log of all complaints registered and their disposition.
JUV	√	JUV follows the citizen complaint procedure pursuant to 832PC. Administrative Manual, Policy 7.2, "Citizen Complaint". Staff memos dated June 14, 2005 and March 13, 2007, from the Chief Probation Officer, remind all staff of the department's written policy on providing services to Limited English speakers.
MTA	√	A notice on how to file a complaint is provided in Spanish and Chinese in the Customer Service Center and the Discount ID Office. Each division manager reviews complaints and notifies the LAO Program Coordinator within 15 days of receipt. A copy of all complaints is forwarded to OCEIA within 30 days. The LAO Program Coordinator will review complaints with each manager to examine what improvements can be made.
OEWD	-	OEWD resolves complaints in accordance with applicable regulations.
PDR	-	Complaints should be addressed to PDR's Human Resources Manager.
PLN	-	In the event of a complaint, PLN's first recourse would be to resolve it immediately by utilizing Language Line or bilingual staff. The complaint is forwarded to the Chief Administrative Officer or his designee. The Chief Administrative Officer will work with the client, the interpreter, and the public contact employee to resolve the complaint.
PUC	√	Complaint can be filed with Customer Service, the Communications Division, or mailed to the Language Access Ordinance liaison. Complaint forms can be found at the Customer Service center and will soon be available online.
RNT	√	If an individual believes that the department has failed to meet its obligations under the Language Access Ordinance, the person can request to speak to a supervisor, write to the department or contact 311. The complaint must be forwarded to a supervisor who will investigate it.
RPD	-	Complaints are reviewed by supervisors and corrected accordingly.
SFO	√	Complaint forms are available throughout SFO and on SFO's website.
SFPD	√	The Office of Citizen Complaints handles complaints directed at SFPD members. For each complaint, an OCC investigator is assigned. Once an investigation is completed, one of ten determinations is made. Depending on the determination made, the complaint may be forwarded to the Police Chief and the Police Commission for further examination and determination of penalty.
SFPL	-	Currently, complaints on all topics are managed in the same manner. SFPL's LAO complaint procedure will be developed by a new Diversity in Programming committee by June 30, 2012.
SHF	-	Depending on the circumstances of the complaint, follow up is performed either by the Investigative Services Unit or referred to other appropriate staff for resolution. A grievance system is in place in the jail system to respond to complaints from prisoners.
TTX	-	TTX utilizes a Customer Service Feedback (CSF) response form to receive service ratings and to field comments, complaints, etc. Once received, CSF forms are coded and logged into a database for input. Complaints are copied and provided to the section supervisor or manager in question for follow-up.
ZOO	-	Complaints are generally submitted through the Visitor Comment Form to public contact staff. The complaint is referred to the appropriate department for handling.

2. Method of Receiving and Resolving Complaints- Table 19 summarizes the methods used by departments to receive and resolve complaints. Thirteen Tier 1 departments (50%) have written, publically-posted complaint procedures, a 12% increase from the number of Tier 1 departments last year. The most commonly used method for accepting or receiving complaints is by telephone (96%), followed by mail (96%) and in person (92%). The most common method of resolving complaints mirrors methods to receive complaints: telephone (92%), US Mail (85%) and in person (77%). Although most departments have complaint mechanisms, it is unclear whether they provide their general forms in languages other than English. OCEIA developed a standard complaint form in Spanish and Chinese and provided this tool during the mandatory training sessions conducted in fall 2011; however some departments have not yet incorporated this into their procedures.

Table 19. Methods for Accepting and Resolving Complaints by Department

DEPT.	ACCEPTING COMPLAINTS						RESOLVING COMPLAINTS				
	IN PERSON	BY PHONE	US MAIL	COMPLAINT FORM	WEBSITE	OTHER	IN PERSON	BY PHONE	US MAIL	EMAIL	OTHER
APD	√	√	√	-	-	-	-	√	√	-	-
ASR	√	√	√	√	√	-	√	√	√	√	-
BM	-	-	-	-	-	-	-	-	-	-	-
DA	√	√	√	√	-	-	-	-	-	-	-
DBI	√	√	√	-	-	√	√	√	√	√	-
DEM	√	√	√	-	√	-	√	√	√	√	-
DPH	√	√	√	√	-	-	√	√	√	-	-
DPW	-	√	√	√	√	-	-	√	√	√	-
ELEC	√	√	√	√	√	-	√	√	√	√	-
ENV	√	√	√	-	√	√	√	√	√	√	-
FIRE	√	√	√	√	√	-	√	√	√	√	-
HSA	√	√	√	√	-	√	√	√	√	√	-
JUV	√	√	√	√	√	-	√	√	-	-	-
MTA	√	√	√	√	-	-	-	√	√	√	-
OEWD	√	√	√	-	-	-	√	√	√	-	-
PDR	√	√	√	-	√	-	√	√	√	√	-
PLN	√	√	√	√	-	-	√	√	√	√	-
PUC	√	√	√	√	√	-	√	√	√	√	-
RNT	√	√	√	-	-	-	√	√	√	√	-
RPD	√	√	√	-	√	-	-	√	-	-	-
SFO	√	√	√	√	√	-	√	√	√	√	-
SFPD	√	√	√	√	-	-	√	√	√	-	-
SFPL	√	√	√	√	√	√	√	√	√	√	√
SHF	√	√	√	-	-	√	√	√	√	-	-
TTX	√	√	√	√	-	-	√	√	√	√	-
ZOO	√	√	√	√	√	-	√	√	√	√	-

Table 11.2 describes the methods for accepting and resolving complaints

H. FY2012-13 PLANNED GOALS & IMPROVEMENTS

The LAO requires that each Tier 1 Department’s annual compliance plan include planned goals and improvements for the upcoming fiscal year. This section analyzes the responses provided to question 8 and Section B (2) in the FY2010-11 reporting form.

1. Goals and Improvements- Twenty-two departments (85%) provided their goals and planned improvements to providing services for LEP clients for FY2012-13. The most commonly reported goals include: adding Language Line telephonic services, maintaining current levels of service, and educating employees regarding the LAO. In addition, 17 departments (65%) plan to make an improvement of some kind to their procedures for communicating with LEP clients for FY2012-13. Some of the proposed improvements include: hiring additional bilingual staff, publicizing interpreter/translation services, and translating more documents.

Table 20. Summary of Goals and Improvements Planned for FY 2012-13

DEPT.	PLAN & FY2012-13 GOALS SUBMITTED	SUMMARY OF IMPROVEMENTS TO PROCEDURES FOR SERVING LEP CLIENTS FOR FY2012-2013
APD	APD plans to maintain the current level of service for all interactions with LEP persons and adhere to its staff Bilingual Premium Policy to ensure compliance with collective bargaining unit’s labor Memorandum of Understanding and City policies.	APD will hire additional Spanish speaking and Cantonese speaking Deputy Probation Officers in Spring 2012.
ASR	ASR has increased the number of translated forms and made letters available in multiple languages. It has also made its website translatable into commonly spoken languages and increased publicity of its services.	ASR will publicize the availability of translation services for LEP clients. ASR is working with the Board of Equalization (BoE) to develop more translated forms, to be used potentially by all CA county assessors.
BM	None	BM plans to have one staff member receive bilingual certification from DHR.
DA	DA will complete website language translation as it completes the website design; place a language proficiency emphasis when hiring backfills for the department; and continue to translate informational materials into core languages.	The DA strives to expand the office’s in-house ability to ensure multi-lingual capacity rather than depend upon the availability of individuals with other primary job functions.
DBI	DBI will invite OCEIA staff to discuss its needs and how to meet LAO compliance; work with other City agencies to develop and implement written policies; and run a two-week survey of all customers to determine bilingual assistance needs.	DBI implemented a tracking system to capture the volume of customers assisted. DBI also increased its number of bilingual staff and distributed the list of bilingual staff to supervisory staff.
DEM	DEM's will continue providing fast and accurate oral translation services for 911 callers and accurate written materials in multiple languages.	None
DPH	DPH plans to expand VMI to Primary Care Clinics, LHH, and other parts of the SFGH.	DPH is expanding VMI and conference phone service to various areas of SFGH and the clinics.
DPW	DPW will continue educating employees and provide resources to achieve LAO compliance, and ensure that employees implement Title VI procedures when DPW is hosting a community meeting. It will also continue partnering with community based organizations and media in order to provide program and project updates.	None

DEPT.	PLAN & FY2012-13 GOALS SUBMITTED	SUMMARY OF IMPROVEMENTS TO PROCEDURES FOR SERVING LEP CLIENTS FOR FY2012-2013
ELEC	ELEC will develop and implement an outreach and voter education plan and produce multilingual voter education materials for upcoming elections. It will collaborate with community-based organizations to assess its materials and provide bilingual assistance on Election Day.	None
ENV	ENV uses its website as a major communications channel and is exploring whether to translate a massive number of pages in bulk, or use a targeted strategy with higher quality translations.	Looking to add more translated content to its webpage in Chinese and Spanish.
FIRE	FIRE will continue to provide and maintain supplies of available translated materials. FIRE plans to expand its ability to provide language services telephonically and improve accessibility of its website. FIRE will also work with DHR to conduct language certification testing so more employees are eligible for bilingual positions.	FIRE plans to establish a language interpretation service account, conduct a bilingual member language survey, provide a mechanism to query daily list of all bilingual members on-duty, work with DHR to implement bilingual certification testing, and reassess language needs and paid language spots as appropriate.
HSA	HSA plans to develop a central repository on the H.S.A. intranet containing materials for staff to use in working with bilingual clients, increase client access to benefit information, and increase resources to translation and interpretation services.	None
JUV	JUV intends to ensure the availability of its "Parent Guide to the Juvenile Justice System" at Juvenile Hall and with community partners, and update as needed. It looks for guidance from OCEIA to review and refine its protocols for communicating with LEP clients and analyze what is needed to track LEP information by Supervisorial District.	JUV is always seeking to improve its operations and looks forward to suggestions from OCEIA for processes to improve these protocols.
MTA	MTA plans to increase bilingual capabilities in the Community Outreach group and Customer Service Center, if resources allow, survey existing MTA documents to prioritize translation, and partner with OCEIA to provide training and assess the needs of MTA's LEP customers.	If resources were to allow, additional bilingual capabilities would be valuable additions to the Community Outreach group. SFMTA hopes to partner with OCEIA to evaluate the needs of its customers and discuss existing protocols for communicating with LEP customers.
OEWD	None	None
PDR	PDR plans to translate additional materials into Cantonese and Spanish and conduct a survey of clients served to determine a more accurate count of clients served.	None
PLN	In FY 2011-12, PLN tested a public engagement model to develop methodologies to better reach people who do not normally engage in public outreach processes, including limited-English speaking individuals. In the upcoming year, PLN will be developing a public engagement strategy and develop policies and procedures to provide service to LEP communities.	None

DEPT.	PLAN & FY2012-13 GOALS SUBMITTED	SUMMARY OF IMPROVEMENTS TO PROCEDURES FOR SERVING LEP CLIENTS FOR FY2012-2013
PUC	PUC plans to continue to provide LEP clients with thorough dissemination of agency policies and information and enhance outreach methodology for LEP clients. It also plans to implement additional languages for its Interactive Voice Response telephone line and expand availability of translation services to field personnel.	The PUC plans to implement Language Line in FY 2012-2013 for other language requests. It also plans to increase awareness of its language services by translating additional materials, its website, and conduct a language needs survey in FY2012-13.
RNT	Continue to translate documents and increase availability through multiple sources.	None
RPD	In development	Improvements include more comprehensive training for staff and a written protocol with quality control measures for interacting with LEP customers.
SFO	SFO will continue to monitor language needs and recruit and hire bilingual volunteers to staff the information desks.	SFO will continue to monitor its clients' language needs and recruit bilingual volunteers to staff the information desks.
SFPD	None	SFPD implemented a more accurate method for personnel to track the frequency and languages spoken when communicating with LEP persons-which directs officers to add a typed comment for each recorded call-for-service noting that communication with a LEP person took place and the language spoken.
SFPL	Goals include updating demographic reports to 2010 Census data, developing a strategy for enhancing translation of print materials, and implementing policies and procedures that address specific needs of LEP patrons.	SFPL anticipates additional language requisitions as positions become vacant; reorganization of its collection management units to accommodate an increase in cataloging for international language collections, and a new initiative that will yield a broader calendar of programs and events, including those in other languages.
SHF	Continue to provide the same level of service to clients and identify additional staff that speak a foreign language but are not yet certified through DHR.	None
TTX	The Language Access Project Team will be responsible for facilitating an internal awareness campaign of LAO requirements and the use of Language Line. It will also assist in determining and implementing written protocols and procedures and prioritize the translation of documents and signage in public service areas.	In winter 2011, TTX will begin a subscription to Language Line, which it believes will adequately supplement its existing translation services.
ZOO	ZOO plans to assess and adjust its current processes and materials for communicating with the public. It also plans to develop a protocol for front-line staff and determine if additional systems are needed.	After reviewing the requirements of the LAO, ZOO will develop plans for front line staff, assess processes and materials, and determine if additional systems are required.

The next table summarizes plans to hire additional bilingual staff. Many departments indicated that once vacant positions were available, they would consider filling them with bilingual staff. The Adult Probation Department anticipates hiring seven bilingual public contact positions. However, 12 Tier 1 departments (46%) reported that they do not have plans to fill vacant public contact positions with bilingual staff for FY2012-13.

Table 21. Plans to Hire Additional Bilingual Staff

DEPT.	PLANS TO FILL VACANT PUBLIC CONTACT POSITIONS WITH BILINGUAL STAFF IN FY2012-13
APD	APD received 20 new public contact positions in 2011 through a supplemental appropriation to accommodate additional caseloads resulting from AB109 Public Safety Realignment and anticipates hiring an additional six Spanish-speaking Probation officers and one Cantonese-speaking officer.
ASR	None
BM	None
DA	The DA will continue to work to hire the most qualified staff with language access capacity as positions become vacant during FY2012-13.
DBI	At this time, the number of bilingual staff is adequate. If DBI's need for bilingual services increases, new bilingual hires will be added to the list of designated bilingual staff.
DEM	None
DPH	DPH regularly assesses changes to patient population and language needs to determine whether special language waivers are necessary for job postings. Due to the current budget situation, all requisitions are on hold and only 24/7 positions are being considered for approval.
DPW	None
ELEC	ELEC will seek to hire more bilingual employees to fill the election season as-needed public contact positions in the Campaign Services, Voter Services and Pollworker divisions.
ENV	None
FIRE	FIRE is developing language-testing scenarios in Spanish and Cantonese, to be submitted to DHR for the next language testing cycle. By conducting another exam for language certification, the number of eligible personnel to fill vacant positions will increase, as well as the likelihood of personnel bidding for vacant bilingual positions.
HSA	HSA's Executive Management Team meets regularly to review staffing request and prioritizes the request based upon several factors including language needs and available resources.
JUV	If the opportunity arises for JUV to hire line staff replacement positions, it will continue to enhance its recruitment efforts for bilingual candidates.
MTA	Every effort will continue to be made to fill public contact positions with bilingual staff for FY2012-13, as resources allow and in keeping with current hiring procedures and protocols.
OEWD	None
PDR	None
PLN	None
PUC	Consideration and hiring of bilingual staff will be explored as staff positions become available.
RNT	RNT has not identified any existing needs for hiring additional bilingual staff.
RPD	None
SFO	Every effort will be made to hire qualified candidates with bilingual capabilities.
SFPD	None
SFPL	As vacant positions become available, SFPL will continue to review public service needs and develop a staffing plan to address any additional language service needs.
SHF	None
TTX	No additional staff is currently required, but 1-2 additional staff fluent in Russian and/or Vietnamese is desirable.
ZOO	None

I. FY2012-13 LANGUAGE ACCESS BUDGET

The LAO mandates Tier 1 departments to provide budget information related to language services. This section analyzes the answers provided to Section B(1) in the FY10-11 reporting form. Tier 1 departments reported a total proposed budget of over \$6.3 million for language services for the next fiscal year, a 6% increase in spending from the previous fiscal year. Sixty-one percent of the citywide projected budget for language services is accounted for by DPH (\$3.8 million); 14% by HSA (\$891,000); 5% by the SFPD (\$330,000); and the remaining 20% by the other 23 Tier 1 departments (\$1.3 million). Seventy-nine percent of the total proposed budget is comprised of compensatory bilingual pay and telephonic interpretation services.

FY2012-13 PROPOSED LANGUAGE ACCESS BUDGET Total Budget for Tier 1 Departments: \$6,334,602

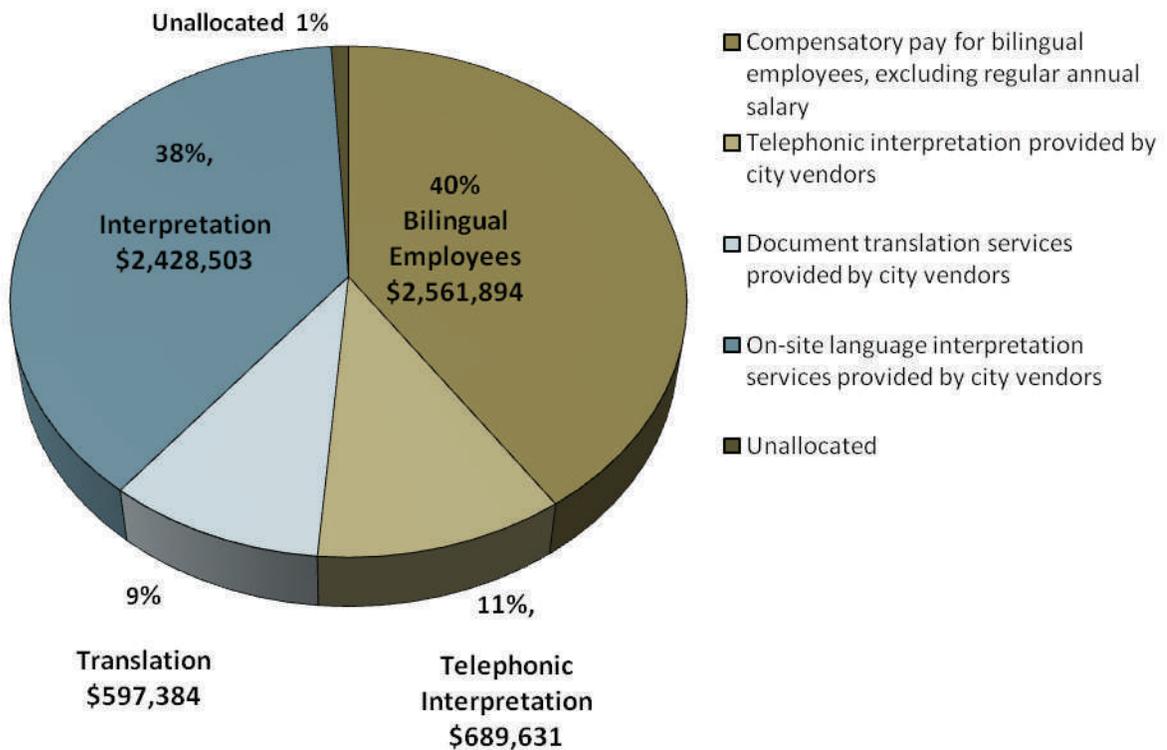


Figure 5. Citywide Language Services Budget

The next table outlines the budget allocated for compensatory pay for bilingual employees who perform bilingual services (excluding regular annual salary expenditures), as well as for services provided by City vendors. Forty percent of the projected FY2012-13 Tier 1 department budgets for language services go to bilingual employee compensation. Thirty-eight percent of the overall citywide budget are for on-site language interpretation services through city vendors. As reported, city departments primarily rely on bilingual employees to provide language services.

Table 22. Budget Allocation and Strategy for Meeting the Needs of LEP Clients by Department (FY2012-13)

DEPT.	COMPENSATORY PAY FOR BILINGUAL EMPLOYEES FOR BILINGUAL SERVICES	TELEPHONIC TRANSLATION SERVICES (PROVIDED BY CITY VENDORS)	DOCUMENT TRANSLATION SERVICES (PROVIDED BY CITY VENDORS)	ON-SITE LANGUAGE INTERPRETATION SERVICES (PROVIDED BY CITY VENDORS)	TOTAL PROJECTED BUDGET	% OF CITYWIDE BUDGET
APD	75.0%	25.0%	0.0%	0.0%	\$20,000	0.3%
ASR ¹⁶	7.6%	92.4%	92.4%	0.0%	\$27,309	0.4%
BM	0.0%	0.0%	0.0%	0.0%	\$0	0.0%
DA	29.0%	5.8%	60.6%	4.5%	\$68,408	1.1%
DBI	100.0%	0.0%	0.0%	0.0%	\$26,000	0.4%
DEM	100.0%	0.0%	0.0%	0.0%	\$34,452	0.5%
DPH	26.0%	14.6%	1.2%	58.2%	\$3,839,725	60.6%
DPW	0.0%	0.0%	100.0%	0.0%	\$25,000	0.4%
ELEC	6.0%	0.0%	94.0%	0.0%	\$286,196	4.5%
ENV	0.0%	0.0%	0.0%	0.0%	\$0	0.0%
FIRE	82.9%	11.6%	1.7%	3.8%	\$17,286	0.3%
HSA ¹⁷	70.7%	5.6%	23.7%	23.7%	\$891,700	14.1%
JUV	94.6%	5.4%	0.0%	0.0%	\$29,600	0.5%
MTA	0.0%	7.7%	76.9%	15.4%	\$65,000	1.0%
OEWD	0.0%	0.0%	0.0%	0.0%	\$0	0.0%
PDR	25.0%	2.6%	6.5%	65.1%	\$76,840	1.2%
PLN	18.6%	8.9%	0.0%	72.5%	\$11,200	0.2%
PUC	42.9%	12.7%	44.4%	0.0%	\$15,750	0.2%
RNT	3.9%	0.0%	0.0%	0.0%	\$54,000	0.9%
RPD	0.0%	0.0%	0.0%	0.0%	\$0	0.0%
SFO	97.6%	2.4%	0.0%	0.0%	\$254,000	4.0%
SFPD	86.5%	10.8%	1.3%	0.0%	\$330,000	5.2%
SFPL	64.9%	0.0%	22.9%	12.2%	\$131,000	2.1%
SHF	100.0%	0.0%	0.0%	0.0%	\$116,136	1.8%
TTX	66.7%	20.0%	13.3%	0.0%	\$15,000	0.2%
ZOO	0.0%	0.0%	0.0%	0.0%	\$0	0.0%
CITYWIDE TOTAL (%)	40.4%	10.9%	9.4%	38.3%	-	100.0%
CITYWIDE TOTAL	\$2,561,894	\$689,631	\$597,384	\$2,428,503	\$6,334,602 ¹⁸	-

¹⁶ Budget for the provisioning of language services not completely categorized by each service area.

¹⁷ Budget for the provisioning of language services not completely categorized by each service area.

¹⁸ The total projected citywide budget (\$6,334,602) exceeds the total breakdown by budget category (\$6,277,412) because some departments did not provide a complete breakdown of their total projected budget for language services.

Table 23 provides a comparison of fiscal year budgets submitted by Tier 1 departments for language services. DPH and HSA have the largest budgets for language services and account for much of the increase in the city's total FY2012-13 budget for language services. The Assessor-Recorder, DA, and DBI reported significant increases in their projected FY2012-13 budgets for language services, with each of the departments reporting at least an 80% increase from FY2011-12.

Table 23. Changes in Budget Allocation by Department

DEPT.	FY2012-13 TOTAL PROJECTED BUDGET	FY2011-12 TOTAL PROJECTED BUDGET	CHANGE IN BUDGET (\$)	CHANGE IN BUDGET (%)
APD	\$20,000	\$20,000	\$0	0.0%
ASR	\$27,309	\$15,000	\$12,309	82.1%
BM	\$0	\$0	\$0	0.0%
DA	\$68,408	\$36,560	\$31,848	87.1%
DBI	\$26,000	\$12,000	\$14,000	116.7%
DEM	\$34,452	\$34,452	\$0	0.0%
DPH	\$3,839,725	\$3,369,000	\$470,725	14.0%
DPW	\$25,000	\$25,000	\$0	0.0%
ELEC	\$286,196	\$525,000	-\$238,804	-45.5%
ENV	\$0	\$0	\$0	0.0%
FIRE	\$17,286	\$20,275	-\$2,989	-14.7%
HSA	\$891,700	\$764,702	\$126,998	16.6%
JUV	\$29,600	\$33,080	-\$3,480	-10.5%
MTA	\$65,000	\$65,000	\$0	0.0%
OEWD	\$0	\$0	\$0	0.0%
PDR	\$76,840	\$78,840	-\$2,000	-2.5%
PLN	\$11,200	\$11,200	\$0	0.0%
PUC	\$15,750	\$28,740	-\$12,990	-45.2%
RNT	\$54,000	\$54,000	\$0	0.0%
RPD	\$0	\$0	\$0	0.0%
SFO	\$254,000	\$254,000	\$0	0.0%
SFPD	\$330,000	\$350,000	-\$20,000	-5.7%
SFPL	\$131,000	\$130,000	\$1,000	0.8%
SHF	\$116,136	\$128,960	-\$12,824	-9.9%
TTX	\$15,000	\$15,000	\$0	0.0%
ZOO	\$0	\$0	\$0	0.0%
CITYWIDE TOTAL (%)	\$6,334,602	\$5,970,809	\$363,793	6.1%

VII. APPENDICES

- A. State and National Language Laws
- B. San Francisco Language Access Ordinance
- C. Standardized Annual Compliance Plan Form
- D. Glossary
- E. Resources

APPENDIX A: LEGAL MANDATES FOR LANGUAGE ACCESS

Linguistic rights have been affirmed at every level of government – there are currently over 1,000 laws requiring language access. Following is summary of federal and state requirements.

LEVEL	LAW/GUIDANCE	DESCRIPTION
F E D E R A L	Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d, et. seq.): “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”	Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. Title VI has consistently been interpreted by courts as mandating that recipients of federal funds (including cities, counties and public agencies) take reasonable steps to ensure their services and programs are meaningfully accessible to LEP individuals, including providing information in languages that LEP individuals understand.
	Department of Health and Human Services (HHS) Regulations (45 C.F.R. §80.1, et. seq) (1964, 1967, 1973, 1975, 2005)	HHS regulations interpreting Title VI of the Civil Rights Act to prohibit federal aid recipients from utilizing “criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin.” The emphasis on “effect” is important because a federal aid recipient does not have to act in an intentionally discriminatory fashion an act that results in a discriminatory impact is sufficient an HHS to commence an enforcement action.
	Lau v. Nichols (1974)	Landmark decision by the U.S. Supreme Court that found discrimination based on a person’s inability to speak, read, write or understand English is a form of discrimination on the basis of national origin. Following the integration of San Francisco’s school system by a 1971 federal court order, a class action lawsuit was filed in 1974 on behalf of Kinney Timmon Lau and approximately 1,800 non-English-speaking students of Chinese ancestry against the president of the San Francisco School Board and the school district. The lawsuit alleged that school district officials failed to provide English language instruction or other equal education opportunities to these students, thus denying them a meaningful opportunity to participate in the public education program in violation of their Fourteenth Amendment Rights. The Supreme Court reversed an earlier judgment of the Court of Appeals and found that Section 601 of the Civil Rights Act of 1964, which bans discrimination on the grounds of race, color, or national origin in any program or activity receiving federal financial assistance, had been violated.
	Executive Order 13166 (EO13166) (2000) “Improving Access to Services for Persons with Limited English Proficiency”	Executive Branch order Signed on August 11, 2000 by President William Clinton. Requires federal agencies to examine the services they provide, identify needs for services and implement a system to provide language services so LEP individuals may have meaningful access in languages other than English. Federal agencies must: <ul style="list-style-type: none"> ▪ Plan for their own programs to meet Title VI standards ▪ Issue LEP guidances to their grantees. Ensure that grantees meet Title VI standards and that community members and organizations have adequate input on language access needs.

	Office of Minority Health (OMH) Culturally and Linguistically Appropriate Standards (CLAS) (2000)	OMH sets out a total of 14 national standards. Language Access Services (standards 4-7) are requirements for all federal fund recipients. Standards 4-7 requires all health care organizations to provide and notify all patients of free oral and written language assistance services. The health care organization must ensure competence of bilingual assistance provided and shall not use family or friends for language interpretation services unless requested by the patient. All signage and patient-related material shall be provided in the most common languages encountered in the area of service.
	Federal Medicaid/SCHIP Managed Care Contracts (42 Code of Federal Regulations 438.10) (2002) Applies to each state’s enrollment broker: MCO, PIHP, PAHP, and PCCM	Requires each state to assess the linguistic needs of their enrollee population for prevalent LEP enrollees and creating oral and written language services. Oral services shall be available for all languages necessary through interpreters/translators and written language services shall only be reserved for prevalent non-English speaking population.
	Department of Justice (DOJ) LEP Guidance (2002)	The Department of Justice (DOJ) provides guidances for Title VI, leads the Coordination and Review (COR) section, which helps federal agencies implement LEP policies consistently; investigates DOJ grantees; and litigates Title VI cases for federal agencies. Sets forth a four-factor analysis for federal agencies to require their federal funding recipients to use in order to ensure that programs and activities are accessible to persons who are limited English proficient. The four factors include: 1) the number or proportion of LEP individuals the program serves, 2) the frequency of contact LEP individuals have with the program, 3) the nature and importance of the program, particularly whether the denial or delay of access has life or death implications, and 4) the recipient’s available resources.
	Department of Health and Human Services Guidance Regarding National Origin Discrimination Affecting Limited English Proficient Patients (68 Fed. Reg. 47311) (2003)	Requires federal aid recipients “to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons” based upon the DOJ’s four-factor standard.
	Medicare Regulations for Medicare Advantage Program (42 C.F.R. §§ 422.112 & 422.2264) (1999, 2008)	Medicare Advantage plans, which are private health plans receiving Medicare payments, are required to provide multilingual marketing materials in those areas where there is a significant non-English speaking population. Medicare Advantage plans must also ensure that services are provided in a culturally and linguistically competent manner to all enrollees.

Sources for information on Federal and State Language Access Laws:

Duong, Tuyet and Jammal, Sam. (2008). *Briefing Book Language Rights: An Integration Agenda for Immigrant Communities*. Washington, D.C.: Asian American Justice and Mexican American Legal Defense & Educational Fund. Retrieved from: http://maldef.org/education/public_policy/language_access/index.html.

New York Lawyers for The Public Interest, Inc. (2009). *Language Access Legal Cheat Sheet*. New York. Retrieved from <http://www.nympi.org>.

Perkins, Jane and Youdelman, Mara. (2008). *Summary of State Law Requirements Addressing Language Needs in Health Care*. Washington, D.C.: National Health Law Program. Retrieved from: http://www.healthlaw.org/images/pubs/nhelp_lep-state-law-chart_12-28-07.pdf.

Youdelman, Mara K. (March 2008). *The Medical Tongue: U.S. Laws and Policies On Language Access*. Health Affairs, vol. 27 no. 2, 424-433. Project HOPE. Retrieved from: <http://content.healthaffairs.org/content/27/2/424.full>.

LEVEL	LAW/GUIDANCE	DESCRIPTION
S T A T E	Dymally-Alatorre Bilingual Services Act “The effective maintenance and development of a free and democratic society depends on the right and ability of citizens and residents to communicate with their government.” - Cal. Government Code § 7290 et seq. (1973)	One of the first state laws to require access to government services for LEP residents- contains specific requirements to ensure that State programs and services are accessible to such individuals. State departments must create implementation plans, and provide specific information about their Bilingual Services Programs and actions taken to correct deficiencies found in previous language surveys.
	Kopp Act of 1983 CA Health & Safety Code § 1259	Applies to all California general acute care hospitals. Requires all general acute care hospitals in California to provide 24 hours availability of a bilingual staff member or professional translator/interpreter. Available language services are required for groups that comprise 5% or more of the hospital’s patient population or geographic service area.
	Medi-Cal Contracts (1999)	Applies to all Medi-Cal managed care plans. Must comply with Civil Rights Act of 1964 and provide 24-hour available language services to language groups with: 3,000 or more beneficiaries in a county, 1,000 in a zip code, or 1,500 in two contiguous zip codes. Also requires the development and implementation of a group needs’ assessment for all beneficiaries with LEP, Linguistics Standards, and a Cultural and Linguistic Services Plan.
	Healthy Family Contracts (1999)	Applies to all managed care plans that contract with healthy families. LEP groups that are 5% of the enrollee population or 3,000 members will be provided with 24-hour language services. Minors shall be discouraged to translate between the enrollee and health care service plan unless in dire need.
	Medicaid/SCHIP —CMS Letter 8/31/00	Recipients must comply with OCR LEP Guidance. Reimbursement is available for language assistance including translation and interpreters to Medicaid/SCHIP enrollees and Medicaid/enrollees. States can draw down federal funds at either their administrative match rate (50%) or their “covered service” match rate (50-85%) depending on how they choose to provide language services.
	CA Government Code §§ 11135-1113 (2003)	Applies to all agencies and programs operating and administrating in California, all state-funded programs, and any agency receiving state funds. State version of Civil Rights Act of 1964. Provides protection from discrimination on the basis of race, national origin, ethnic group identification, religion, age, sex, color, or disability for any program or activity conducted, funded directly by, or that receives any financial assistance from the State of California. Brings the protection of Title II of the ADA, which ensures accessibility to government programs into state law and codifies Section 508 of the Rehabilitation Act, requiring accessibility to electronic and information technology.
	SB 472 (Corbett): Prescription Drug Labels (2007)	Requires Board of Pharmacy to publish on its website a list of standardized directions translated in five languages by October 2011 (information is now available). Pharmacy shall have policies to help LEP patients to understand the directions on the labels. Policies shall include: 1) how pharmacy will identify patients’ language and 2) how pharmacy will provide interpreter services, if interpretive services in the language are available.
	SB 853 (Escutia): Health Plans (2009)	Applies to all health plans and insurers. A health care service plan with an enrollment of 1,000,000+ must translate all vital documents in the top one non-English languages-additional languages shall be added based on an increased 0.75% or 15,000 enrollee population. Health plans must conduct a needs assessment to identify linguistic needs of its enrollee population and notify their enrollees of the cost-free translation services.

APPENDIX B: SAN FRANCISCO LANGUAGE ACCESS ORDINANCE

CITY AND COUNTY OF SAN FRANCISCO SAN FRANCISCO ADMINISTRATIVE CODE, CHAPTER 91: - LANGUAGE ACCESS

SEC. 91.1. - PURPOSE AND FINDINGS.

(a) Title. This Chapter shall be known as the "Language Access Ordinance."

(b) Findings.

(1) The Board of Supervisors finds that San Francisco provides an array of services that can be made accessible to persons who are not proficient in the English language. The City of San Francisco is committed to improving the accessibility of these services and providing equal access to them.

(2) The Board finds that despite a long history of commitment to language access as embodied in federal, state and local law, beginning with the landmark Civil Rights Act of 1964, there is still a significant gap in the provision of governmental services to limited-English language speakers.

(3) In 1973, the California State Legislature adopted the Dymally-Alatorre Bilingual Services Act, which required state and local agencies to provide language services to non-English speaking people who comprise 5% or more the total state population and to hire a sufficient number of bilingual staff.

(4) In 1999, the California State Auditor concluded that 80% of state agencies were not in compliance with the Dymally-Alatorre Act, and many of the audited agencies were not aware of their responsibility to translate materials for non-English speakers.

(5) In 2001, in response to these findings, the San Francisco Board of Supervisors enacted the Equal Access to Services Ordinance, which required major departments to provide language translation services to limited-English proficiency individuals who comprise 5% or more the total city population.

(6) Eight years later, the Board finds that differential access to City services still exists due to significant gaps in language services, lack of protocols for departments to procure language services, low budgetary prioritization by departments for language services.

(7) The Board finds that the lack of language services seriously affects San Francisco's ability to serve all of its residents. A 2006 survey by the United States Census Bureau found that 45% of San Franciscans are foreign-born and City residents speak more than 28 different languages. Among the 24% of the total population who self-identify as limited-English speakers, 50% are Chinese speakers, 23% are Spanish speakers, 5% are Russian speakers and 4% speak Tagalog.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.2. - DEFINITIONS.

As used in this Chapter, the following capitalized terms shall have the following meanings:

(a) "Annual Compliance Plan" is set forth in Section 91.10 of this Chapter.

(b) "Bilingual Employee" shall mean a City employee who is proficient in the English language and in one or more non-English language.

(c) "City" shall mean the City and County of San Francisco.

(d) "Commission" shall mean the Immigrant Rights Commission.

(e) "Concentrated Number of Limited English Speaking Persons" shall mean either 5 percent of the population of the District in which a Covered Department Facility is located or 5 percent of those persons who use the services provided by the Covered Department Facility. The Office of Civic Engagement and Immigrant Affairs shall determine annually whether 5 percent or

more of the population of any District in which a Covered Department Facility is located are Limited English Speaking Persons who speak a shared language other than English. The Office of Civic Engagement and Immigrant Affairs shall make this determination by referring to the best available data from the United States Census Bureau or other reliable source and shall certify its determination to all City Departments and the Commission no later than December 1 of each year. Each Department shall determine annually whether 5 percent or more of those persons who use the Department's services at a Covered Department Facility are Limited English Speaking Persons who speak a shared language other than English using either of the following methods specified in Section 91.2(k) of this Chapter.

(f) "Covered Department Facility" shall mean any Department building, office, or location that provides direct services to the public and serves as the workplace for 5 or more full-time City employees.

(g) "Department(s)" shall mean both Tier 1 Departments and Tier 2 Departments.

(h) "Districts" shall refer to the 11 geographical districts by which the people of the City elect the members of the City's Board of Supervisors. If the City should abandon the district election system, the Commission shall have the authority to draw 11 district boundaries for the purposes of this Chapter that are approximately equal in population.

(i) "Limited English Speaking Person" shall mean an individual who does not speak English well or is otherwise unable to communicate effectively in English because English is not the individual's primary language.

(j) "Public Contact Position" shall mean a position, a primary job responsibility which consists of meeting, contacting, and dealing with the public in the performance of the duties of that position.

(k) "Substantial Number of Limited English Speaking Persons" shall mean either 10,000 City residents, or 5 percent of those persons who use the Department's services. The Office of Civic Engagement and Immigrant Affairs shall determine annually whether at least 10,000 limited English speaking City residents speak a shared language other than English. The Office of Civic Engagement and Immigrant Affairs shall make this determination by referring to the best available data from the United States Census Bureau or other reliable source and shall certify its determination to Departments and the Commission no later than December 1 of each year. Each Department shall determine annually whether 5 percent or more of those Limited English Speaking Persons who use the Department's services Citywide speak a shared language other than English. Departments shall make this determination using one of the following methods:

(1) Conducting an annual survey of all contacts with the public made by the Department during a period of at least two weeks, at a time of year in which the Department's public contacts are to the extent possible typical or representative of its contacts during the rest of the year, but before developing its Annual Compliance Plan required by Section 91.10 of this Chapter; or

(2) Analyzing information collected during the Department's intake process. The information gathered using either method shall also be broken down by Covered Department Facility to determine whether 5 percent or more of those persons who use the Department's services at a Covered Department Facility are Limited English Speaking Persons who speak a shared language other than English for purposes of Section 91.2(e) of this Chapter; or

(3) Analyzing and calculating the total annual number of requests for telephonic language translation services categorized by language that Limited English Speaking Persons make to the Department garnered from monthly bills generated by telephonic translation services vendors contracted by Department.

(l) "Tier 1 Departments" shall mean the following City departments: Adult Probation Department, Department of Elections, Department of Human Services, Department of Public Health, District Attorney's Office, Department of Emergency Management, Fire Department, Human Services Agency, Juvenile Probation Department, Municipal Transportation Agency, Police Department, Public Defender's Office, Residential Rent Stabilization and Arbitration Board, Sheriff's Office. Beginning July 1, 2010, the following departments shall be added to the list of Tier 1 Departments: San Francisco International Airport, Office of the Assessor Recorder, City Hall Building Management, Department of Building Inspection, Department of the Environment, San Francisco Public Library, Mayor's Office of Economic and Workforce Development, Planning Department, Department of Public Works, Public Utilities Commission, Recreation and Park Department, Office of the Treasurer and Tax Collector, and the San Francisco Zoo.

(m) "Tier 2 Departments" shall mean all City departments not specified as Tier 1 Departments that furnish information or provide services directly to the public.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; amended by Ord. 187-04, File No. 040759, App. 7/22/2004; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.3. - ACCESS TO LANGUAGE SERVICES.

(a) Utilizing sufficient Bilingual Employees in Public Contact Positions, Tier 1 Departments shall provide information and services to the public in each language spoken by a Substantial Number of Limited English Speaking Persons or to the public served by a Covered Department Facility in each language spoken by a Concentrated Number of Limited English Speaking Persons. Tier 1 Departments comply with their obligations under this Section if they provide the same level of service to Limited English Speaking Persons as they provide English speakers.

(b) Tier 1 Departments need only implement the hiring requirements in the Language Access Ordinance by filling public contact positions made vacant by retirement or normal attrition. Nothing herein shall be construed to authorize the dismissal of any City employee in order to carry out the Language Access Ordinance.

(c) All Departments shall inform Limited English Speaking Persons who seek services, in their native tongue, of their right to request translation services from all City departments.

(Added by Ord. 128-01, File No. 011051, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.4. - TRANSLATION OF MATERIALS.

(a) Tier 1 Departments shall translate the following written materials that provide vital information to the public about the Department's services or programs into the language(s) spoken by a Substantial Number of Limited English Speaking Persons: applications or forms to participate in a Department's program or activity or to receive its benefits or services; written notices of rights to, determination of eligibility of, award of, denial of, loss of, or decreases in benefits or services, including the right to appeal any Department's decision; written tests that do not assess English language competency, but test competency for a particular license or skill for which knowledge of written English is not required; notices advising Limited English Speaking Persons of free language assistance; materials explaining a Department's services or programs; complaint forms; or any other written documents that have the potential for important consequences for an individual seeking services from or participating in a program of a city department.

(b) Tier 2 Departments shall translate all publicly-posted documents that provide information (1) regarding Department services or programs, or (2) affecting a person's rights to, determination of eligibility of, award of, denial of, loss of, or decreases in benefits or services into the language(s) spoken by a Substantial Number of Limited English Speaking Persons.

(c) Departments required to translate materials under the provisions of this Section shall post notices in the public areas of their facilities in the relevant language(s) indicating that written materials in the language(s) and staff who speak the language(s) are available. The notices shall be posted prominently and shall be readily visible to the public.

(d) Departments required to translate materials under the provisions of this Section shall ensure that their translations are accurate and appropriate for the target audience. Translations should match literacy levels of the target audience.

(e) Each Department shall designate a staff member with responsibility for ensuring that all translations of the Department's written materials meet the accuracy and appropriateness standard set in Subsection (d) of this Section. Departments are encouraged to have their staff check the quality of written translations, but where a Department lacks biliterate personnel, the responsible staff member shall obtain quality checks from external translators. Departments are also encouraged to solicit feedback on the accuracy and appropriateness of translations from bilingual staff at community groups whose clients receive services from the Department.

(f) The newly added Tier 1 Departments as set forth in Section 91.2(l) shall comply with the requirements of this Section by January 31, 2011.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.5. - DISSEMINATION OF TRANSLATED MATERIALS FROM THE STATE AND FEDERAL GOVERNMENT.

If the State or federal government or any agency thereof makes available to a Department written materials in a language other than English, the Department shall maintain an adequate stock of the translated materials and shall make them readily available to persons who use the Department's services.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001)

SEC. 91.6. - PUBLIC MEETINGS AND HEARINGS.

(a) City Boards, City Commissions and City Departments shall not automatically translate meeting notices, agendas, or minutes.

(b) City Boards, City Commissions and City Departments shall provide oral interpretation of any public meeting or hearing if requested at least 48 hours in advance of the meeting or hearing.

(c) City Boards, City Commissions and City Departments shall translate meeting minutes if: (1) requested; (2) after the legislative body adopts the meeting minutes; and (3) within a reasonable time period thereafter.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.7. - RECORDED TELEPHONIC MESSAGES.

All Departments with recorded telephonic messages about the Department's operation or services shall maintain such messages in each language spoken by a Substantial Number of Limited English Speaking Persons or where applicable a Concentrated Number of Limited English Speaking Persons. Such Departments are encouraged to include in the telephonic messages information about business hours, office location(s), services offered and the means of accessing such services, and the availability of language assistance. If the Department is governed by a Commission, the messages shall include the time, date, and place of the Commission's meetings.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001)

SEC. 91.8. - CRISIS SITUATIONS.

All Tier 1 Departments involved in health related emergencies, refugee relief, disaster-related activities all other crisis situations shall work with the Office of Civic Engagement and Immigrant Affairs to include language service protocols in the Department's Annual Compliance Plan.

(Added by Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.9. - COMPLAINT PROCEDURE.

(a) Departments shall allow persons to make complaints alleging violation of this Chapter to the Department in each language spoken by a Substantial Number of Limited English Speaking Persons. The Complaints may be made by telephone or by completing a complaint form.

(b) Departments shall document actions taken to resolve each complaint and maintain copies of complaints and documentation of their resolution for a period of not less than 5 years. A copy of each complaint shall be forwarded to the Commission and the Office of Civic Engagement and Immigrant Affairs within 30 days of its receipt.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.10. - ANNUAL COMPLIANCE PLAN.

Each Tier 1 Department shall draft an Annual Compliance Plan containing all of the following information:

(a) The number and percentage of Limited English Speaking Persons who actually use the Tier 1 Department's services Citywide, listed by language other than English, using either method in Section 91.2(k) of this Chapter;

(b) The number and percentage of limited English speaking residents of each District in which a Covered Department Facility is located and persons who use the services provided by a Covered Department Facility, listed by language other than English, using either method in Section 91.2(k) of this Chapter;

(c) A demographic profile of the Tier 1 Department's clients;

- (d)** The number of Public Contact Positions in the Tier 1 Department;
- (e)** The number of Bilingual Employees in Public Contact Positions, their titles, certifications of bilingual capacity, office locations, the language(s) other than English that the persons speak;
- (f)** The name and contact information of the Tier 1 Department's language access liaison;
- (g)** A description of any use of telephone-based interpretation services, including the number of times such services were used and the language(s) for which they were used;
- (h)** A narrative assessment of the procedures used to facilitate communication with Limited English Speaking Persons, which shall include an assessment of the adequacy of the procedures;
- (i)** Ongoing employee development and training strategy to maintain well trained bilingual employees and general staff. Employee development and training strategy should include a description of quality control protocols for bilingual employees; and description of language service protocols for Limited English Speaking individuals in crisis situations as outlined in Section 91.8;
- (j)** A numerical assessment of the additional Bilingual Employees in Public Contact Positions needed to meet the requirements of Section 91.3 of this Chapter;
- (k)** If assessments indicate a need for additional Bilingual Employees in Public Contact Positions to meet the requirements of Section 91.3 of this Chapter, a description of the Tier 1 Department's plan for filling the positions, including the number of estimated vacancies in Public Contact Positions;
- (l)** The name, title, and language(s) other than English spoken (if any) by the staff member designated with responsibility for ensuring the accuracy and appropriateness of translations for each language in which services must be provided under this Chapter;
- (m)** A list of the Tier 1 Department's written materials required to be translated under this Chapter, the language(s) into which they have been translated, and the persons who have reviewed the translated material for accuracy and appropriateness;
- (n)** A description of the Tier 1 Department's procedures for accepting and resolving complaints of an alleged violation of this Chapter consistent with Section 91.9;
- (o)** A copy of the written policies on providing services to Limited English Speaking Persons;
- (p)** A list of goals for the upcoming year and, for all Annual Compliance Plans except the first, an assessment of the Tier 1 Department's success at meeting last year's goals;
- (q)** Annual budget allocation and strategy, including the total annual expenditure for services that are related to language access:
 - (1)** Compensatory pay for bilingual employees who perform bilingual services, excluding regular annual salary expenditures;
 - (2)** Telephonic translation services provided by City vendors;
 - (3)** Document translation services provided by City vendors;
 - (4)** On-site language interpretation services provided by City vendors;
 - (5)** The total projected budget to support progressive implementation of the Department's language service plan;
- (r)** Summarize changes between the Department's previous Annual Compliance Plan submittal and the current submittal, including but not limited to: (1) an explanation of strategies and procedures that have improved the Department's language services from the previous year; and (2) an explanation of strategies and procedures that did not improve the Department's language services and proposed solutions to achieve the overall goal of this Language Access Ordinance; and

(s) Any other information requested by the Commission necessary for the implementation of this Chapter.
(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.11. - COMPLIANCE PLANS SUBMITTALS AND EMERGING LANGUAGE POPULATIONS.

(a) Compliance Plans Submittals. The Director of each Tier 1 Department shall approve and annually file electronic copies of the Annual Compliance Plan by December 31st with the Mayor's Office, the Commission, and the Office of Civic Engagement and Immigrant Affairs.

(b) Inclusion of Emerging Language Populations in a written report to the Board. By March 1st of each year, the Office of Civic Engagement and Immigrant Affairs shall compile and summarize in a written report to the Clerk of the Board of Supervisors all departmental Annual Compliance Plans. In the written report of the Clerk of the Board, the Office of Civic Engagement and Immigrant Affairs may recommend appropriate changes to all departmental Annual Compliance Plans in order to meet the needs of emerging language populations. Emerging language populations is defined as at least 2.5 percent of the population who use the Department's services or 5,000 City residents who speak a shared language other than English.

(c) By June 30th of each year, the Office of Civic Engagement and Immigrant Affairs may request a joint public hearing with the Board of Supervisors and the Commission to assess the adequacy of the City's ability to provide the public with access to language services.

(d) The Office of Civic Engagement of Immigrant Affairs shall keep a log of all complaints submitted and report quarterly to the Commission.

(Added by Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.12. - RECRUITMENT.

It shall be the policy of the City to publicize job openings for Departments' Public Contact Positions as widely as possible including, but not limited to, in ethnic and non-English language media.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.13. - COMMISSION RESPONSIBILITIES.

The Commission shall be responsible for monitoring and facilitating compliance with this Chapter. Its duties shall include: conducting outreach to Limited English Speaking Persons about their rights under this Chapter; reviewing complaints about alleged violations of this Chapter forwarded from Departments; working with Departments to resolve complaints; maintaining copies of complaints and their resolution for not less than 8 years, organized by Department; coordinating a language bank for Departments that choose to have translation done outside the Department and need assistance in obtaining translators; and reviewing Annual Compliance Plans.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.14. - OFFICE OF CIVIC ENGAGEMENT AND IMMIGRANT AFFAIRS' RESPONSIBILITIES.

Subject to the budgetary and fiscal provisions of the Charter, the City may adequately fund the Office of Civic Engagement and Immigrant Affairs to provide a centralized infrastructure for the City's language services. The Office of Civic Engagement responsibilities include the following:

(a) Provide technical assistance for language services for all Departments;

(b) Coordinate language services across Departments, including but not limited to maintaining a directory of qualified language service providers for the City, maintaining an inventory of translation equipment, providing assistance to Departments, Board of Supervisors, and the Mayor's Office in identifying bilingual staff;

(c) Compiling and maintaining a central repository for all Departments translated documents;

(d) Providing Departments with model Annual Compliance Plans; and

(e) Reviewing complaints of alleged violations with quarterly reports to the Commission.

(Added by Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.15. - RULES AND REGULATIONS.

In order to effectuate the terms of this Chapter, the Commission may adopt rules and regulations consistent with this Chapter.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.16. - ENFORCEMENT.

If after an investigation and attempt to resolve an incidence of Department non-compliance, the Commission is unable to resolve the matter, it shall transmit a written finding of non-compliance, specifying the nature of the non-compliance, to the Department, the Department of Human Resources, the Mayor, and the Board of Supervisors.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.17. - SEVERABILITY.

If any of the provisions of this Chapter or the application thereof to any person or circumstance is held invalid, the remainder of this Chapter, including the application of such part or provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Chapter are severable.

(Added by Ord. 126-01, File No. 010409, App. 6/15/2001; Ord. 202-09, File No. 090461, App. 8/28/2009)

SEC. 91.18. - DISCLAIMERS.

(a) By providing the public with equal access to language services, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

(b) The obligations set forth in the Language Access Ordinance are directory and the failure of the City to comply shall not provide a basis to invalidate any City action.

(c) The Language Access Ordinance shall be interpreted and applied so as to be consistent with Title VI and VII of the Civil Rights Act of 1964, California's Fair Employment and Housing Act, and Article X of the San Francisco Charter and so as not to impede or impair the City's obligations to comply with any court order or consent decree.

(Added by Ord. 202-09, File No. 090461, App. 8/28/2009)

APPENDIX C: STANDARDIZED ANNUAL COMPLIANCE PLAN FORM

CHECKLIST	
<input type="checkbox"/>	Completed Section A: Department Results for FY2010-11 including the following information for the Department: <ul style="list-style-type: none"> ✓ Bilingual employees ✓ Bilingual employee development & training ✓ Oral translations at public meetings ✓ Recorded telephonic messages ✓ Translated materials
<input type="checkbox"/>	II. Completed Section B: Department Language Access Plans for FY 2012-13
<input type="checkbox"/>	III. Completed Section C: Required Language Access Documentation
<input type="checkbox"/>	A. An attached copy of the Department's written policies on providing services to LEP persons
<input type="checkbox"/>	B. An attached written assessment of meeting FY2011-12 goals.
<input type="checkbox"/>	C. An attached list of the Language Access Ordinance goals for FY2012-13.
<input type="checkbox"/>	D. Written protocols for serving LEP persons in crisis or emergency situations.

Checking boxes: Double click gray boxes for menu to check boxes.



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF CIVIC ENGAGEMENT & IMMIGRANT AFFAIRS

LANGUAGE ACCESS ORDINANCE (LAO)

TIER 1 DEPARTMENTS 2011 ANNUAL COMPLIANCE PLAN

General Instructions for Completing Annual Compliance Plan Filings:

Please complete all sections of this form and attach a cover letter and all required documents. All filings should be addressed to:

Isis Fernandez Sykes
Compliance Coordinator
Office of Civic Engagement & Immigrant Affairs
1 Dr. Carlton B. Goodlett Place, Room 352
San Francisco, CA 94102

Filings may be transmitted electronically in Word format to civic.engagement@sfgov.org and must be received no later than December 31, 2011.

DATE OF FILING:	
DEPARTMENT:	
LIAISON NAME:	
Title:	
Address:	
Telephone:	
Email:	

DEPARTMENT HEAD NAME:	
DEPARTMENT HEAD SIGNATURE:	
Address:	
Telephone:	
Email:	

**LANGUAGE ACCESS ORDINANCE (LAO)
ANNUAL COMPLIANCE PLAN**

SECTION A: DEPARTMENT RESULTS FOR FY2010-11

Instructions for completing Section A:

Please enter required department information in all fields listed in Section A. Departments should include results for Fiscal Year 2010-2011 (July 1, 2010 through June 30, 2011) for all questions in this section.

1. What kind of demographic information does the department currently track?

Describe the demographic information tracked (i.e., clients tracked by age, race, primary language, income, etc.):

Based on the demographic information currently captured by the department, please provide a snapshot of both primary and secondary clients served.

Primary Clients (i.e., children, seniors, juveniles, adults, ex-offenders, etc.)

Secondary Clients (e.g., families of, etc.)

2. What is the number and percentage of limited English proficient (LEP) persons who actually used the department's services citywide? *

Total Clients Citywide	Number of LEP Clients	% of Total Clients who are LEP

Please provide the method you used to determine number LEP persons actually served.

Annual Survey Intake Number of telephonic translations

* You may measure this information by: 1) conducting an annual survey during a period of at least two weeks; or 2) analyzing intake forms; or 3) analyzing and calculating the annual total number for telephonic translation services requested. See Language Access Ordinance Section 91.203(a)-(c).

Please indicate the number of LEP persons served in the following core languages:

NUMBER OF LEP CLIENTS BY CORE LANGUAGE						
CAN	MDRN	RUS	SPN	TAG	VIET	Other (specify)

Key: CAN = Cantonese MDRN = Mandarin RUS = Russian
 SPN = Spanish TAG = Tagalog VIET = Vietnamese

Please indicate the number of clients served in other languages:

Other Languages	Number of LEP Clients	Other Languages	Number of LEP Clients	Other Languages	Number of LEP Clients
Arabic		German		Korean	
Ambharic		Hakka		Lao	
Armenian		Haitian Creole		Llocino	
Bengali		Hausa		Mien	
Burmese		Hebrew		Maikese	
Bosnian		Hmong		Nepalese	
Cambodian		Hungarian		Oromo	
Croatian		Indonesian		Punjabi	
Farsi		Italian		Polish	
French		Japanese		Other*	

* Please add additional rows as needed.

6. Please assess the department's current process used to facilitate communication with LEP persons and indicate whether this will be adequate for FY2012-13 and beyond.

Briefly assess the department's process and/or protocols for communicating with LEP persons.	Are these procedures adequate by the department's assessment? Explain any necessary improvements planned for FY2012-13 and beyond:	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>

7. Employee Development & Training

EMPLOYEE DEVELOPMENT & TRAINING	Yes	No
Does the department offer training for bilingual staff? If yes, list types of training:	<input type="checkbox"/>	<input type="checkbox"/>
If no, please explain:		
Does the department have quality controls for bilingual employees?	<input type="checkbox"/>	<input type="checkbox"/>
If yes, explain the type of quality controls:		
If no, please explain:		
Does the department work with clients in crisis or emergency situations?	<input type="checkbox"/>	<input type="checkbox"/>
If yes, please describe the nature of crisis or emergency situations (i.e., fire, domestic violence, etc.)		
Please list the department's current language service protocols for serving Limited English Speaking persons in crisis or emergency situations:		

8. What is the department's assessment of additional bilingual employees needed in FY 2012-13 and beyond to meet the requirements of the Language Access Ordinance?

Total number of bilingual staff (public contact)	Is the number of bilingual staff adequate to meet LAO requirements?		Number of additional bilingual staff needed and corresponding language(s)
	Yes	No	
	<input type="checkbox"/>	<input type="checkbox"/>	

*Please state the department's plans for FY 2012-13 to fill vacant public contact positions with bilingual staff.

How can existing department resources be reallocated to better meet the language needs of your clients?

9. How does the department translate all written materials required under the LAO and does the department provide a list of all translated materials?

Required types of written materials	Number of translated materials	Mark by core language translation (Mark all boxes that apply)					
		CHN*	RUS	SPN	TAG	VIET	Other
Applications		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Forms		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Written notices of rights		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Written tests		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notices		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Program material		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Complaint forms		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Important written documents		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Key CHN = Chinese TAG = Tagalog RUS = Russian SPN = Spanish
VIET = Vietnamese

Please indicate the number of translated materials provided in other languages:

Other Languages	Total number of translated materials	Other Languages	Total number of translated materials
Arabic		German	
Amharic		Haitian	
Armenian		Haitian Creole	
Bengali		Hausa	
Burmese		Hebrew	
Bosnian		Hmong	
Cambodian		Hungarian	
Croatian		Indonesian	
Farsi		Italian	
French		Japanese	
		Other*	

* Please add additional rows as needed.

10. Did your department provide any oral translations at public meetings or hearings? If so, how many hearings or meetings and what languages?

11. Does your department have a recorded telephonic message? If so, in what languages.

12. How does the department ensure accuracy and cultural competency of its translated materials?

Please indicate the name, title and language(s) other than English spoken (if any) by the staff member(s) designated with responsibility for ensuring the accuracy and appropriateness of translations for each language in which services must be provided.

Name(s) of persons responsible for translation accuracy and appropriateness?	Title	Non-English core languages spoken						
		CAN	MDRN	RUS	SPN	TAG	VIET	Other
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Note: Add more rows or submit an additional list if necessary.

Key	CAN = Cantonese	MDRN = Mandarin	RUS = Russian
	SPN = Spanish	TAG = Tagalog	VIET = Vietnamese

13. Describe the department's procedures for accepting and resolving complaints of alleged violations of the Language Access Ordinance.

Please indicate the methods for accepting complaints regarding LAO violations. (mark all boxes that apply).		Please indicate the methods for resolving LAO complaints (mark all boxes that apply).			
In person	<input type="checkbox"/>	In person	<input type="checkbox"/>		<input type="checkbox"/>
Via Telephone	<input type="checkbox"/>	Via Telephone	<input type="checkbox"/>		<input type="checkbox"/>
In Writing via US mail	<input type="checkbox"/>	In Writing via US mail	<input type="checkbox"/>		<input type="checkbox"/>
Complaint form	<input type="checkbox"/>	Complaint form	<input type="checkbox"/>		<input type="checkbox"/>
Website electronic submissions	<input type="checkbox"/>	Website electronic submissions	<input type="checkbox"/>		<input type="checkbox"/>
Other (please explain):	<input type="checkbox"/>	Other (please explain):	<input type="checkbox"/>		<input type="checkbox"/>

COMPLAINT PROCEDURES

Are the department's LAO complaint procedures written and publicly posted? Yes No

Total number of complaints received (all types)	Total number of resolved complaints (all types)	Total number of resolved LAO complaints	Total number of resolved LAO complaints

**LANGUAGE ACCESS ORDINANCE (LAO)
ANNUAL COMPLIANCE PLAN
SECTION B: PLANNING**

Instructions for completing Section B:

The following questions are required by the amended LAO and are intended to assist departments with their plans for meeting the language needs of Limited English Proficient (LEP) persons in the next fiscal year. Departments should respond to all questions in this section with information for Fiscal Year 2012-2013 (July 1, 2012 through June 30, 2013).

1. What is the department's FY2012-13 budget allocation and strategy for meeting the needs of persons who are not English-language proficient, including the total annual expenditure for services that are related to language access services (new LAO requirement)?

Language Access Services	Budget (\$)	Strategy
1. Compensatory pay for bilingual employees who perform bilingual services, excluding regular annual salary expenditures.		
2. Telephonic translation services provided by City vendors.		
3. Document translation services provided by City vendors.		
4. On-site language interpretation services provided by City vendors.		
5. The total projected budget to support progressive implementation of the Department's language service plan.		

2. What are the changes between the department's previous Annual Compliance Plan and the current submission?

Summarize changes made from previous Annual Compliance Plan:

A. List overall changes:

B. Indicate how the Department's current strategies and procedures, and proposed solutions to achieve LAO goals will improve the provisioning of language services from the previous compliance plan.

C. Indicate the key barriers that have prevented the department from achieving LAO goals and proposed solutions.

D. Indicate how the department can redistribute resources to meet any language service gaps.

**LANGUAGE ACCESS ORDINANCE (LAO)
ANNUAL COMPLIANCE PLAN
SECTION C: REQUIRED DOCUMENTATION**

Instructions for completing Section C:

The LAO requires that Tier I Departments provide documentation on specific policies and plans. Departments should attach all required documents with their annual compliance plan filing.

- A. A copy of existing written policies on providing services to LEP Persons.
- B. A list of the department's Language Access Ordinance goals for FY2012-2013.
- C. An assessment of how the department is meeting FY2011- 2012 goals.
- D. Written protocols for serving LEP persons in crisis or emergency situations.

APPENDIX D: GLOSSARY OF TERMS

American Community Survey	An ongoing survey conducted by the U.S. Census Bureau among a sample of the population that provides a detailed snapshot of various social, economic, and housing characteristics of the U.S. population. Data are analyzed and released in the form of 1-year, 3-year, and 5-year estimates.
Annual Compliance Plan	An annual written plan required of Tier 1 departments including information and data outlined in the LAO, due to OCEIA by December 31 of each year.
Bilingual Employee	A city employee who is proficient in the English language and in one or more non-English language(s).
Census	A population snapshot conducted every ten years on April 1 by the U.S. Census Bureau to provide an official count of the entire U.S. population to Congress. Data are used to determine congressional representation, community services, and distribution of federal funds. In the 2010 Census, the survey included ten questions.
Concentrated Number of Limited English Speaking Persons	Either 5 percent of the population of the District in which a Covered Department Facility is located or 5 percent of those persons who use the services provided by the Covered Department Facility. OCEIA determines annually whether 5 percent or more of the population of any District in which a Covered Department Facility is located are Limited English Speaking Persons who speak a shared language other than English. OCEIA makes this determination by referring to the best available data from the United States Census Bureau or other reliable sources and certifies its determination to all City Departments and the Immigrant Rights Commission no later than December 1 of each year (beginning 2011). Each Department shall determine annually whether 5 percent or more of those persons who use the Department's services at a Covered Department Facility are Limited English Speaking Persons who speak a shared language other than English using either of the methods specified in Section 91.2(k) of the LAO.
Covered Department Facility	Under the LAO, any Department building, office, or location that provides direct services to the public and serves as the workplace for 5 or more full-time City employees.
Crisis/Emergency Situation	A serious or unexpected event of intense difficulty or danger that requires an immediate response due to the impact on individual or public safety.
Cultural & Linguistic Competency	A set of behaviors, attitudes, and policies that come together in a system, agency, or among professionals that enables effective work in cross-cultural situations (Source: Office of Minority Health).
Districts	The 11 geographical districts by which the people of the City and County of San Francisco elect the members of the Board of Supervisors.
Interpretation	Listening to a message in one language and conveying that message's meaning orally into another language in an appropriate and culturally competent manner.
Language Access Ordinance (LAO)	San Francisco's language access law, established in 2001. Amended in 2009 to add 13 new Tier 1 departments, strengthen compliance requirements, and increase efficacy.
Language Access Services	The full range of services used to ensure that individuals who are not English-language proficient have meaningful and equal access to information about city programs and services. Services include, but are not limited to 1) in-person, telephonic and video remote interpreter services, 2) translation of written materials, notices and documents, and 3) bilingual employee services.
Language Line	An authorized telephonic interpretation vendor that provides over-the-phone interpretation, among other services. OCEIA manages all citywide language service contracts.
Limited English Proficient (LEP)	An individual who does not speak English well or is otherwise unable to communicate effectively in English because English is not the individual's primary language.

Multilingualism	Language diversity, the use of multiple languages by an individual or community of speakers to communicate with others. Over 115 different languages are spoken in the San Francisco Bay area.
National Origin Discrimination	Discrimination as a result of a person's birthplace, ancestry, culture or language. This means people cannot be denied equal opportunity because they or their family are from another country, because they have a name or accent associated with a national origin group, because they participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin (Source: U.S. Department of Justice).
Primary Language	An individual's preferred and/or strongest language for communication with others.
Public Contact Position	A position in which a primary job responsibility consists of meeting, contacting, and dealing with the public in the performance of the duties of that position.
Quality Control	Procedures or measures that ensure City departments' and agencies' services and materials are translated or interpreted accurately and consistently.
Substantial Number of Limited English Speaking Persons	Either 10,000 City residents, or 5 percent of those persons who use the Department's services. OCEIA determines annually whether at least 10,000 limited English speaking City residents speak a shared language other than English. OCEIA makes this determination by referring to the best available data from the United States Census Bureau or other reliable sources, and certifies this determination to Departments and the Immigrant Rights Commission no later than December 1 of each year (beginning in 2011). Each Department shall determine annually whether 5 percent or more of those Limited English Speaking Persons who use the Department's services Citywide speak a shared language other than English. Departments shall make this determination using one of the following methods: 1) surveys, 2) at the point of service, and/or 3) Language Line or other telephonic language translation vendors contracted by the department.
Telephonic Services	Contracted interpretation services to provide as-needed, toll-free 800 telephone number(s) or other means for participating City departments to access language interpretation services 24 hours a day and 365 days of the year. Core languages include: Cantonese (Chinese), Mandarin (Chinese), Spanish, Russian, Tagalog, and Vietnamese and a minimum of 20 additional languages and/or dialects approved in writing by the Office of Civic Engagement & Immigrant Affairs.
Tier 1 Department	Departments that must comply with the full extent of the LAO (including minimum requirements) and file annual compliance plans: Adult Probation, Airport, Assessor Recorder, Building Inspection, City Hall Building Management, District Attorney, Economic and Workforce Development, Elections, Environment, Fire, Human Services Agency, Juvenile Probation, Municipal Transportation Agency, Planning, Police, Public Defender, Public Health, Public Library, Public Utilities, Public Works, Recreation and Parks, Residential Rent Stabilization and Arbitration Board, Sheriff, Treasurer and Tax Collector, and Zoo.
Tier 2 Department	All city departments not specified as Tier 1 that furnish information or provide services directly to the public. Must meet basic requirements of the LAO.
Translation	Reading a document in one language and conveying the document's meaning in writing into another language in an appropriate and culturally competent manner.

APPENDIX E. RESOURCES

Despite challenges, public agencies and government can adopt cost-effective policies and practices in partnership with advocates, community-based organizations, philanthropic institutions and the private sector. Below are some of the resources OCEIA is using to assist city departments with meeting their LAO compliance requirements and better serving LEP clients.

Annie E. Casey Foundation	A private charitable organization that fosters public policies, human-service reforms, and community supports to more effectively meet the needs of vulnerable children and families. Recognizing the challenges that state and local agencies have with implementing language access policies, the Foundation established the Language Access Practitioners Network in 2006, connecting otherwise isolated government practitioners that work in child and family serving agencies, as well as staff from mayors’ and governors’ offices who oversee immigrant-serving programs. The Foundation has funded a number of initiatives and reports focused on developing effective new ways of communicating with and serving LEP individuals.
Chinese for Affirmative Action (CAA)	An early champion of language rights and contributor to <i>Lau v. Nichols</i> , CAA has published a number of reports on language access progress, barriers, and opportunities. Its 2004 <i>The Language of Business</i> report acknowledged the challenges faced by the public sector in delivering multilingual services and increasing language access, recommending that government agencies improve their ability to communicate with LEP clients by adopting business practices widely used by the private sector, including: 1) language needs assessments; 2) effective outreach and marketing strategies targeting LEP populations; 3) hiring and training bilingual personnel; 4) creating multilingual telephone or customer service centers to communicate directly with LEP customers; and 5) developing cost effective procedures for translating and distributing written materials. ¹⁹
Federal Interagency Working Group on Limited English Proficiency	Operates www.lep.gov , a website that acts as a clearinghouse of information and provides tools and technical assistance for limited English proficiency and language services to guide federal agencies, recipients of federal funds, users of federal programs and federally assisted programs, and other stakeholders.
Grantmakers Concerned with Immigrants and Refugees (GCIR)	GCIR provides tools and resources and seeks to influence the philanthropic field to advance the contributions of the country’s growing and increasingly diverse immigrant and refugee populations. GCIR has published a number of guidebooks on immigrant integration and LEP assistance. <i>Investing in Our Communities: Strategies for Immigrant Integration</i> , published in 2006, is a well-regarded toolkit that includes a section on public sector efforts entitled <i>Promising Practices in Language Access</i> . GCIR is a growing network of foundations working on a wide range of immigration and immigrant integration issues including education, health, employment, civic participation, race and intergroup relations, and other concerns affecting immigrants.
Migrant Policy Institute: National Center on Immigrant Integration Policy	MPI’s <i>Language Portal</i> is a digital library of more than 1,600 resources relating to the use of language access services in social services and public safety agencies. The <i>Portal</i> includes legal guidelines, service models, master contracts for service providers, hourly translation and interpretation rates for different languages, pay differentials for multilingual staff, and sample translated documents. The <i>Portal</i> was created to provide “one-stop shopping” for the many local government administrators, policymakers, and others who are looking for ways to provide high-quality and cost-effective translation and interpretation services. MPI’s National Center on Immigrant Integration Policy provides: policy-focused research; policy design; leadership development; technical assistance and training for government officials and community leaders; needs assessment, program planning, and evaluation services; and an electronic resource center on immigrant integration issues.

¹⁹Chinese for Affirmative Action. (2004). *The Language of Business: Adopting Private Sector Practices to Increase Limited-English Proficient Individuals’ Access to Government Services*. Retrieved from: [www.caasf.org/wpcontent/uploads/PDFs/The%20Language %20of%20Business%20%5bCAA%5d.pdf](http://www.caasf.org/wpcontent/uploads/PDFs/The%20Language%20of%20Business%20%5bCAA%5d.pdf).



**CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF CIVIC ENGAGEMENT & IMMIGRANT AFFAIRS**

OCEIA promotes civic participation and inclusive policies that improve the lives of San Francisco’s residents, particularly immigrants, newcomers, underserved and vulnerable communities. OCEIA seeks to bridge linguistic and cultural barriers to ensure that San Francisco’s diverse residents have equal access to city services and opportunities to participate and contribute in meaningful ways to the success of the community and to the city.

Program Areas:

Community Ambassadors Program | Language Access & Services | Immigrant Affairs & Integration | Immigrant Rights Commission
| Census Analysis & Education | Community Outreach & Education | Day Laborers Program | SF WireUP! Consumer Education

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Adrienne Pon, *Executive Director*
Whitney Chiao, *Executive Coordinator/Office Manager*
Felix Fuentes, *Senior Outreach & Education Coordinator/Community Ambassadors Program Supervisor*
Danielle Lam, *Events and Programs Associate*
Ray Tak Wai Law, *Language Services Specialist/Media Coordinator*
Alena Miakinina, *Program Assistant/Russian Translator*
Isis Fernandez Sykes, *Legal & Legislative Analyst/Language Services Unit Manager*
Ashley Walker-Benjamin, *Program Assistant*
Richard Whipple, *Senior Programs Manager & Policy Analyst/Community Ambassadors Program Manager*
Karin Huiqing Yang, *Language Services Specialist*

Community Ambassadors:

District 10

William Bender
Brenda Chan
Ashley Cheng, *Team Leader*
Terry Collins
Cuong ‘Leo’ Do

Suafa Drake
Dalana Kelly
Jessica Lopez
Cindy Tong
Nyasha Vincent, *Team Leader*

District 6

Schevonne Baty
Maurice Colvin
Troy Edwards
Javier Gutierrez
Kim Howard
Alonna Ia

Pecola Jones
Andom Kahsay
Jamie Lunsford
Skyler Newsome
Faapito ‘Tee’ Sagote, *Team Leader*
Rickey Vedilago

Credits:

Author/Report Narrative and Design
Chief Researcher/LAO Compliance & Data Analysis
Data Coordinator/Data Integrity & Verification
IRC Advisor

Adrienne Pon
Isis Fernandez Sykes
Whitney Chiao
Commissioner Vera Haile